



Local Agency Formation Commission of Napa County

Subdivision of the State of California

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

■ Margie Mohler, Chair ■ Brad Wagenknecht, Vice Chair ■ Mariam Aboudamous ■ Diane Dillon
■ Kenneth Leary ■ Ryan Gregory, Alternate ■ Eve Kahn, Alternate ■ Beth Painter, Alternate

Administrative Office
1754 Second Street, Suite C
Napa, California 94559
Telephone: 707-259-8645
www.napa.lafco.ca.gov

Consistent with California Assembly Bill 361 and California Government Code Section 54953(e), due to the COVID-19 State of Emergency and the recommendations for physical distancing, there will be no physical or in-person meeting location available to the public. Instead, the meeting will be conducted solely by teleconference. All staff reports for items on the meeting agenda are available on the Commission's website at https://www.napa.lafco.ca.gov/staff_reports.aspx. The meeting will be accessible for all members of the public to attend via the link and phone number listed below.

REGULAR MEETING AGENDA

Monday, August 1, 2022, 2:00 PM

This meeting will be conducted by teleconference. Written public comments may be submitted PRIOR to the meeting by 10:00 A.M. on August 1, 2022. Public comments DURING the meeting: See "COVID-19 – Notice of Meeting Procedures" on pages 3 and 4 of the agenda.

*Join Teleconference Meeting **Electronically** (computer, tablet, or smartphone):*

<https://countyofnapa.zoom.us/j/86989895749>

*Join Teleconference Meeting by **Telephone**:*

Dial: (669) 900-6833

Follow the prompts: Meeting ID: 869 8989 5749#

1. CALL TO ORDER BY CHAIR; ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

The Chair will consider approving the agenda as prepared by the Executive Officer with any requests to remove or rearrange items by members of the Commission or staff.

4. PUBLIC COMMENTS

The public is encouraged to address the Commission concerning any matter not on the Agenda. The Commission is prohibited from discussing or taking action on any item not appearing on the posted Agenda.

5. CONSENT ITEMS

All items calendared as consent are considered ministerial or non-substantive action or information items. As such, all consent items may be approved or accepted under one vote of the Commission. With the concurrence of the Chair, a Commissioner may request discussion of an item on the consent calendar.

Action Items:

- a) [Approval of Resolution Authorizing Continued Teleconference Meetings under Government Code Section 54953\(e\) \(AB 361\)](#)
- b) [Approval of Meeting Minutes: June 6, 2022 Regular Meeting](#)
- c) [Close Imprest Cash Fund](#)
- d) [Approval of Policy Amendments](#)

Receive Report for Information Only:

- e) **Fiscal Year 2021-22 Budget to Actual Report**
- f) **Napa LAFCO Quarterly Newsletter**
- g) **Current and Future Proposals**

6. INFORMATION ITEMS

A member of the public may receive permission to provide comments on any item calendared for information at the discretion of the Chair.

- a) **Updates on Napa Countywide Water and Wastewater Municipal Service Review**
(Approx. 15 Minutes)
The Commission will receive informational updates from the City of Napa, the Town of Yountville, and Napa Sanitation District on actions taken following recommendations included in the Napa Countywide Water and Wastewater Municipal Service Review.

7. ACTION ITEMS

Items calendared for action do not require a public hearing before consideration by the Commission. Applicants may address the Commission. Any member of the public may provide comments on an item.

- a) **CALAFCO Nominations and Annual Conference Items** (Approx. 10 Minutes)
The Commission will consider appointing voting delegates to represent the agency at CALAFCO's Annual Conference scheduled for October 19 – 21 at the Hyatt Regency Newport Beach John Wayne Airport. The Commission will also consider making nominations for the CALAFCO Board of Directors and achievement awards.
- b) **Legislative Report** (Approx. 10 Minutes)
The Commission will receive a report on legislative items directly or indirectly affecting LAFCOs. The recommended action is for the Commission to submit a letter to the Legislature in support of Senate Bill 1449. The Commission may take additional support positions on other bills if desired.

8. DISCUSSION ITEMS

A member of the public may receive permission to provide comments on any item calendared for discussion at the discretion of the Chair. General direction to staff for future action may be provided by Commissioners.

- a) **Draft Municipal Service Review and Sphere of Influence Review for the Silverado Community Services District** (Approx. 15 Minutes)
The Commission will receive and discuss the draft Municipal Service Review and Sphere of Influence Review for the Silverado Community Services District. The draft report includes written determinations making statements on the level and range of agency services and includes a recommendation to affirm the current sphere of influence with no changes. The Commission is invited to discuss the draft report and provide feedback to staff in anticipation of receiving a final Municipal Service Review and Sphere of Influence Review for formal action as part of a public hearing at a future meeting. No action will be taken by the Commission as part of this item.
- b) **Strategic Plan and Work Program Progress Report** (Approx. 10 Minutes)
The Commission will receive a progress report on its adopted strategic plan and work program. The Commission will consider providing direction to staff with respect to timing and location for a future strategic planning session.
- c) **Direction on Future Commission Meetings** (Approx. 5 Minutes)
The Commission will consider alternatives for the location and format of future Commission meetings.

9. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No discussion or action may occur or be taken, except to place the item on a future agenda if approved by a majority of the Commission.

10. CLOSED SESSIONS:

a) Public Employee Performance Evaluation – (Government Code Section 54957(b)(1))
Employee: Executive Officer

b) Conference with Labor Negotiators – (Government Code Section 54957.6)
Agency Designated Representative: Commission Chair
Unrepresented Employee: Executive Officer

11. ADJOURNMENT TO NEXT SCHEDULED MEETING

Monday, October 3, 2022 at 2:00 P.M. The meeting may be conducted by teleconference only in compliance with California Assembly Bill 361. If the meeting is held in person, the meeting location will be at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.

MEETING INFORMATION

COVID-19 – Notice of Meeting Procedures

TELECONFERENCE MEETING: The Commission will conduct this meeting as a teleconference in compliance with California Assembly Bill 361 and California Government Code Section 54953(e) due to the COVID-19 State of Emergency and the recommendations for physical distancing, and members of the Commission or staff may participate in this meeting telephonically or electronically. Members of the public may participate in the meeting, as described below.

Join Teleconference Meeting *Electronically* (computer, tablet, or smartphone):
<https://countyofnapa.zoom.us/j/86989895749>

Join Teleconference Meeting by *Telephone*:
Dial: (669) 900-6833
Follow the prompts: Meeting ID: 869 8989 5749#

SUBMITTING WRITTEN COMMENTS TO BE READ AT THE MEETING: Any member of the public may submit a written comment to the Commission before the meeting by **August 1, 2022 at 10:00 A.M.** by email to info@napa.lafco.ca.gov or by mail to Napa LAFCO at 1754 Second Street, Suite C, Napa, CA 94559-2450. If you are commenting on a particular item on the agenda, please identify the agenda item number and letter. Any comments of 500 words or less (per person, per item) will be read into the record if: (1) the subject line includes “COMMENT TO COMMISSION – PLEASE READ”; and (2) it is received by the Commission prior to the deadline of **August 1, 2022 at 10:00 A.M.**

SUBMITTING SUPPLEMENTAL WRITTEN COMMENTS: Any member of the public may submit supplemental written comments to the Commission, beyond the 500-word limit for comments read into the record, and those supplemental written comments will be made a part of the written record.

SUBMITTING SPOKEN COMMENTS DURING THE COMMISSION MEETING:

Electronically:

1. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
2. When the Commission calls for the item on which you wish to speak, click “participants”, a menu will appear. On computer or tablet: click on the “raise hand” icon or word. On a smartphone: click on your name in the list of participants, click on “raise hand”. Staff will unmute speakers in turn.
3. When you are called upon to speak, please provide your name and address for the record.
4. When called, please limit your remarks to the time limit allotted (3 minutes).

By phone (please avoid the speakerphone function to prevent echoing):

1. Your phone number will appear but not your name.
2. When the Commission calls for the item on which you wish to speak, press *9 to “raise your hand”. Staff will unmute speakers in turn. You will be called upon using the last four digits of your phone number, since your name is not visible. You will be prompted to press *6 to be unmuted.
3. When you are called upon to speak, please provide your name and address for the record.
4. When called, please limit your remarks to the time limit allotted (3 minutes).

VIEWING RECORDING OF TELECONFERENCE MEETING: The Commission’s teleconference meeting will be recorded. Members of the public may access the teleconference meeting and other archived Commission meetings by going to https://www.napa.lafco.ca.gov/cm_meeting_video.aspx. Please allow up to one week for production time.

AGENDA ITEMS: The Commission may reschedule items on the agenda. The Commission will generally hear uncontested matters first, followed by discussions of contested matters, and staff announcements in that order.

CONDUCT OF HEARINGS: A contested matter is usually heard as follows: (1) discussion of the staff report and the environmental document; (2) testimony of proponent; (3) public testimony; (4) rebuttal by proponent; (5) provision of additional clarification by staff as required; (6) close of the public hearing; (7) Commission discussion and Commission vote.

VOTING: A quorum consists of three members of the Commission. No action or recommendation of the Commission is valid unless a majority of the quorum of the Commission concurs therein.

OFF AGENDA ITEMS: Matters under the jurisdiction of the Commission and not on the posted agenda may be addressed by the public under “Public Comments” on the Agenda. The Commission limits testimony on matters not on the agenda to 500-words or less for a particular subject and in conformance with the COVID-19-Notice of Meeting Procedures. The Commission cannot take action on any unscheduled items.

SPECIAL NEEDS: Meetings are accessible to persons with disabilities. Requests for assistive listening devices or other considerations should be made 72 hours in advance through LAFCO staff at (707) 259-8645 or info@napa.lafco.ca.gov.

POLITICAL REFORM ACT: Pursuant to Government Code Sections 56700.1 and 81000 et seq., any person or combination of persons who directly or indirectly contributes \$1,000 or more or expends \$1,000 or more in support of or in opposition to a change of organization or reorganization that will be, or has been, submitted to LAFCO must comply, to the same extent as provided for local initiative measures, with reporting and disclosure requirements of the California Political Reform Act of 1974. Additional information can be obtained by contacting the Fair Political Practices Commission. Pursuant to Government Code Section 84308, if you wish to participate in the proceedings indicated on this agenda, you or your agent is prohibited from making a campaign contribution of \$250 or more to any Commissioner or Alternate Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until three months after a final decision is rendered by LAFCO. If you or your agent has made a contribution of \$250 or more to any Commissioner or Alternate Commissioner during the 12 months preceding the decision, that Commissioner or Alternate Commissioner must disqualify themselves from the decision in the proceeding. However, disqualification is not required if the Commissioner or Alternate Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings.

MEETING MATERIALS: Any writings or documents provided to a majority of the members of the Commission regarding any item on this agenda after the posting of the agenda and not otherwise exempt from disclosure will be made available for public review at <https://www.napa.lafco.ca.gov> or by contacting LAFCO staff at info@napa.lafco.ca.gov or call the LAFCO office at (707) 259-8645. If the supplemental materials are made available to the members of the Commission at the meeting, a copy will be available for public review at <https://www.napa.lafco.ca.gov>. Staff reports are available online at https://www.napa.lafco.ca.gov/staff_reports.aspx or upon request to LAFCO staff at info@napa.lafco.ca.gov or call the LAFCO office at (707) 259-8645.



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Agenda Item 5a (Consent/Action)

TO: Local Agency Formation Commission

FROM: Brendon Freeman, Executive Officer *BF*
Gary Bell, General Counsel *GBB*

MEETING DATE: August 1, 2022

SUBJECT: Approval of Resolution Authorizing Continued Teleconference Meetings under Government Code Section 54953(e) (AB 361)

RECOMMENDATION

It is recommended the Commission adopt the Resolution of the Local Agency Formation Commission of Napa County declaring its intent to continue remote teleconference only meetings due to the Governor's Proclamation of State Emergency and state regulations related to physical distancing due to the threat of COVID-19 consistent with California Assembly Bill (AB) 361 and amended California Government Code section 54953.

BACKGROUND AND DISCUSSION

On October 4, 2021, the Commission approved Resolution No. 2021-22 Declaring its Intent to Continue Remote Teleconference Only Meetings Due to the Governor's Proclamation of State Emergency and State Regulations Related to Physical Distancing Due to the Threat of COVID-19. The Commission has continued to make findings at each subsequent Commission meeting to allow for continued teleconference only meetings consistent with the provisions of Government Code (G.C.) Section 54953 enacted by Assembly Bill (AB) 361.

In order for the Commission to continue to meet utilizing the AB 361 relaxed teleconference meeting rules, the Commission must make ongoing findings that the Commission has reconsidered the circumstances of the state of emergency and that the emergency continues to impact the ability to "meet safely in person," or that state or local officials continue to recommend measures to promote social distancing. G.C. Section 54953(e)(3).

Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

COVID-19 health risks and impacts continue and are ever changing. In response to improving conditions, Governor Newsom issued Executive Order N-04-22 on February 25, 2022, which lifted many of the provisions related to the emergency while maintaining certain measures to support the ongoing response and recovery effort. Although a portion of the emergency provisions have been lifted, the Governor's state of emergency proclamation remains active related to COVID-19. The Governor's continued state of emergency order supports holding public meetings by teleconference only pursuant to the provisions of AB 361.

Local and state regulations have been updated related to use of facemasks, but social distancing is still recommended and in some situations required pursuant to the Cal/OSHA Emergency Temporary Standards Section 3205. These Cal/OSHA requirements continue to support the County of Napa's September 27, 2021 Memorandum to permit remote attendance at all boards and commission meetings. Based on these state and local orders, the findings to support teleconference only meetings pursuant to G.C. Section 54953(e)(1) can continue to be made.

In coordination with the Chair, staff recommends the Commission continue to meet in a remote teleconference format due to ongoing COVID-19 infections in the Napa region. Staff will continue to monitor the conditions related to COVID-19 and provide updates to the Commission related to meeting accommodations as conditions change.

ATTACHMENT

- 1) Resolution of the Local Agency Formation Commission of Napa County Declaring its Intent to Continue Remote Teleconference Only Meetings

RESOLUTION NO. _____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
DECLARING ITS INTENT TO CONTINUE REMOTE TELECONFERENCE ONLY
MEETINGS DUE TO THE GOVERNOR’S PROCLAMATION OF STATE EMERGENCY
AND STATE REGULATIONS RELATED TO PHYSICAL DISTANCING DUE TO THE
THREAT OF COVID-19**

WHEREAS, the Local Agency Formation Commission of Napa County (“Commission”) is committed to preserving and nurturing public access and participation in meetings of the Commission;

WHEREAS, all meetings of Commission are open and public, as required by the Ralph M. Brown Act (California Government Code Sections 54950 – 54963), so that any member of the public may attend, participate, and observe the Commission conduct its business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor of the State of California pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the State; and

WHEREAS, such conditions now exist in the State, specifically, the Governor of the State of California proclaimed a state of emergency on March 4, 2020, related to the threat of COVID-19, which remains in effect; and

WHEREAS, the California Division of Occupational Safety and Health (“Cal/OSHA”) regulations at Title 8 Section 3205 recommends physical distancing in the workplace as precautions against the spread of COVID-19 and imposes certain restrictions and requirements due to a “close contact” which occurs when individuals are within six feet of another in certain circumstances; and

WHEREAS, the proliferation of Omicron subvariants of the virus continues to pose imminent risk to health and safety and directly impacts the ability of the public and the Commission to meet safely in person; accordingly, the Commission hereby recognizes the proclamation of a state of emergency by the Governor of the State of California and the regulations of Cal/OSHA recommending physical distancing; and

WHEREAS, as a consequence of the emergency related to COVID-19, the Commission shall conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of Government Code section 54953, and shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Section 54953; and

WHEREAS, the Commission meetings will be accessible to the public to attend electronically or via phone.

NOW, THEREFORE, BE IT RESOLVED THAT THE COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

2. Findings. The Commission hereby finds and declares the following, as required by Government Code section 54953(e)(3):

- A. The Commission has reconsidered the circumstances of the state of emergency declared by the Governor of the State of California pursuant to his authority under Government Code section 8625;
- B. The state of emergency continues to directly impact the ability of members of the Commission and the public to meet safely in person;
- C. State and local officials have imposed or recommended measures to promote social distancing;
- D. Meeting in person would present imminent risks to the health or safety of attendees; and

3. Remote Teleconference Meetings. The Executive Officer is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, but not limited to, conducting open and public meetings of the Commission in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act for remote only teleconference meetings.

4. Reoccurring Evaluation by the Commission. The Executive Officer is hereby directed to continue to monitor the conditions and health and safety conditions related to COVID-19, the status of the Governor's state of emergency, and the state regulations related to social distancing, and present to the Commission at future meetings the related information and recommendations for remote only meetings pursuant to the provisions of Government Code section 54953(e)(3) and to extend the time during which the Commission may continue to teleconference without compliance with paragraph (3) of subdivision (b) of Section 54953.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on August 1, 2022, after a motion by Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSENT: Commissioners _____

ABSTAIN: Commissioners _____

Margie Mohler
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Dawn Mittleman Longoria
Interim Commission Clerk

DRAFT



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Agenda Item 5b (Consent/Action)

TO: Local Agency Formation Commission

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

MEETING DATE: August 1, 2022

SUBJECT: Approval of Meeting Minutes:
June 6, 2022 Regular Meeting

DISCUSSION AND RECOMMENDATION

The Commission will consider approving the draft meeting minutes prepared by staff for the June 6, 2022 Regular Meeting, included as Attachment One.

Staff recommends approval.

ATTACHMENT

- 1) Draft Minutes for June 6, 2022 Regular Meeting

Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

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 JUNE 6, 2022**

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

Chair Mohler called the regular meeting of June 6, 2022, 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	Ryan Gregory (<i>Voting</i>)	Brendon Freeman, Executive Officer
Mariam Aboudamous	Eve Kahn	DeeAnne Gillick, Commission Counsel
Diane Dillon	Beth Painter	Dawn Mittleman Longoria, Analyst II and Interim Clerk
Kenneth Leary		
<i>(Excused)</i>		
Brad Wagenknecht, Vice Chair		

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 Leary and second by Commissioner Dillon, the Commission unanimously adopted the agenda as submitted:

VOTE:

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

NOES: NONE

ABSENT: WAGENKNECHT

ABSTAIN: NONE

4. PUBLIC COMMENTS

Chair Mohler reviewed the slide by reading the process to make comments electronically and by phone. She invited members of the audience to provide public comment. No comments were received.

Alternate Commissioner Painter stated that she had received a text from a member public wishing to comment.

Jim Hinton expressed frustration that the comment process via a landline phone was too complicated and his general frustration with elected officials of Napa County.

5. CONSENT ITEMS**Action Items:**

- a) **Approval of Meeting Minutes: April 4, 2022, Regular Meeting**
- b) **Consider AB 361 Findings for Remote Teleconference Only Commission Meeting due to COVID-19 Emergency**
- c) **Retention of Legal Counsel**
- d) **Proposed Amendment to Policy on Municipal Service Reviews**
- e) **Proposed Amendment to Policy on Establishing Officers of the Commission**
- f) **Work Program for Fiscal Year 2022-23**

Receive Report for Information Only:

- g) **Third Quarter Budget Report for Fiscal Year 2021-22**
- h) **Napa LAFCO Quarterly Newsletter**
- i) **Current and Future Proposals**
- j) **Legislative Report**
- k) **Annexation Outreach Process**

Chair Mohler asked if Commissioners wanted to discuss any of the consent items, no request were made.

Upon motion by Commissioner Leary and second by Commissioner Aboudamous, the consent items were approved by roll call vote:

VOTE:

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

NOES: NONE

ABSENT: WAGENKNECHT

ABSTAIN: NONE

6. PUBLIC HEARING ITEMS

- a) **Sphere of Influence Amendment Request Involving the City of American Canyon, American Canyon Fire Protection District, and 1661 Green Island Road**

The Commission will consider a landowner request to amend the spheres of influence for the City of American Canyon (City) and American Canyon Fire Protection District (ACFPD) involving 1661 Green Island Road (APN 058-030-041). The recommended action is for the Commission to deny the request to amend the City's sphere and approve the request to amend ACFPD's sphere.

Chair Mohler explained the Commission's Procedures with respect to conduct of public hearings.

The Executive Officer provided an overview of his staff report which was included in the agenda packet. The overview included the request made by the applicant, current land use, land planning designations and the agreement between the City and County regarding the Urban Limit Line (ULL). The Executive Officer explained that LAFCO was not a party to the agreement, however, Commission Policy recognizes urban limit lines and has considered the property in the *South County Municipal Service Review (MSR) and Sphere Influence (2018)* when the City and ACFPD jointly requested amendment to their SOIs to include the property. The Commission deferred consideration until the property was within the ULL. Staff provided an overview of relevant Commission Policies which include such matters as preservation of agricultural use, land use

designations, service capabilities, and ULL. Staff further explained the current use of the property and surrounding industrial uses. ACFPD has continuously provided service to the property since 1957 at a higher level of service than available through County Fire. The Executive Officer provided a list of communication from the affected agencies and industry stakeholders. Next the matter of precedent setting was considered. The applicant submitted reports from experts showing that due to salinity in the recycled water, agricultural use is no longer viable on the property. Environmental analysis of the project was presented. Staff reviewed the alternatives available to the Commission, as well as staff recommendation to approve SOI amendment for ACFPD, but deny the SOI amendment for the City.

Chair Mohler complimented the Executive Officer on his thorough analysis and presentation. The Chair provided the opportunity for the Commissioners to ask questions of staff.

Alternate Commissioner Kahn asked for clarification regarding the alternative actions available to the Commission. Does the Commission have the authority to approve the request with the condition of future passage of an election to amend the ULL?

The Executive Officer explained that by law the Commission does have that authority, however, Napa LAFCO policies discourage such action.

The applicant and team of experts were provided an opportunity to make their presentation,

David Gilbreth, applicant, explained that the scientific analysis concludes that the property is not capable of any agricultural activity, as a combination of the salinity in the soil and economics. The applicant explained that the scientific experts were chosen because they conduct independent analysis for agricultural industry leaders in Napa County. Mr. Gilbreth described the location of the property in proximity to the City and noted the current services from the City and ACFPD.

Ed Farver stated that he has been growing grapes in the County for over 40 years. He explained that growing grapes on the subject property became increasingly difficult. The property owners consulted with soil and viticulture experts who concluded that, due to salinity in the soil, the property is not viable for agricultural use, including oats and rye. Mr. Farver noted the property's close proximity to the City and advised that the property could better serve the agricultural industry as a warehouse or other agricultural related use.

Dr. Paul Anamosa, PHD, reviewed his professional analysis of the property. He concluded that the City's recycled water is not suitable for agriculture, especially in soil with clay content near the Bay and that the vineyard is on a "death spiral".

Dr. Wenbiao Cai summarized his report, stating that he reviewed possible crops in the County and neighboring counties and economic crop return reports. He concluded that agricultural operations on the property are not economically viable.

Mr. Gilbreth summarized his direct involvement in the incorporation of the City. He explained that it was determined that the area around the airport could best be used for agricultural serving uses.

Doug Straus, attorney, spoke regarding the referenced agreement between the City and County. He advised that the agreement does not bar the SOI boundary amendment but refers only to the ULL. He stated the agreement is of dubious legality and that it was a punitive measure imposed on the City to thwart natural growth. Mr. Straus referenced the 2018 MSR which was the study of the region. He stated that the report briefly mentioned the subject property and expressed the need for analysis to determine if it could not be used for agriculture. That analysis is currently before the Commission and definitively has determined that the property is not viable for agriculture.

Scott Browne, attorney, referenced his 30 years of legal experience representing LAFCOs. He reminded the Commission of their duty to represent the interests of the county as a whole and not specific local agencies. He stated that the crucial duty of LAFCO is to ensure orderly and logical boundaries. Mr. Browne explained that the request conforms to LAFCO since it is a logical annexation; an island surrounded by the City, best served by the City not the County and not viable for agriculture. He advised that the action to include the property in the City SOI does not affect the ULL. It simply states that the property should ultimately be part of the City. This concluded the time allotted for the applicant's team.

Chair Mohler opened the meeting to public comment and reviewed the rules for orderly comments.

David Morrison, Napa County Director of Planning, Building, and Environmental Services stated that the argument that land is not viable for agriculture is an argument used throughout California on land near a city for the purpose of urban sprawl. He stated that land near cities is always less economically viable to farm and the economical viability should not be a consideration of LAFCO. He stated that the question is orderly growth. He said that environmental review should be conducted as the land moves to the first step of urban development. He expressed doubt regarding ACFPD service to the site. He gave examples of other areas where an agency must travel through another agency to service a site. He concluded that the request is premature.

Kara Taddei, representing the Napa County Farm Bureau, stated they are opposed to the SOI amendment as well as reports and analysis concluding the property is not economically viable for grape growing. She added that consideration was not given to other crops that can grow in similar conditions, crops that are commonly grown in Sonoma County. She stated that the Farm Bureau is concerned about the precedent setting as other landowners complain of the lack of economic viability. She stated that they urge the Commission to deny the application.

ACFPD Chief Michael Cahill advised that the District supports staff's recommendation to amend the SOI to include the subject property. He took exception with Mr. Morrison's comments, given the fact that the property is surrounded by the District which has provided service since the formation of the District. He stated that from the District's perspective inclusion of the property is based on response times. For these reasons he concluded that the property should be within the District's SOI and eventually annexed into the District.

Yvonne Baginski referenced her submitted written comments related to recycled water use and that the property owners have increased their use of water even though the grape vines have been reduced. She requested that LAFCO deny the request because more analysis is necessary.

Peter Nissen, President of the Napa County Farm Bureau, stated their concern for the precedent setting nature of this request. He stated that the Farm Bureau requests that the property stay with the agricultural designation.

Cio Perez stated that he agrees with the comments of Mr. Morrison and Ms. Taddei. He believes the request is premature and that the Commission should deny the request and wait for the decision regarding the ULL. He stated that agriculture includes a variety of operations including raising cattle.

Molly Moran Williams, representing the Napa Valley Grape Growers, referenced their letter of opposition. They respect the applicant and the experts; however, they are concerned about the precedent to allow conversion of agricultural land. She added that Napa County's land use designation is intended to protect all agricultural land.

Gary Margadant stated that he has been working with Yvonne Baginski in reviewing information available to the public. He added that they found the continued use of City reclaimed water after the landowners were aware of the problem. He questioned the economic analysis that referred to the original purchase price of the property as grape growing land. He recommended that the Commission deny the application.

Letter submitted by American Canyon resident, Scott Thomason raising concerns about the property owners stating that the property can no longer be used for the production of wine grapes or any other agricultural use because the use of recycled water on the property has increased soil salinity. In addition, the SOI amendment would be used to: a) declare the property inappropriate for agricultural use; b) ask the City of American Canyon to annex the property; and c) subdivide and rezone this property to build winery warehouses. Further, the property is located near the Wetlands Trail, between Green Island Road and the American Canyon Waste Treatment Plant. Replacing this open space with winery warehouses would have an adverse impact on the surrounding environment and change the landscape of this area, which is part of the innate appeal that attracts thousands of people to this trail each year. Mr. Thomason strongly urges that LAFCO table approving this agenda item until further research has been done regarding use of the land, current condition of the soil, and all possible causes of salinity.

The Chair asked if Commissioners had questions of the applicants or of staff.

Alternate Commissioner Kahn asked whether or not there had been efforts made to improve the water quality.

Mr. Gilbreth responded that he had met with City staff and they explained that the problem was exacerbated when the Mezzetta pickle plant released salt water and the City expected to receive a grant to resolve the problem. Mr. Gilbreth stated that Dr. Anamosa could best answer the scientific aspects of the question.

Dr. Anamosa provided slides illustrating the impact on the vines and soil as a result of the high levels of salt in the recycled water. He conducted analysis of the extensive data provided by the City. His presented charts developed from the City data which illustrated the extremely high levels of salt when the pickle factory released brine water into the system. He advised that these levels of salt destroy the soil structure. His further analysis concluded that the City's recycled water has

moderate to high levels of salt and that the situation is getting progressively worse. In his opinion, the Grand Jury should evaluate why the City continues to sell recycled water for agricultural purposes. He noted that various comments had been made about “saltwater intrusion”. Dr. Anamosa explained why that is not the situation; that the issue is clearly watering the plants from the top down, not from the roots up.

Commissioner Aboudamous stated that she heard comments about an increase of water usage in spite of the decrease of vineyards. She requested a response from the applicants.

David Gilbreth asked if Ed Farver wanted to address the question. Mr. Farver stated that he did not have the data available to respond since irrigation varies with the seasons. Mr. Farver referred to the comment that recycled water is used successfully for agriculture in other areas. He explained the recycled water from Napa Sanitation District could be used successfully, but not the recycled water from the City.

Chair Mohler closed the public hearing. Chair Mohler requested that the Commission first consider the ACFPD SOI, that staff review the relevant report attachments for this item, and that the Commission consider the legal requirements such as the findings.

The Executive Officer reviewed the options and recommendations for the Commission. He deferred to legal counsel to explain when findings are required.

DeeAnne Gillick, LAFCO Counsel, explained which Commission actions are Legislative and which are quasi-judicial decisions, which require legal findings.

Chair Mohler requested comments from the Commission; seeing none she called on Commissioner Leary.

Commissioner Leary stated that he was leaning toward supporting the action.

Commissioner Dillon stated that Commission action now would be premature.

Commissioner Gregory agreed that action now would be premature.

Commissioner Aboudamous expressed support for the action stating the District has served the area since its formation, that no land use designations would change and the action would not violate LAFCO policies.

Chair Mohler also expressed support for the action.

Commissioner Dillon expressed concern that even the language in the resolution’s findings could be used by others to gain SOI amendment.

Commissioner Leary made a motion to approve staff’s recommendation to “Approve the requested expansion to ACFPD’s SOI by adopting the draft resolution included as Attachment 14”. Commissioner Aboudamous seconded the motion.

VOTE:

AYES: LEARY, ABOUDAMOUS, DILLON, GREGORY AND MOHLER

NOES: NONE

ABSENT: WAGENKNECHT

ABSTAIN: NONE

Chair Mohler directed the Commission to discuss the City SOI amendment.

Commissioner Aboudamous requested Counsel's opinion regarding the ballot measure and the ramifications if the voters and the Commission did not agree.

Counsel explained that the two actions are legally separate, however Commission Policy is to not include lands outside the ULL in a city SOI. She further explained that if the Commission approved the proposal on the condition of approval of the ballot measure, the SOI amendment would not proceed if the ballot measure failed.

Commissioner Gregory stated that agricultural preservation is important enough to be concerned about any potential precedent setting action as a possible "slippery slope". He added that the proposal has the opposition of the County and no position from the City which indicated steps have been missed. He agreed with the question raised by Commissioner Aboudamous if the Commission's action would be premature before the ballot measure.

Commissioner Dillon agreed with Commissioner Gregory regarding the precedent set by this action as a possible "slippery slope". She questioned whether vineyards could be the only agricultural crop for the property. She agreed with the question raised by Commissioner Aboudamous if the Commission's action would be premature before the ballot measure.

Commissioner Leary expressed strong concern regarding comments of "precedent setting and slippery slope". He stated that his concern would be the policy to not give up a single inch of agricultural land no matter what the conditions or situation. He expressed strong support for the Agricultural Preserve. He felt a broader discussion needs to occur regarding the balance of Agricultural Preservation and overall community needs, such as housing. He spoke to the disagreement between the County and City as well as the ballot measure. He felt the vote on the ballot measure should precede Commission action and he supports denial of the City SOI amendment.

Chair Mohler encouraged the parties to negotiate for a solution considering that this is a large property it would be possible for a combination of uses. She referred to affordable housing as a possible combined use. She cited the lack of support from the City and pending ballot measure as reasons to deny the SOI amendment request. She agreed with the comments made by Commissioner Leary regarding the "precedent setting and slippery slope". She expressed strong support for the Agricultural Preserve, however, she noted that the original boundaries were drawn on a map with a marker pen, and that consideration needs to be given for some unique parcels and situations. She gave the example of Carneros Inn and its need for water.

Chair Mohler noted that there were no more Commission comments.

Commissioner Dillon made a motion to Deny the requested expansion to the City's SOI by adopting the draft resolution included as Attachment 17. Commissioner Leary seconded the motion.

VOTE:

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

b) Final Budget for Fiscal Year 2022-23 and Amendment to the Schedule of Fees and Deposits

The Commission considered adopting a resolution to approve a final budget for fiscal year 2022-23. Proposed operating expenses and revenues total \$663,588. The Commission also considered a proposed amendment to its *Schedule of Fees and Deposits*. The recommended actions were for the Commission to (1) open the public hearing and take testimony; (2) Close the public hearing; (3) adopt the Final Budget by resolution; (4) adopt the Amendment to the Adopted Schedule of Fees and Deposits.

The Executive Officer reviewed the budget process as required by law and Commission Policies. The Executive Officer thanked this year's Budget Committee members (Commissioners Mohler and Leary) for their work on the budget. He stated that the Commission adopted the proposed budget at its April 4, 2022, and it was distributed directly to the County and city/town managers and finance managers, as well as circulation to the public for review and comments. No comments were received. He reviewed the proposed amendments to the adopted Fee Schedule. Staff noted that the Final Budget is identical to the adopted proposed budget. He provided an overview of the Final Budget explaining that proposed revenues and expenses would total \$663,588. LAFCO would be in a position to end the 22-23 fiscal year with reserves totaling \$285,777 or 43.1% of budgeted expenses. That amount would be consistent with the Commission's policy for reserves at a minimum of 33.3% of budget expenses.

Staff explained the increase in budgeted revenues and expenses referring to the details in his staff report. Staff explained that the Budget Committee discussed at length the need for increased flexibility for LAFCO's staffing positions which are currently locked into specific job titles and salary ranges as part of the Commission's Support Services Agreement with the County of Napa. He noted that the proposed budget and Final Budget includes funding for these changes.

Chair Mohler opened the public meeting.

Commissioner Painter requested information regarding amendments to the fees schedule to remove the fee waiver section.

The Executive Officer explained that LAFCO seldom receives a request for fee waiver and that the budget is tight with a need to rely on fees.

Chair Mohler asked if the proposed Fee Schedule still allows for fee waiver for island annexations.

The Executive Officer confirmed that the proposed Fee Schedule still allows for fee waiver for island annexations.

Commissioner Painter stated that her concern was more for agencies such as the Resource Conservation District.

Chair Mohler asked if there were any public comments. No comments were received.

Chair Mohler closed the public hearing and brought the discussion back to the Commission noting that the discussion should first focus on the budget and then on the fees.

Commissioner Dillon requested information regarding the waiver of fees, specifically whether the Commission still would have the authority to waive fees in appropriate situations.

Chair Mohler agreed with the comments of Commissioner Painter; those situations do occur where a fee waiver is appropriate. The amendments to the Fee Schedule only propose that the Commission is silent on the matter and able to waive or reduce fees as appropriate.

DeeAnne Gillick, Counsel, confirmed that the Commission sets the policy for the fee schedule and has the authority to amend that policy on a case-by-case basis.

Commissioner Leary stated that the proposed amendment does not specify the requirements of a fee waiver but leaves the matter vague for future Commission action.

Chair Mohler requested any further comments from Commissioners, none were made.

Commissioner Leary made a motion to Adopt the Final Budget for FY 2022-23. The motion was seconded by Commissioner Dillon.

VOTE:

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

NOES: NONE

ABSENT: WAGENKNECHT

ABSTAIN: NONE

Chair Mohler expressed appreciation for the work of the Budget Committee. The Chair then moved to the amendments to the Fee Schedule and requested if there were more Commission discussion. No comments were made.

Commissioner Leary made a motion to adopt the Amendment to the *Adopted Schedule of Fees and Deposits*. The motion was seconded by Commissioner Dillon.

VOTE:

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

NOES: NONE

ABSENT: WAGENKNECHT

ABSTAIN: NONE

7. ACTION ITEMS**a) Proposed Hilltop Drive Reorganization and Associate CEQA Findings**

The Commission considered approving a proposal submitted by landowner petition for annexation of one unincorporated parcel totaling approximately 0.5 acres in size to the City of Napa along with concurrent detachment from County Service Area No. 4. The affected territory is located at 2991 Hilltop Drive and identified by the County Assessor as 043-020-008

Dawn Mittleman Longoria, Analyst II, provided an overview of the staff report. The applicants have requested annexation to the City in order to convert an existing building into an Auxiliary Dwelling Unit (ADU). She noted that a small unincorporated parcel was not part of the application, that the Executive Officer had reached out to the landowners to gain their approval. Therefore, a boundary amendment is to include the parcel.

Commissioner Gregory asked if City annexation was necessary to convert the existing structure to an ADU.

Executive Officer Freeman responded affirmative, that the County would require annexation to the City in this situation.

Chair Mohler asked if the Commission had any additional questions, but there were none. The Chair then asked if there were comments from the public, but there were none.

Commissioner Gregory made a motion to Adopt the Resolution Making Determinations – Hilltop Drive Reorganization, making CEQA findings and including the boundary modification. Chair Mohler seconded the motion.

VOTE:

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

8. DISCUSSION ITEMS**a) Direction of Future Commission Meetings**

The Commission considered alternatives for holding future Commission meetings in person, remotely or as a hybrid.

Chair Mohler noted that as a professional virologist, she pays attention to the COVID situation. She stated that the public notice for LAFCO meetings must be distributed 21 days before the actual meeting which creates a challenge with the frequent changes in the COVID status. The consensus of the Commission was to conduct future meetings as hybrid meetings. Commissioner Dillon suggested contacting staff to the Board of Supervisors for their assistance.

9. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

Chair Mohler expressed appreciate to DeeAnne Gillick for serving as the Commission's legal counsel and noted that this is her last meeting as LAFCO Counsel. Commissioner Dillon also expressed appreciation for DeeAnne Gillick's service. DeeAnne stated that she enjoyed working with the Commission and that she would be available for any issues that might arise. The Executive Officer added his appreciation for the service and guidance provided by DeeAnne. Commissioner Leary added his appreciation for the service provided by Legal Counsel. There was no further discussion of this item.

10. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 4:54 PM. The next regular LAFCO meeting is scheduled for Monday, August 1, 2022, at 2:00 PM.

It is anticipated the meeting will be conducted as a hybrid meeting at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA, 94559.

Margie Mohler, LAFCO Chair

ATTEST:

Brendon Freeman, Executive Officer

Prepared by:

Dawn Mittleman Longoria, Interim Commission Clerk



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 5c (Consent/Action)

TO: Local Agency Formation Commission

FROM: Brendon Freeman, Executive Officer *BF*
Dawn Mittleman Longoria, Analyst II/Interim Clerk *DML*

MEETING DATE: August 1, 2022

SUBJECT: Close Imprest Cash Fund

RECOMMENDATION

It is recommended that the Commission authorize staff to close its imprest cash fund in the amount of \$100.

BACKGROUND AND DISCUSSION

For the past approximately 20 years, staff has maintained an imprest cash fund, also known as “office petty cash”, in the amount of \$100. Staff historically utilized petty cash for small office supply purchases as needed. However, staff has determined there is no longer any need for office petty cash. Notably, maintaining office petty cash involves an annual reconciliation process and submittal of Imprest Cash forms to the County, which is an unnecessary burden on staff time. With this in mind, staff recommends the Commission formally authorize staff to close out the imprest cash fund in the amount of \$100.

ATTACHMENTS

None

Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer



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

Agenda Item 5d (Consent/Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer *BF*
MEETING DATE: August 1, 2022
SUBJECT: Approval of Policy Amendments

RECOMMENDATION

It is recommended the Commission take the following actions:

- 1) Adopt the Resolution of the Local Agency Formation Commission of Napa County Amending the *Policy for the Appointment of Counsel*, included as Attachment One; and
- 2) Adopt the Resolution of the Local Agency Formation Commission of Napa County Amending the *Policy on Scheduling of Commission Meetings*, included as Attachment Two.

SUMMARY

The Commission's adopted Strategic Plan includes a schedule for the Commission's ad hoc Policy Committee (Mohler and Wagenknecht) to comprehensively review all local policies and propose amendments as appropriate.

On July 13, 2022, the Policy Committee met and agreed to recommend amendments to the Commission's *Policy for the Appointment of Counsel* and *Policy on Scheduling of Commission Meetings*. The proposed amendments are generally non-substantive in nature and limit to formatting changes. The Policy Committee also reviewed the Commission's *Conflict of Interest Code* and determined no amendments are needed at this time.

The only substantive amendment involves the *Policy on Scheduling of Commission Meetings* and would eliminate the language allowing the Chair to change the date or the time of a regular meeting if it is determined the Commission cannot achieve a quorum or there is a lack of business. This language is inconsistent with public meeting law that changes regular meetings to special meetings if the date or time are changed. The proposed amendment addresses this inconsistency.

Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

A clean version of the proposed amendment to the *Policy for the Appointment of Counsel* is an exhibit to the draft resolution, included as Attachment One. A tracked change version of the amendment is included as Attachment Three.

A clean version of the proposed amendment to the *Policy on Scheduling of Commission Meetings* is an exhibit to the draft resolution, included as Attachment Two. A tracked change version of the amendment is included as Attachment Four.

ATTACHMENTS

- 1) Draft Resolution Amending the *Policy for the Appointment of Counsel*
- 2) Draft Resolution Amending the *Policy on Scheduling of Commission Meetings*
- 3) Proposed Amendments to *Policy for the Appointment of Counsel* (Tracked Changes)
- 4) Proposed Amendments to *Policy on Scheduling of Commission Meetings* (Tracked Changes)

RESOLUTION NO. _____

RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
AMENDING ITS POLICY FOR THE APPOINTMENT OF COUNSEL

WHEREAS, on April 11, 2001, the Local Agency Formation Commission of Napa County (the "Commission") adopted a *Policy for the Appointment of Counsel*; and

WHEREAS, the Commission considered a proposed amendment to the *Policy for the Appointment of Counsel* at its regular meeting on August 1, 2022; and

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby amends the *Policy for the Appointment of Counsel* as attached hereto as "Exhibit A".

This Resolution shall take effect immediately.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on August 1, 2022, after a motion by Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES:	Commissioners	_____
NOES:	Commissioners	_____
ABSENT:	Commissioners	_____
ABSTAIN:	Commissioners	_____

Margie Mohler
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Dawn Mittleman Longoria
Interim Commission Clerk



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on the Appointment of Counsel (Adopted: April 11, 2001; Last Amended: August 1, 2022)

I. BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires the Commission to appoint legal counsel to advise it and to appoint alternate legal counsel in the event of a conflict of interest consistent with [California Government Code §56384\(b\)](#).

II. PURPOSE

The purpose of this policy is to guide the Local Agency Formation Commission (LAFCO) of Napa County in appointing legal counsel and, when appropriate, alternate legal counsel.

III. PROCEDURES

The Commission shall appoint a Commission Counsel for a term specified as part of the appointment. Further, the policy of the Commission is:

- A. If the Commission determines that a conflict of interest exists for its counsel in the processing and review of a proposal, the Commission will appoint alternate legal counsel for that proposal. If the Commission determines that an applicant should bear the costs of alternate counsel, it shall require that the applicant put on deposit with the County Auditor funds sufficient to cover associated costs.
- B. The Commission will consider written requests that alternate legal counsel advise the Commission and its staff on matters pertaining to a particular proposal. This request may be made by any applicant, affected agency, or affected individual. Requests will be considered at the next regular meeting of the Commission for which the matter may be noticed properly. Approval of any such request is contingent upon the placement on deposit with the County Auditor of funds sufficient to cover associated costs.
- C. In all instances, appointment of alternate legal counsel is solely at the discretion of the Commission.
- D. When alternate legal counsel is used, the Commission reserves the right to make final approval of a proposal contingent upon payment of any outstanding legal costs in excess of the deposit on hand with the County Auditor.
- E. When alternate legal counsel is used, upon written confirmation from the Executive Officer that all billing matters have been resolved, the County Auditor will return any unexpended portion of funds on deposit.

RESOLUTION NO. _____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
AMENDING ITS POLICY ON SCHEDULING OF COMMISSION MEETINGS**

WHEREAS, on June 14, 2001, the Local Agency Formation Commission of Napa County (the “Commission”) adopted a *Policy on Scheduling of Commission Meetings*; and

WHEREAS, the Commission most recently amended the *Policy on Scheduling of Commission Meetings* on June 6, 2016; and

WHEREAS, the Commission considered a proposed amendment to the *Policy on Scheduling of Commission Meetings* at its regular meeting on August 1, 2022; and

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby amends the *Policy on Scheduling of Commission Meetings* as attached hereto as “Exhibit A”.

This Resolution shall take effect immediately.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on August 1, 2022, after a motion by Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSENT: Commissioners _____

ABSTAIN: Commissioners _____

Margie Mohler
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Dawn Mittleman Longoria
Interim Commission Clerk



LOCAL AGENCY FORMATION COMMISSION OF NAPA

Policy on Scheduling of Commission Meetings

(Adopted: June 14, 2001; Last Amended: August 1, 2022)

I. BACKGROUND

Meetings of the Local Agency Formation Commission (LAFCO) of Napa County will be noticed and conducted in accordance with the Ralph M. Brown Act, [California Government Code \(G.C.\) §54950 et seq.](#) In response to [G.C. §54954](#), this policy establishes the time and place for regular meetings and additionally establishes how a special meeting may be scheduled.

II. PROCEDURES

A. Regular Meetings

- 1) The regular meeting day of the Commission is the first Monday of each even-number month (February, April, June, August, October, and December) at 2:00 PM. The location will be the County of Napa Board of Supervisors Chambers located at 1195 Third Street, Third Floor, Napa, California 94559.
- 2) The Chair may cancel a regular meeting if he or she determines the Commission cannot achieve a quorum or there is a lack of business. Regular meetings may also be canceled with the consent of a majority of the regular members of the Commission. For the purpose of this policy, a majority includes at least one member representing the cities and one member representing the county.

B. Special Meetings

- 1) Special meetings may be scheduled in accordance with the Ralph M. Brown Act which at the time of the adoption of this policy allows the Commission Chair to schedule special meetings as needed. The Chair shall consult with the Executive Officer in scheduling special meetings to ensure a quorum is available at a specified place and time.
- 2) Requests from outside parties for special meetings must be made in writing and submitted to the Executive Officer. If approved and scheduled by the Chair, the affected outside party requesting the special meeting will be responsible for any related charges pursuant to the Commission's *Schedule of Fees and Deposits*.



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy ~~for~~ on the Appointment of Counsel

(Adopted: April 11, 2001; Last Amended: August 1, 2022)

I. BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires the Commission to appoint legal counsel to advise it and to appoint alternate legal counsel in the event of a conflict of interest consistent with California Government Code §56384(b).

Pursuant to Government Code §56384(b):

~~The commission shall appoint legal counsel to advise it. If the commission's counsel is subject to a conflict of interest on a matter before the commission, the commission shall appoint alternate legal counsel to advise it. The commission may recover its costs by charging fees pursuant to Section 56383.~~

II. PURPOSE

The purpose of this policy is to guide the Local Agency Formation Commission (LAFCO) of Napa County in appointing legal counsel and, when appropriate, alternate legal counsel.

III. PROCEDURES

The Commission shall appoint a Commission Counsel for a term specified as part of the appointment. Further, the policy of the Commission is:

- A. If the Commission determines that a conflict of interest exists for its counsel in the processing and review of a proposal, the Commission will appoint alternate legal counsel for that proposal. If the Commission determines that an applicant should bear the costs of alternate counsel, it shall require that the applicant put on deposit with the County Auditor funds sufficient to cover associated costs.
- B. The Commission will consider written requests that alternate legal counsel advise the Commission and its staff on matters pertaining to a particular proposal. This request may be made by any applicant, affected agency, or affected individual. Requests will be considered at the next regular meeting of the Commission for which the matter may be noticed properly. Approval of any such request is contingent upon the placement on deposit with the County Auditor of funds sufficient to cover associated costs.
- C. In all instances, appointment of alternate legal counsel is solely at the discretion of the Commission.
- D. When alternate legal counsel is used, the Commission reserves the right to make final approval of a proposal contingent upon payment of any outstanding legal costs in excess of the deposit on hand with the County Auditor.
- E. When alternate legal counsel is used, upon written confirmation from the Executive Officer that all billing matters have been resolved, the County Auditor will return any unexpended portion of funds on deposit.



LOCAL AGENCY FORMATION COMMISSION OF NAPA

Policy on Scheduling of Commission Meetings

(Adopted: June 14, 2001; Last Amended: ~~June 6, 2016~~ August 1, 2022)

I. BACKGROUND

Meetings of the Local Agency Formation Commission (LAFCO) of Napa County will be noticed and conducted in accordance with the Ralph M. Brown Act, California Government Code (G.C.) Section-§54950 et seq. In response to G.C.Government Code Section §54954, this policy establishes the time and place for regular meetings and additionally establishes how a special meeting may be scheduled.

II. ~~GUIDELINES-PROCEDURES~~

A. Regular Meetings

- 1) The regular meeting day of the Commission is the first Monday of each even-number month (February, April, June, August, October, and December) at 2:00 PM. The location will be the County of Napa Board of Supervisors Chambers located at 1195 Third Street, Third Floor, Napa, California 94559.
- 2) The Chair may cancel ~~or change the date or time of~~ a regular meeting if he or she determines the Commission cannot achieve a quorum or there is a lack of business. Regular meetings may also be canceled ~~or changed~~ with the consent of a majority of the regular members of the Commission. For the purpose of this policy, a majority includes at least one member representing the cities and one member representing the county.

B. Special Meetings

- 1) Special meetings may be scheduled in accordance with the Ralph M. Brown Act which at the time of the adoption of this policy allows the Commission Chair to schedule special meetings as needed. The Chair shall consult with the Executive Officer in scheduling special meetings to ensure a quorum is available at a specified place and time.
- 2) Requests from outside parties for special meetings must be made in writing and submitted to the Executive Officer. If approved and scheduled by the Chair, the affected outside party requesting the special meeting will be responsible for any related charges pursuant to the Commission's *Schedule of Fees and Deposits*.



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

Agenda Item 5e (Consent/Information)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer *BF*

MEETING DATE: August 1, 2022

SUBJECT: Draft Fiscal Year 2021-22 Budget to Actual Report

SUMMARY

This item is being presented to the Commission for information purposes only. The Commission will receive a draft year-end budget to actual report for fiscal year 2021-22.

A budget sheet showing draft year-end actuals is included (see Attachment One). When the year is closed, all numbers will be finalized and presented to the Commission at a future meeting as part of the annual audit report.

A total of \$15,825 was approved for budget adjustments. The result was a budget totaling \$540,270 for operating revenues and \$569,966 for operating expenses. A deficit of \$29,696 was intentionally budgeted consistent with local policy to reduce the burden on the Commission's local funding agencies and to be covered by drawing down on the Commission's undesignated/unreserved fund balance ("reserves").

The Commission outperformed its intentionally-budgeted deficit by finishing the fiscal year with an overall operating surplus of approximately \$10,627. Actual revenues totaled approximately \$547,277, representing 101.3% of the budgeted amount. Actual expenses totaled approximately \$536,650, representing 94.2% of the budgeted amount. The savings in expenses are primarily due to the Secretary vacancy.

Attachment One provides more detailed information on the draft budget to actual report.

ATTACHMENT

- 1) FY 2021-22 Draft Year-End Revenue & Expense Report

Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

LAFCO Draft FY 2021-22 Budget to Actual Report

Revenues and Expenses through 6/30/22

Account	Category	Adopted Budget	Budget Adjustments	Adjusted Budget	Draft Actual YTD	YTD Percent of Budget
Revenues						
42690	Permits/Application Fees	20,000	-	20,000	30,525	152.6%
43910	County of Napa	254,835	-	254,835	254,835	100.0%
43950	Other-Governmental Agencies	254,835	-	254,835	254,835	100.0%
45100	Interest	10,000	-	10,000	6,008	60.1%
46800	Charges for Services	600	-	600	1,074	179.0%
Total Revenues		540,270	-	540,270	547,277	101.3%
Expenses						
51210	Director/Commissioner Pay	12,500	-	12,500	12,360	98.9%
51300	Medicare	250	-	250	177	70.7%
51305	FICA	500	-	500	538	107.7%
52100	Administration Services	424,076	15,825	439,901	431,523	98.1%
52125	Accounting/Auditing Services	7,500	-	7,500	7,348	98.0%
52130	Information Technology Service	24,489	-	24,489	23,039	94.1%
52131	ITS Communication Charges	1,837	-	1,837	1,837	100.0%
52140	Legal Services	25,000	-	25,000	20,119	80.5%
52345	Janitorial Services	300	-	300	150	50.0%
52515	Maintenance-Software	1,930	-	1,930	1,929	100.0%
52600	Rents and Leases - Equipment	4,000	-	4,000	2,408	60.2%
52605	Rents and Leases - Bldg/Land	31,322	-	31,322	26,084	83.3%
52700	Insurance - Liability	578	-	578	578	100.0%
52800	Communications/Telephone	2,000	-	2,000	1,225	61.3%
52830	Publications & Legal Notices	1,000	-	1,000	1,440	144.0%
52835	Filing Fees	200	-	200	100	50.0%
52900	Training/Conference Expenses	10,000	-	10,000	-	0.0%
52905	Business Travel/Mileage	500	-	500	-	0.0%
53100	Office Supplies	1,000	-	1,000	548	54.8%
53110	Freight/Postage	500	-	500	184	36.8%
53115	Books/Media/Subscriptions	-	-	-	119	0.0%
53120	Memberships/Certifications	2,934	-	2,934	2,934	100.0%
53205	Utilities - Electric	1,500	-	1,500	1,844	122.9%
53410	Computer Equipment/Accessories	-	-	-	38	0.0%
53415	Computer Software/License	225	-	225	127	56.4%
Total Expenditures		554,141	15,825	569,966	536,650	94.2%
Net Surplus (Deficit)		(13,871)	(15,825)	(29,696)	10,627	1.9%



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

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Phone: (707) 259-8645
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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

Agenda Item 5f (Consent/Information)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer *BF*
Dawn Mittleman Longoria, Analyst II/Interim Clerk *DML*

MEETING DATE: August 1, 2022

SUBJECT: Napa LAFCO Quarterly Newsletter

BACKGROUND AND SUMMARY

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

The Commission will receive a quarterly newsletter prepared by staff and dated July 2022, included as Attachment One. Staff will continue to prepare and circulate similar quarterly newsletters every January, April, July, and October unless the Commission requests any changes. The quarterly newsletters are intended to inform local agencies and the general public about any significant LAFCO activities.

ATTACHMENT

- 1) Napa LAFCO Quarterly Newsletter (July 2022)

Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

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 (LAFCO) of Napa County

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



What is LAFCO:

- LAFCOs are local agencies mandated by the State legislature to encourage the orderly formation of governmental agencies, preserve agricultural land resources, and discourage urban sprawl.

Recent News:

- On June 6, 2022, the Commission considered a request for sphere of influence amendments involving the City of American Canyon, American Canyon Fire Protection District, and a vineyard property located at 1661 Green Island Road. The sphere request involving the City was denied and the sphere request involving the District was approved. [Click here](#) to view the Napa Valley Register article.
- Final budget for fiscal year 2022-23 adopted on June 6, 2022. [Click here](#) to view the final budget.
- Annual Work Program adopted on June 6, 2022. [Click here](#) to view the Work Program.

On the Horizon:

- Commissioner Brad Wagenknecht is retiring in December after 23 years of LAFCO service.
- Commissioner Diane Dillon is retiring in December after 8 years of LAFCO service.
- Silverado Community Services District MSR & SOI.
- Napa County Resource Conservation District MSR & SOI.
- Upcoming LAFCO meetings:
 - ◇ August 1, 2022 regular meeting at 2:00 PM
 - ◇ October 3, 2022 regular meeting at 2:00 PM
 - ◇ December 5, 2022 regular meeting at 2:00 PM

July 2022

Visit our Website:
www.napa.lafco.ca.gov

Contact Us:
Phone: (707) 259-8645
Email: info@napa.lafco.ca.gov

Commission Roster

Margie Mohler, Chair, City Member
Brad Wagenknecht, Vice Chair, County Member
Mariam Aboudamous, City Member
Diane Dillon, County Member
Kenneth Leary, Public Member
Beth Painter, Alternate City Member
Ryan Gregory, Alternate County Member
Eve Kahn, Alternate Public Member

Agency Staff

Brendon Freeman, Executive Officer
Dawn Mittleman Longoria, Analyst II/
Interim Clerk
Gary Bell, Legal Counsel



Agenda Item 5g (Consent/Information)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer *BF*

MEETING DATE: August 1, 2022

SUBJECT: Current and Future Proposals

SUMMARY

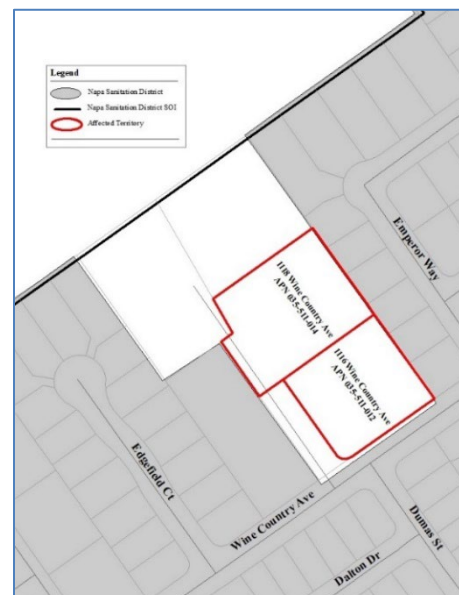
This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

This report summarizes all current and future boundary change proposals. There are currently three active proposals on file and nine anticipated new proposals that are expected to be submitted in the future. A summary follows.

Active Proposals

Wine Country Avenue No. 6 Annexation to the Napa Sanitation District (NSD)

A landowner has submitted an application to annex two parcels to NSD. The parcels are located at 1116 and 1118 Wine Country Avenue in the City of Napa and are identified as Assessor Parcel Numbers 035-511-012 and -014, respectively. The two parcels total approximately 2.5 acres in size. Annexation could potentially facilitate the subdivision of the parcels to include up to 15 residential lots based on the City’s General Plan land use designation. However, the landowner has indicated no interest in pursuing development in the foreseeable future. It is anticipated the Commission will take action on this proposal on October 3, 2022.



Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

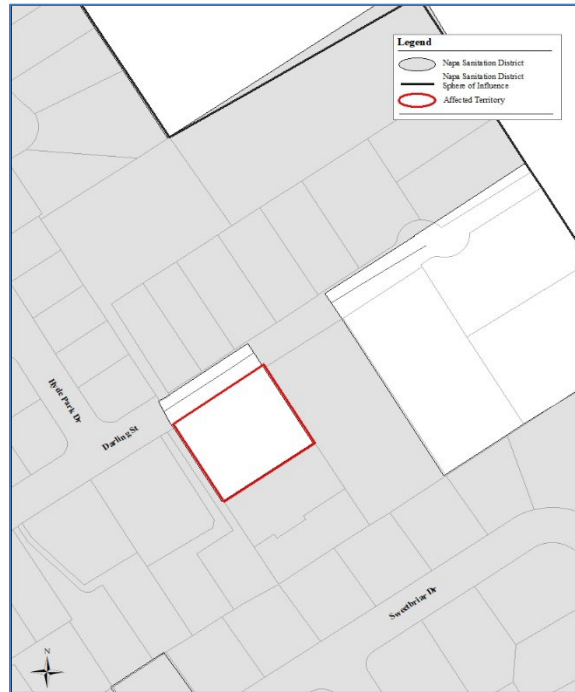
Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

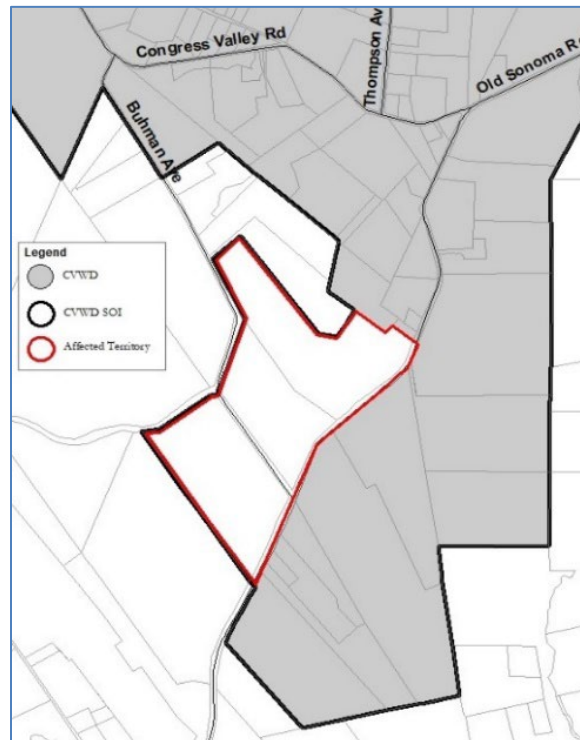
Darling Street No. 7 Annexation to NSD

A landowner has submitted an application to annex one parcel to NSD. The parcel is located at 2139 Darling Street in the City of Napa and identified as Assessor Parcel Number 038-471-005. The parcel totals approximately 0.6 acres in size. Annexation of the adjacent portion of public right-of-way along Darling Street will be required. Annexation could potentially facilitate the subdivision of the parcel to include up to three residential lots based on the City's General Plan land use designation. The landowner has indicated interest in developing a second residential unit on the parcel. It is anticipated the Commission will take action on this proposal on October 3, 2022.



Old Sonoma Road/Buhman Avenue Annexation to the Congress Valley Water District (CVWD)

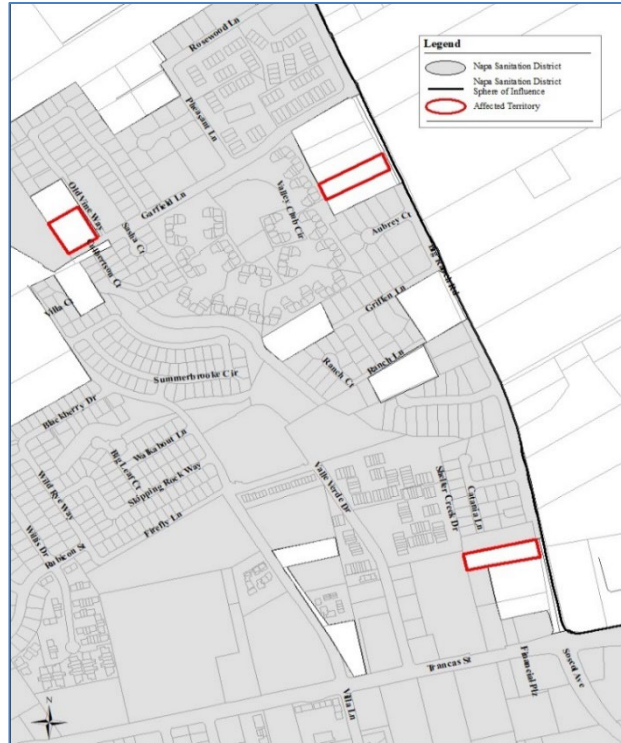
A landowner previously submitted a proposal to annex three unincorporated parcels totaling approximately 141.5 acres in size to CVWD. The parcels are located along the northwestern side of Old Sonoma Road at its intersection with Buhman Avenue and identified as Assessor Parcel Numbers 047-030-005, 047-030-020, and 047-080-001. Current land uses include two single-family residences and commercial vineyards with auxiliary structures and facilities. Two of the parcels already receive water service through grandfathered outside service agreements. Annexation would establish permanent water service to all three parcels. CVWD has requested, and the landowners have agreed, to postpone any LAFCO action until a CVWD's water supply contract with the City of Napa receives a long-term extension.



Anticipated Proposals

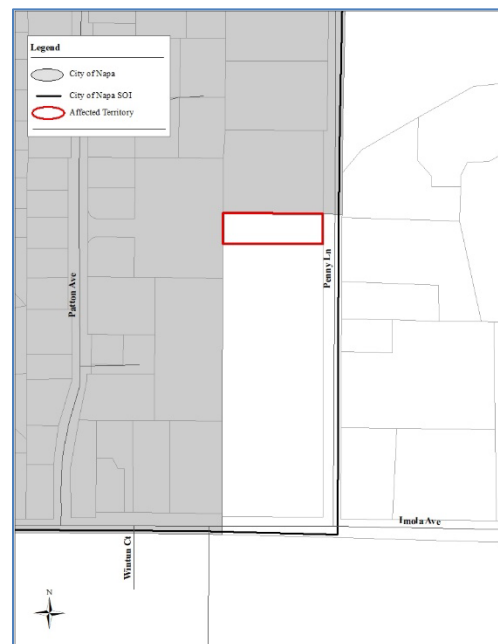
Big Ranch Road/Garfield Lane No. 2 Annexation to NSD

A representative for the landowners of three parcels has inquired about annexation to NSD. The parcels are located at 2033 & 2159 Big Ranch Road and 56 Garfield Lane in the City of Napa and identified as Assessor Parcel Numbers 038-170-007, 038-160-008, and 038-160-014, respectively. The three parcels total approximately 3.1 acres in size and located within three non-contiguous areas. Staff sent letters to all neighboring landowners within these three areas inviting their participation in the annexation. The proposal is expected to be submitted in the next week and the Commission will take action on the proposal as early as October 3, 2022.



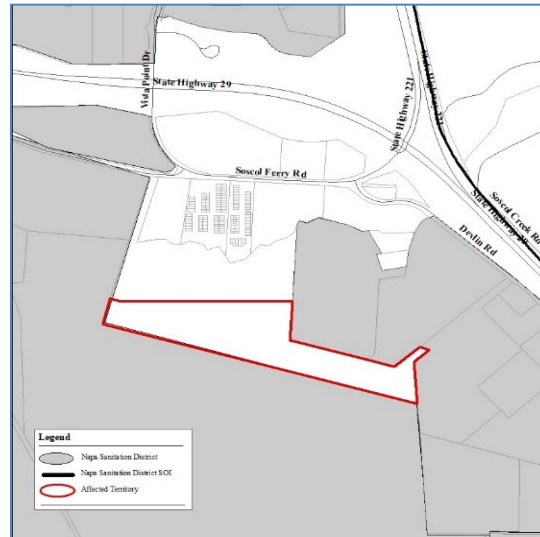
2165 Penny Lane Annexation to the City of Napa

A landowner of one parcel located at 2165 Penny Lane has inquired about annexation to the City of Napa. The parcel is approximately 0.3 acres in size and identified as Assessor Parcel Number 046-422-018. Annexation of the adjacent portion of public right-of-way along Penny Lane and detachment of the entire affected territory from County Service Area (CSA) No. 4 will be required. The parcel is already within NSD's boundary and receives public sewer service. The residence currently receives water from a private onsite well, which is experiencing quality and quantity issues. The underlying purpose of annexation is to connect to the City's public water infrastructure. The proposal is expected to be submitted in the next month.



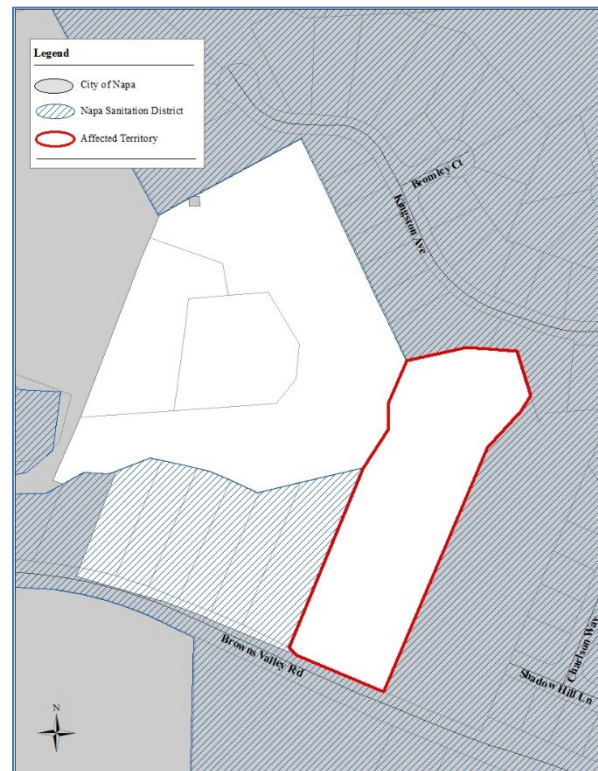
Devlin Road No. 6 Annexation to NSD

A landowner has inquired about annexation of one unincorporated parcel totaling approximately 27.5 acres in size to NSD. The parcel is identified as Assessor Parcel Number 057-170-010 and has no situs address. The parcel is currently undeveloped. Annexation to NSD would facilitate the Nova Business Park North project, which will include industrial land uses. The proposal is expected to be submitted in the near future.



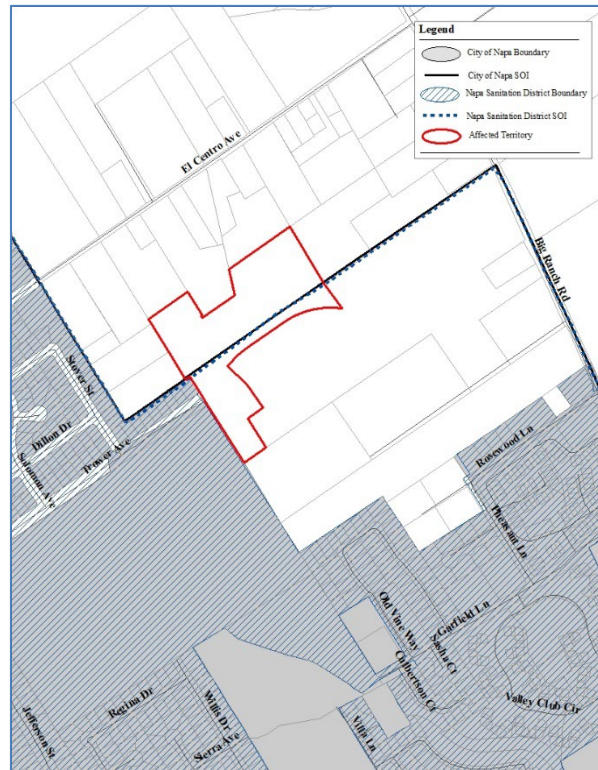
3090 Browns Valley Road Annexation to the City of Napa and NSD

The City of Napa is expected to adopt a resolution of application to initiate the annexation of, at a minimum, one unincorporated parcel located at 3090 Browns Valley Road. Land use within the parcel is limited to one single-family residence. The parcel is approximately 3.77 acres in size, identified as Assessor Parcel Number 041-170-009, and located within an unincorporated island referred to as “Browns Valley/Kingston”. The proposal will involve annexation to the City, annexation to NSD, and detachment from CSA No. 4. The City has invited other landowners within the island to join the annexation. The underlying purpose of annexation of 3090 Browns Valley Road is to facilitate a planned subdivision totaling 12 single-family residences consistent with the City’s rezoning assignments. The proposal is expected to be submitted in the near future.



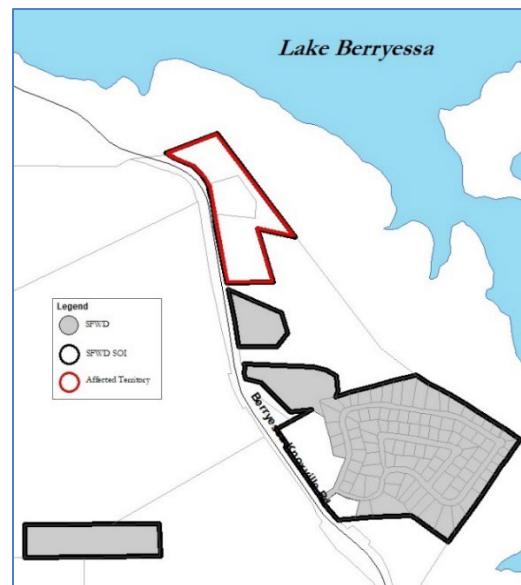
Vintage High School Farm Sphere of Influence Amendment and Annexation Involving the City of Napa and NSD

The Napa Valley Unified School District (NVUSD) has inquired about an SOI amendment and annexation of approximately 12.8 acres of unincorporated territory involving the City of Napa and NSD. The territory is contiguous to the City of Napa near the eastern terminus of Trower Avenue and identified as Assessor Parcel Number 038-240-020. The parcel is currently undeveloped and designated for residential land use under the County of Napa General Plan. The purpose of the SOI amendment and annexation is to facilitate the planned relocation of NVUSD's educational farm near Vintage High School. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



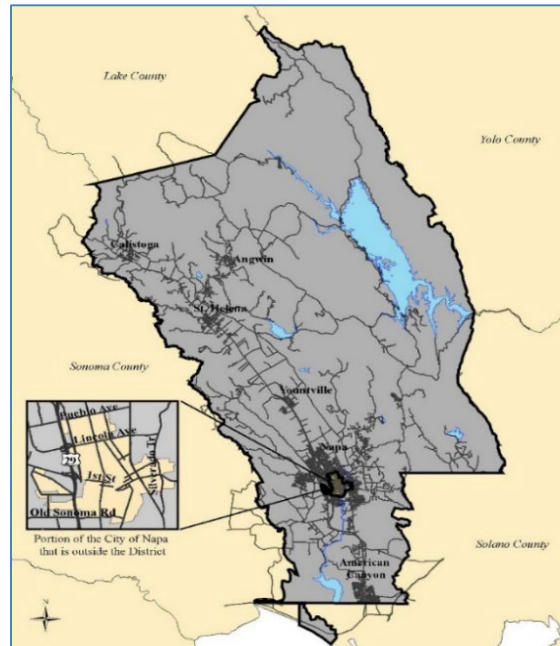
7140 & 7150 Berryessa-Knoxville Road Annexation to the Spanish Flat Water District (SFWD)

A landowner has inquired about annexation of one entire unincorporated parcel and a portion of a second unincorporated parcel totaling approximately 7.9 acres in size to SFWD. The parcels were recently added to SFWD's sphere of influence (SOI), are located at 7140 and 7150 Berryessa-Knoxville Road, and identified as Assessor Parcel Numbers 019-280-004 (entire) and 019-280-006 (portion). Current land uses within the parcels include a commercial boat and recreational vehicle storage facility (Lakeview Boat Storage), approximately 6,000 square feet of enclosed storage structures, an administrative office, and a detached single-family residence. The parcels are currently dependent on private water and septic systems to support existing uses. Annexation would facilitate the connection of existing uses to SFWD's water and sewer services. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



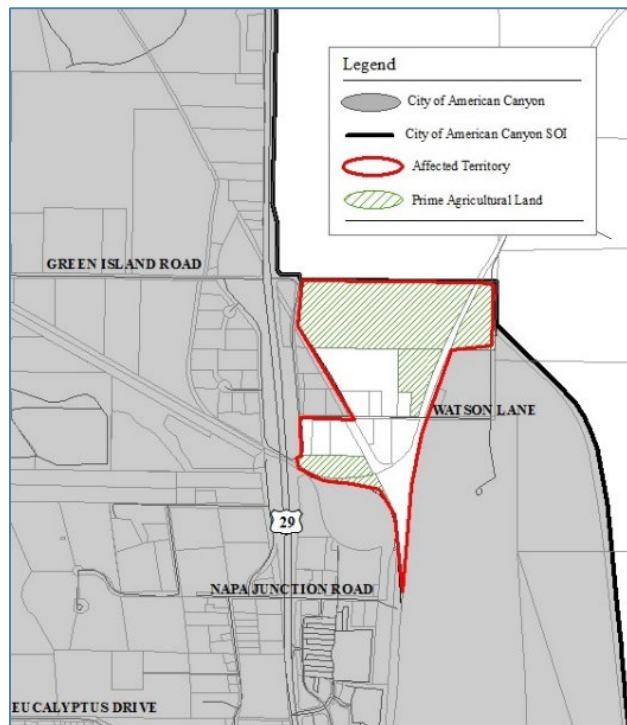
Napa County Resource Conservation District (NCRCD) Annexation

Staff from NCRCD has inquired about annexation of approximately 1,300 acres of incorporated territory located in the City of Napa. This area comprises the only remaining territory located within NCRCD’s SOI but outside its jurisdictional boundary. The purpose of annexation would be to allow NCRCD to expand its service programs and hold public meetings within the affected territory; activities that are currently prohibited within the area. In February 2020, the Commission approved a request for a waiver of LAFCO’s proposal processing fees. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



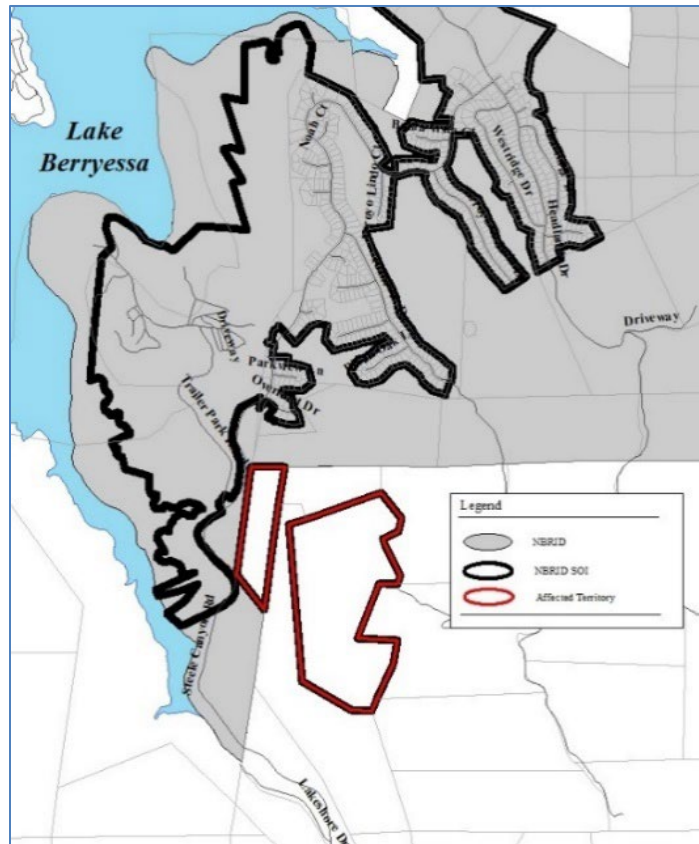
Watson Lane/Paoli Loop Annexation to the City of American Canyon

A landowner previously submitted a notice of intent to circulate a petition to annex 16 parcels and a portion of railroad totaling approximately 77.7 acres of unincorporated territory to the City of American Canyon. The area is located within the City’s SOI near Watson Lane and Paoli Loop and identified as Assessor Parcel Numbers 057-120-014, -015, -017, -028, -034, -036, -041, -045, -047, -048, -049, -050, & -051, 057-180-014 & -015, and 059-020-036. The area is within the American Canyon Fire Protection District’s boundary. The purpose of annexation is to allow development of the area for industrial and residential purposes as well as help facilitate the extension of Newell Drive to South Kelly Road. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



Wastewater Treatment Plant Annexation to the Napa Berryessa Resort Improvement District (NBRID)

Staff from NBRID has inquired about annexation of two unincorporated parcels totaling approximately 101 acres in size that serve as the location of the District's wastewater treatment plant facilities. The parcels were recently added to NBRID's SOI, are owned by NBRID, and are identified as Assessor Parcel Numbers 019-220-028 and 019-220-038. Annexation would reduce NBRID's annual property tax burden. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



ATTACHMENTS

None



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Subdivision of the State of California

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Phone: (707) 259-8645
www.napa.lafco.ca.gov

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

Agenda Item 6a (Information)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer *BF*

MEETING DATE: August 1, 2022

SUBJECT: Updates on Napa Countywide Water and Wastewater Municipal Service Review

SUMMARY

No actions will be taken as part of this item. The Commission will receive information from staff representing the City of Napa, Town of Yountville, and Napa Sanitation District related to resource management and shared services. These activities are relevant to recommendations made by the Commission in its *Napa Countywide Water and Wastewater Municipal Service Review*, completed in November 2020 and updated in 2021. The report is available online at:

[https://www.napa.lafco.ca.gov/uploads/documents/NapaCountywideWaterWastewaterMunicipalServiceReviewUpdated_10-4-21.pdf](https://www.napa.lafco.ca.gov/uploads/documents/NapaCountywideWaterWastewaterMunicipalServiceReviewUpdated10-4-21.pdf).

The Commission is invited to ask questions of each agency's staff and discuss its preference for additional similar updates at future meetings.

ATTACHMENTS

None

Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

Diane Dillon, Commissioner
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Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
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Brendon Freeman
Executive Officer



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

Agenda Item 7a (Action)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer *BF*
Dawn Mittleman Longoria, Analyst II/Interim Clerk *DML*

MEETING DATE: August 1, 2022

SUBJECT: CALAFCO Nominations and Annual Conference Items

RECOMMENDATION

Staff recommends the Commission take the following actions:

- 1) Appoint one voting delegate and one alternate voting delegate for the 2022 California Association of Local Agency Formation Commissions (CALAFCO) Annual Conference;
- 2) If interested, nominate a County Member for the CALAFCO Board of Directors;
- 3) If interested, nominate a person and/or project for an achievement award; and
- 4) Authorize the Chair to consult with staff and make any final decisions related to Board nominations or achievement awards.

BACKGROUND

The 2022 CALAFCO Annual Conference is scheduled for October 19th to 21st at the Hyatt Regency Newport Beach John Wayne Airport. The Annual Conference will include Board of Directors elections and an achievement awards ceremony.

SUMMARY

The Commission will consider appointing voting delegates to represent the agency at the CALAFCO Annual Conference. The Commission will also consider making nominations for the Board as well as achievement awards. In addition, staff recommends members of the Commission discuss their interest in attending the Annual Conference. A summary of voting delegate appointments and possible nominations follows.

Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

Voting Delegates

Each LAFCO is responsible for appointing a delegate and alternate delegate to participate in the Board elections and business meeting held on the second day of the Annual Conference. Board elections are conducted by regions (Central, Coastal, Northern, and Southern). Napa County is in the Coastal Region. Voting delegates may be commissioners or staff. By practice, when both members are attending, the Commission's Chair and Vice Chair have served as the regular and voting delegates, respectively.

Board Nominations

Board elections for the Coastal Region's County and Special District seats will occur at the Annual Conference on Thursday, October 20th. Nominations for these seats must be signed by the respective LAFCO Chair and include a completed resume form for the candidate. Although not advised, candidates may also be nominated from the floor. Board members serve two-year terms, and there are no term limits. The incumbent CALAFCO Coastal Region County and Special District Members are Chris Lopez from Monterey County, and Mike McGill from Contra Costa County, respectively.

The Commission may nominate any of its regular or alternate County Members for the Coastal Region County seat. The Commission does not have special district representation. If the Commission would like to nominate a candidate for the Coastal Region County seat, the deadline to submit a nomination packet is September 19th (Attachment One).

Achievement Award Nominations

CALAFCO invites individual LAFCOs to nominate persons or projects for various achievement awards ranging from "Lifetime Achievement Award" to "Outstanding Commissioner". Award winners will be announced during the banquet dinner scheduled for Thursday, October 20th. If the Commission would like to nominate any persons or projects for awards, the deadline to submit a nomination packet is August 12th (Attachment Two).

The Commission's most recent CALAFCO achievement award was in 2021 when the Commission co-received the "Mike Gotch Excellence in Public Service Award" alongside the County of Napa, the City of Napa, and Senator Bill Dodd for the Commission's role in advancing the Napa Pipe project.

ATTACHMENTS

- 1) CALAFCO Invitation for Board Nominations
- 2) CALAFCO Invitation for Achievement Award Nominations



June 1, 2022

To: Local Agency Formation Commission
Members and Alternate Members

From: Jo MacKenzie, Committee Chair
CALAFCO Board Election Committee
CALAFCO Board of Directors



RE: Nominations for 2022/2023 CALAFCO Board of Directors

Nominations are now open for the fall elections of the CALAFCO Board of Directors for the following seats:

CENTRAL REGION	SOUTHERN REGION	NORTHERN REGION	COASTAL REGION
County Member District Member	City Member Public Member	City Member Public Member	County Member District Member

Please inform your Commission that the CALAFCO Election Committee will be accepting nominations for the above-cited seats until:

MONDAY, SEPTEMBER 19, 2022 at 5:00 PM

Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal, and operational issues that affect us all. The Board meets four to five times each year, with half of the meetings currently being held virtually and the rest being held at alternate sites around the state.

Board seats are for a two-year term, with no term limits, and any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat. The election will be conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 20, 2022 at the Hyatt Regency John Wayne Airport in Newport Beach, California.

Should your Commission nominate a candidate, the Chair of your Commission must complete the attached Nomination Form and the Candidate's Résumé Form or provide the specified information in another format other than a résumé.



Please note that completed nomination forms and all materials must be RECEIVED by the CALAFCO Executive Director no later than Monday, September 19, 2022 at 5:00 p.m.

Returning the nomination form prior to that deadline ensures your nominee is placed on the ballot. Names will be listed in the order nominations were received. Electronic filing of nomination forms and materials is encouraged to facilitate the recruitment process. Forms and materials may either be emailed to info@calafco.org or mailed to:

CALAFCO Election Committee c/o Executive Director
California Association of Local Agency Formation Commissions
1020 12th Street, Suite 222
Sacramento, California 95814

Nominations received by the September 19th deadline will be included in the Election Committee's Report and will be on the ballot. The Report will be distributed to LAFCo members no later than October 4, 2022, with ballots made available to Voting Delegates at the Annual Conference.

Nominations received after the deadline will be returned; however, nominations may be made from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting, an electronic ballot will be made available *if requested in advance*. **Ballot requests must also be received no later than 5:00 pm on Monday, September 19, 2022, with completed absentee ballots returned by 5:00 p.m. on Friday, October 14, 2022.**

NOMINATION/ELECTION PROCESS DEADLINES AND TIMELINES

- **June 1** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 19** – Completed Nomination packet due
- **September 19** – Request for an absentee/electronic ballot due
- **September 19** – Voting delegate name due to CALAFCO
- **October 4** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 4** – Distribution of requested absentee/electronic ballots.
- **October 14** – Absentee ballots due to CALAFCO
- **October 20** - Elections

If you have any questions about the election process, please contact me at jmackenzie@calafco.org or by calling 760-743-7969. You may also contact CALAFCO Executive Director René LaRoche at rlaroche@calafco.org or by calling 916-442-6536.

Members of the 2022/2023 CALAFCO Election Committee are:

Jo MacKenzie, Chair
jmackenzie@calafco.org

San Diego LAFCo (Southern Region)
760-743-7969

Bill Connelly
bconnelly@calafco.org

Butte LAFCo (Northern Region)
530-538-6834

Margie Mohler
mmohler@calafco.org

Napa LAFCo (Coastal Region)
707-287-6911

Daniel Parra
dparra@calafco.org

Fresno LAFCo (Central Region)
559-834-3113

Additionally, you will also find attached for your reference a copy of the CALAFCO Board of Directors Nomination and Election Procedures, as well as the current listing of Board Members and corresponding terms of office.

I sincerely hope that you will consider joining us!

Board of Directors Nomination and Election Procedures and Forms

The procedures for nominations and election of the CALAFCO Board of Directors [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in the CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

1. APPOINTMENT OF AN ELECTION COMMITTEE:

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.
- b. The Board Chair shall appoint one of the members of the Election Committee to serve as Committee Chair. The CALAFCO Executive Director shall either serve as staff to the Election Committee or appoint a CALAFCO regional officer to serve as staff in cooperation with the Executive Director.
- c. Each regional officer shall serve as staff liaison to the Election Committee specifically to assist in conducting the election as directed by the Executive Director and Committee.
- d. Goals of the Committee are to encourage and solicit candidates by region who represent member LAFCoS across the spectrum of geography, size, and urban-suburban-rural population, and to provide oversight of the elections process.

2. ANNOUNCEMENT TO ALL MEMBER LAFCoS:

- a. No later than four months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFCo for distribution to each commissioner and alternate. The announcement shall include the following:
 - i. A statement clearly indicating which offices are subject to the election.
 - ii. A regional map including LAFCoS listed by region.
 - iii. The specific date by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFCo marked "Received too late for Election Committee action."
 - iv. The names of the Election Committee members and the name of their LAFCo, regional representation, email address and phone number. The name, email address and phone number of the Executive Director shall also be included.
 - v. The email address and physical address to send the nominations forms.
 - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
 - vii. The specific date by which all voting delegate names are due.
 - viii. The specific date by which absentee ballots must be requested, the date CALAFCO will

**Key Timeframes for
Nominations Process**

<u>Days*</u>	
120	Nomination announcement
30	Nomination deadline
14	Committee report released

**Days prior to annual membership meeting*

distribute the absentee ballots, and the date by which they must be received by the Executive Director.

- b. A copy of these procedures shall be posted on the web site.

3. THE ELECTION COMMITTEE:

- a. The Election Committee and the Executive Director have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Election Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.
- b. At the close of the nomination period, the Election Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated representatives. Caucus elections must be held prior to the annual membership meeting at the Conference. The assigned regional officers along with a member of the Election Committee shall tally ballots at each caucus and provide the Election Committee the names of the elected Board members and any open seats. In the event of a tie, the regional officer and Election Committee member shall immediately conduct a run-off ballot of the tied candidates.
- c. Make available sufficient copies of the Committee Report for each Voting Delegate by the beginning of the Annual Conference. Only the designated Voting Delegate, or the designated Alternate Voting Delegate shall be allowed to pick up the ballot packet at the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Executive Director to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.
- f. Advise the Executive Director to provide "VOTING DELEGATE" ribbons to all voting delegates attending the Annual Conference.
- g. Post the candidate statements/resumes organized by region on a bulletin board or other easily accessible location near the registration desk.
- h. Regional elections shall be conducted as described in Section 4 below. The representative from the Election Committee shall serve as the Presiding Officer for the purpose of the caucus election and shall be assisted by a regional officer from a region other than their own, as assigned by the Executive Director
- i. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Election Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.

4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCos requesting an electronic ballot shall do so in writing to the Executive Director no later than 30 days prior to the annual meeting.

- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the Executive Director no later than three working days prior to the annual meeting.
- e. LAFCos voting by electronic ballot may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCos voting under this provision may only vote for the candidates nominated by the Election Committee as noted on the ballot and may not vote in any run-off elections.

5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING:

- a. The Presiding Officer shall:
 - i. Review the election procedure with the membership of their region.
 - ii. Present the Election Committee Report (previously distributed).
 - iii. Call for nominations from the floor by category for those seats subject to this election:
 - 1. For city member.
 - 2. For county member.
 - 3. For public member.
 - 4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a "Candidates Forum". Each candidate shall be given time to make a brief statement for their candidacy. If a candidate is absent from the regional caucus, they may ask someone in their region to make a brief statement on their behalf.
- e. The Presiding Officer shall then conduct the election:
 - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
 - 1. Name the nominees and offices for which they are nominated.
 - 2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.
 - ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
 - 1. Poll the LAFCos in good standing by written ballot.
 - 2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.

3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.
 4. With assistance from the regional officer, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
1. A majority of the total number of LAFCos in a given region are required for a quorum. Returned absentee ballots shall count towards the total required for a quorum.
 2. The nominee receiving the majority of votes cast is elected.
 3. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).
 4. In case of tie votes:
 - a. A second run-off election shall be held with the same two nominees.
 - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.

6. ADDITIONAL PROCEDURES

- a. For categories where there are more candidates than vacancies, names shall be listed on the ballot in the order the nomination was received and deemed complete.
- b. The Election Committee Chair shall announce and introduce all Board Members elected during the Regional Caucuses at the annual business meeting.
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFCo may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after election of new Board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

7. LOSS OF ELECTION IN HOME LAFCO

Board Members and candidates who lose elections in their home office shall notify the Executive Director within 15 days of the certification of the election.

8. FILLING BOARD VACANCIES

Vacancies on the Board of Directors may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

CALAFCO's Four Regions



The counties in each of the four regions consist of the following:

Northern Region

Butte
Colusa
Del Norte
Glenn
Humboldt
Lake
Lassen
Mendocino
Modoc
Nevada
Plumas
Shasta
Sierra
Siskiyou
Sutter
Tehama
Trinity
Yuba

CONTACT: Steve Lucas
Butte LAFCo
slucas@buttecounty.net

Southern Region

Orange
Los Angeles
Imperial
Riverside
San Bernardino
San Diego

CONTACT: Gary Thompson
Riverside LAFCo
gthompson@lafco.org

Coastal Region

Alameda
Contra Costa
Marin
Monterey
Napa
San Benito
San Francisco
San Luis Obispo
San Mateo
Santa Barbara
Santa Clara
Santa Cruz
Solano
Sonoma
Ventura

CONTACT: Dawn Longoria
Napa LAFCo
dlongori@napa.lafco.ca.gov

Central Region

Alpine
Amador
Calaveras
El Dorado
Fresno
Inyo
Kings
Madera
Mariposa
Merced
Mono
Placer
Sacramento
San Joaquin
Stanislaus
Tulare
Tuolumne
Yolo

CONTACT: José Henriquez
Sacramento LAFCo
henriquezj@saccounty.net

CURRENT BOARD MEMBERS AND TERMS

NAME	REGION	TYPE & TERM
Bill Connelly, Vice Chair	Butte <i>Northern</i>	County (2023)
Blake Inscore	Del Norte <i>North</i>	City (2022)
Gay Jones	Sacramento <i>Central</i>	District (2022)
Michael Kelley	Imperial <i>Southern</i>	County (2023)
Debra Lake	Humboldt <i>Northern</i>	District (2023)
Chris Lopez	Monterey <i>Coastal</i>	County (2022)
Daron McDaniel	Merced <i>Central</i>	County (2022)
Michael McGill	Contra Costa <i>Coastal</i>	District (2022)
Derek McGregor	Orange <i>Southern</i>	Public (2022)
Jo MacKenzie	San Diego <i>Southern</i>	District (2023)
Margie Mohler, Treasurer	Napa <i>Coastal</i>	City (2023)
Anita Paque, Chair	Calaveras <i>Central</i>	Public (2023)
Daniel Parra	Fresno <i>Central</i>	City (2023)
Shane Stark	Santa Barbara <i>Coastal</i>	Public (2023)
Josh Susman	Nevada <i>Northern</i>	Public (2022)
Acquanetta Warren, Secretary	San Bernardino <i>Southern</i>	City (2022)

CALIFORNIA ASSOCIATION OF
LOCAL AGENCY FORMATION
COMMISSIONS



Board of Directors 2022/2023 Nominations Form

Nomination to the CALAFCO Board of Directors

In accordance with the Nominations and Election Procedures of CALAFCO,

_____ LAFCo of the _____ Region

Nominates _____

for the (check one) City County Special District Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual Membership Meeting of the Association.

_____ LAFCo Chair

_____ Date

NOTICE OF DEADLINE

Nominations must be received by **September 19, 2022 at 5:00 p.m.** to be considered by the Election Committee.

Send completed nominations to:

CALAFCO Election Committee
CALAFCO
1020 12th Street, Suite 222
Sacramento, CA 95814

Or email to: info@calafco.org

Date Received _____

CALIFORNIA ASSOCIATION OF
LOCAL AGENCY FORMATION
COMMISSIONS



**Board of Directors
2022/2023 Candidate Résumé Form
(Complete both pages)**

Nominated By: _____ LAFCo Date: _____

Region (please check one): Northern Coastal Central Southern

Category (please check one): City County Special District Public

Candidate Name _____

Address _____

Phone Office _____ Mobile _____

e-mail _____

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

NOTICE OF DEADLINE

Nominations must be received by **September 19, 2022 at 5:00 p.m.** to be considered by the Election Committee.

Send completed nominations to:

CALAFCO Election Committee
CALAFCO
1020 12th Street, Suite 222
Sacramento, CA 95814

Or email to: info@calafco.org

Date: June 8, 2022

To: CALAFCO Members
LAFCo Commissioners and Staff
Other Interested Organizations

From: Blake Inscore, Committee Chair
CALAFCO Achievement Awards Committee
CALAFCO Board of Directors



Subject: 2022 CALAFCO Achievement Award Nominations Period Open

Deadline: 5:00 p.m., Friday, August 12, 2022

On behalf of the Association, I am pleased to announce that the nomination period for the 2022 CALAFCO Achievement Awards is now open!

Each year, CALAFCO is honored to recognize outstanding achievements by dedicated and committed individuals and/or organizations from throughout the state at its Annual Conference Achievement Awards Ceremony. This year's ceremony will be held on October 20 at the Hyatt Regency Newport Beach John Wayne Airport, during the awards banquet.

Recognizing individual and organizational achievements is an important responsibility. It provides visible recognition and support to those who have gone **above and beyond** over the last year to advance the principles and goals of the Cortese-Knox-Hertzberg Act. We invite you to use this opportunity to nominate the individuals and organizations you feel deserve this important recognition based on the criteria outlined.

Before submitting a nomination, *please carefully review the nomination instructions and the criteria for each award as incomplete nominations, and nominations that do not adhere to the submission guidelines, will not be considered by the Committee.*

ACHIEVEMENT AWARDS NOMINATION PROCEDURE:

1. Nominations may be made by an individual, a LAFCo, a CALAFCO Associate Member, or any other organization.
2. Each nomination must meet the specific award category criteria for consideration. The Committee will not consider any nomination for an award for any category other than the one for which it was submitted. Duplicate nominations *will not be considered by the Committee.*
3. Nominations **must be submitted with a completed nomination form.** Please use a separate form for each nomination. The form is your opportunity to highlight the most important points of your nomination.
4. Nomination *Executive Summaries* must be **limited to no more than 250 words in length.** Nomination *Summaries* must be **limited to no more than 1,000 words or 2 pages in length maximum.** You are encouraged to write them in a clear, concise and understandable manner. If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount *will not be considered by the Committee.*

5. All supporting information (e.g. reports, news articles, etc.) must be submitted with the nomination. ***Limit supporting documentation to no more than 3 pages.*** If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount ***will not be considered by the Committee.***
6. All nomination materials must be submitted at one time and must be received by the deadline. No late nominations will be accepted – no exceptions. Electronic submittals are required and must be submitted as pdf document, using the fillable pdf document provided.
7. **Nominations and supporting materials must be received no later than 5:00 p.m., Friday, August 12, 2022.** Send nominations via e-mail to:

Stephen Lucas, CALAFCO Executive Officer
slucas@buttecounty.net

You may contact Steve Lucas, CALAFCO Executive Officer, at slucas@buttecounty.net or (530) 538-7784 with any questions.

Members of the 2022 CALAFCO Board of Directors Awards Committee

Board Members:

<i>Blake Inscore</i> , Committee Chair (Del Norte LAFCo, North Region)	binscore@calafco.org
<i>Debra Lake</i> (Humboldt LAFCo, Northern Region)	dlake@calafco.org
<i>Daniel Parra</i> (Fresno LAFCo, Central Region)	dparra@calafco.org
<i>Shane Stark</i> (Santa Barbara LAFCo, Coastal Region)	mmohler@calafco.org
<i>Acquanetta Warren</i> (San Bernardino LAFCo, Southern Region)	awarren@calafco.org

Regional Officer Members:

<i>José Henriquez</i> , CALAFCO Deputy Executive Officer (Central Region)	henriquezj@saccounty.net
<i>Steve Lucas</i> , CALAFCO Executive Officer (Northern Region)	slucas@buttecounty.net
<i>Dawn Longoria</i> , CALAFCO Deputy Executive Officer (Coastal Region)	dlongori@napa.lafco.ca.gov
<i>Gary Thompson</i> , CALAFCO Deputy Executive Officer (Southern Region)	gthompson@lafco.org

Included as attachments:

- 2022 Achievement Award nomination form
- Achievement Award categories, nomination and selection criteria
- Listing of prior Achievement Award recipients





2022 Achievement Award Nominations
Due by Friday, August 12, 2022 at 5:00 p.m.

Achievement Award Nomination Form

NOMINEE - Person or Agency Being Nominated

Name:

Organization:

Address:

Phone:

E-mail:

NOMINATION CATEGORY (check one – see category criteria on attached sheet)

- Outstanding CALAFCO Volunteer
- Outstanding CALAFCO Associate Member
- Outstanding Commissioner
- Outstanding LAFCo Professional
- Mike Gotch Excellence in Public Service (choose one category below)
 - Protection of agricultural and open space lands and prevention of sprawl*
 - Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*
- Legislator of the Year (must be approved by the full CALAFCO Board)
- Lifetime Achievement Award

NOMINATION SUBMITTED BY:

Name:

Organization:

Address:

Phone:

E-mail:



2022 Achievement Award Nominations
Due by Friday, August 12, 2022 at 5:00 p.m.

EXECUTIVE SUMMARY

In no more than 250 words, summarize why this recipient is the most deserving of this award.



2022 Achievement Award Nominations
Due by Friday, August 12, 2022 at 5:00 p.m.

NOMINATION SUMMARY

Please indicate the reasons why this person or agency deserves to be recognized (this section must be no more than 1,000 words or 2 pages maximum).



CALAFCO ACHIEVEMENT AWARD CATEGORIES, NOMINATION & SELECTION CRITERIA

CALAFCO recognizes excellence within the LAFCo community and the full membership by presenting the *Achievement Awards* at the CALAFCO Annual Conference. Nominations are now open and being accepted until **5:00 p.m., Friday, August 12, 2022** in the following categories:

OUTSTANDING CALAFCO VOLUNTEER

Award Summary:

Recognizes a CALAFCO volunteer who has provided exemplary service during the past year. Exemplary service is service which clearly goes above and beyond that which is asked or expected in the charge of their responsibilities. This category may include a CALAFCO Board member, regional officer, program volunteer, or any other requested volunteer.

Nomination criteria:

1. Nominee must have volunteered for the Association during the year in which the nomination is being made.
2. Nominee does not have to be a CALAFCO member.
3. Volunteer efforts must have demonstrated the individual going above and beyond what was asked/expected with positive and effective results.
4. Nominee can be a CALAFCO Board member, regional officer, program volunteer or any other volunteer.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee, regardless of their position or role as a volunteer. Only the contributions and outcomes shall be considered, not the individual's position.
3. The extent of the volunteerism and the overall impact to the statewide Association and membership based on that volunteerism shall be considered.
4. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

OUTSTANDING CALAFCO ASSOCIATE MEMBER

Award Summary:

Presented to an active CALAFCO Associate Member (person or agency) that has advanced or promoted the cause of LAFCos by consistently producing distinguished work that upholds the mission and goals of LAFCos and has helped elevate the role and mission of LAFCos through its work. Recipient consistently demonstrates a collaborative approach to LAFCo stakeholder engagement. Further, the individual or firm has a proven commitment to the Association membership through volunteering time and resources to further the cause of LAFCo and CALAFCO.

Nomination criteria:

1. Nominee must be a CALAFCO Associate Member in good standing with the Association.
2. Nominee shall be an Associate Member for the full year in which the nomination is being made.
3. The Associate Member nominated shall have been an Associate Member in good standing with the Association for at least one year prior to the year for which the nomination is being made.
4. As an Associate Member, the nominee may be an individual, firm or agency.
5. The nominee may be an individual within an Associate Member firm or agency.
6. Nominee shall demonstrate that through their work as an Associate Member, the role and mission of LAFCo has been upheld and furthered.
7. Nominee must have proven cooperative and collaborative approaches to situations and

solutions that affect LAFCo statewide as an Associate Member.

8. Proven commitment to the Association's membership as an Associate Member by volunteering resources to the Association during the year in which the nomination is made.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. The level of volunteering time and resources to the Association shall be a consideration with all other nomination criteria.

OUTSTANDING COMMISSIONER

Award Summary:

Presented to an individual Commissioner for extraordinary service to his or her Commission. Extraordinary service is considered actions above and beyond those required in the course of fulfilling their statutory responsibilities as a Commissioner. It requires consistently demonstrating independent judgment on behalf of the interest of the entire county, developing innovative and collaborative solutions to local issues, and leading the commission and community by example.

Nomination criteria:

1. Nominee must be a Commissioner of a LAFCo in good standing with the Association.
2. Nominee shall be a Commissioner for the full year in which the nomination is being made.
3. Proven demonstration of consistently exercising independent judgment for the greater good of the County is required.
4. Proven leadership of the commission and the community through collaborative, innovative and creative solutions to local issues is required.
5. Proven effective results and outcomes shall be demonstrated in the nomination.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Representation type (city-county-district-public) shall not be a consideration nor shall be the size or geographic area of the LAFCo on which the Commissioner serves.
4. The overall impact of the leadership of the Commissioner shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

OUTSTANDING LAFCo PROFESSIONAL

Award Summary:

Recognizes an Executive Officer, Staff Analyst, Clerk, Legal Counsel or any other LAFCo staff person for exemplary service during the past year. Exemplary service is considered actions which clearly go above and beyond that which is asked, expected, or required in the charge of their LAFCo responsibilities.

Nomination criteria:

1. Nominee must be a staff person of a LAFCo in good standing with the Association.
2. Nominee shall be a staff person for the full year in which the nomination is being made.
3. As a staff person, the nominee can be either an employee of the LAFCo or a contractor providing employee-type services to the LAFCo.
4. Efforts must be demonstrated that the individual has consistently gone above and beyond or outside the scope of their role or job responsibilities, with proven results that otherwise would not have occurred.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Position within a LAFCo shall not be a consideration, nor shall be the size or geographic area of the LAFCo.

4. The overall impact of the LAFCo professional to their LAFCo and the greater community shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

LIFETIME ACHIEVEMENT AWARD

Award Summary:

Recognizes any individual who has made extraordinary contributions to the statewide LAFCo community in terms of longevity of service, exemplary advocacy of LAFCo-related legislation, proven leadership in approaching a particular issue or issues, and demonstrated support in developing and implementing innovative and creative ways to support the goals of LAFCos throughout California. At a minimum, the individual should be involved in the LAFCo community for at least twenty (20) years.

Nomination criteria:

1. Nomination must be received from a member LAFCo or Associate Member in good standing with the Association.
2. A minimum of 20 years direct involvement with the LAFCo community is required for consideration.
3. During that time, nominee shall have a proven positive impact and effect on the support and evolution of LAFCos statewide.
4. This includes advocacy of LAFCos statewide through legislation, developing creative and innovative solutions to LAFCo issues that serve beyond their LAFCo to the greater good, and collaborative stakeholder approaches to issues and opportunities to further the cause and mission of LAFCo.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Preference may be given to nominees who also have proven experience volunteering for CALAFCO through a regional officer role, serving on committees, serving on the CALAFCO Board, or any other method of volunteering for the Association that serves to promote and support the mission and work of LAFCos throughout the state.

LEGISLATOR OF THE YEAR

Award Summary:

Presented to a member of the California State Senate or Assembly in recognition of leadership and valued contributions in support of LAFCo goals that have a statewide effect. The recipient shall have demonstrated clear support and effort to further the cause and ability of LAFCos to fulfill their statutory mission. Selected by CALAFCO Board by super majority.

Nomination criteria:

1. Nominee shall be a California State legislator during the full year in which the nomination was made.
2. Nominee must have demonstrated extraordinary leadership in the Legislature on behalf of LAFCos statewide, with efforts resulting in a positive impact for all LAFCos.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. All Legislator of the Year nominations shall be forwarded by the Achievement Awards Committee to the Board for consideration.
3. Selection of the recipient of this award shall be done with a super majority approval of the Board (present at the time of the vote).

MIKE GOTCH EXCELLENCE IN PUBLIC SERVICE AWARD

Award Summary:

Awarded to an individual, group or agency for actions that rise above expected or common functions or actions that are LAFCo-related; *and* reduce or eliminate common institutional roadblocks; *and* result in a truly extraordinary public service outcome. Individuals, a LAFCo, or collaborative effort among multiple LAFCos or a LAFCo with other entities are eligible. Other entities shall be decision-making bodies at the local, regional or state level. This award has the following two distinct categories, each focusing on specific areas of the LAFCo mission:

1. *Protection of agricultural and open space lands and prevention of sprawl*
2. *Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*

Award categories:

Protection of agricultural and open space lands and prevention of sprawl

Includes the development and implementation of programs or other actions associated with agriculture, water, flood control, parks and recreation, habitat conservation plans and public lands. Demonstrates the recipient has identified, encouraged and ensured the preservation of agricultural and open space lands. Proven actions that encourage cities, counties and special districts to direct development away from all types of agricultural lands, including prime agricultural lands and open space lands. Includes demonstrated consideration given in decisions to Regional Transportation Plans, including sustainable communities strategies and other growth plans to ensure reliable services, orderly growth, and sustainable communities.

Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services

Includes the development and implementation of innovate support and systems within internal LAFCo operations in the support of local agencies. Actions produce systemic and sustainable improvements and innovation of local government. Proven facilitation of constructive discussions with local and regional agencies and proactive outreach to local and regional agencies as well as local stakeholders and communities to identify issues and solutions and demonstrated action as a coordinating agency in offering and supporting unique local solutions to meet local challenges. Successful demonstration of development of capacities and abilities of local agencies. Provide tools and resources to local agencies to address aging infrastructure, fiscal challenges and the maintenance of existing services. Demonstrated action to streamline the provision of local services with proven results that services are consistent or have been improved as a result, with little to no increased cost to the consumer. Focused efforts and proven results to ensure delivery of services to all communities, especially disadvantaged communities.

Nomination criteria:

1. Clear demonstration that the actions rise above expected or common functions or actions.
2. The actions reduced or eliminated common institutional roadblocks.
3. The actions clearly proven a truly extraordinary public service outcome that is systemic and sustainable.
4. Identified unique circumstances and factors leading to the solution/project.
5. The innovative steps taken by the LAFCo or entity/entities/individual to solve the problem, overcome the situation, or to take action.
6. Clear description of the results/outcomes of the work and the short- and long-term effects.
7. How this work can be promoted as a LAFCo best practice.
8. Clear demonstration how this nomination meets all criteria.

Selection Criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee within each category. The size or geographic area of the LAFCo within a given category shall not be a consideration.
3. The overall impact of the actions and outcomes to the greater community being served shall be considered.
4. The level of impact based on the required nomination criteria shall be considered.



PREVIOUS CALAFCO ACHIEVEMENT AWARD RECIPIENTS

2020 – 2021 (2 year period due to the pandemic)

Outstanding Associate Member	Planwest Partners
Outstanding Commissioner	Olin Woods , Yolo LAFCo
Outstanding LAFCo Professional	Crystal Craig , Riverside LAFCo
Mike Gotch Protection of Ag and Open Space Lands & Prevention of Urban Sprawl	Napa LAFCo
Mike Gotch Courage & Innovation in Local Government Leadership Award	Yolo LAFCo
Lifetime Achievement Award	Jerry Glabach , Los Angeles LAFCo

2019

Distinguished Service Award	Charley Wilson , Orange LAFCo
Most Effective Commission	Contra Costa LAFCo
Outstanding Commissioner	Jim DeMartini , Stanislaus LAFCo
Outstanding LAFCo Professional	David Church , San Luis Obispo LAFCo
Project of the Year	Orange LAFCo , for <i>San Juan Capistrano Utilities MSR</i>
Government Leadership Award	CA State Water Resources Control Board, Los Angeles County and Los Angeles LAFCo , for <i>Sativa Water District Butte LAFCo</i>
Mike Gotch Courage & Innovation in Local Government Leadership Award	
Legislator of the Year	Assembly Member Mike Gipson
Lifetime Achievement Award	John Benoit , various LAFCos, Jurg Heuberger , Imperial LAFCo

2018

Distinguished Service Award	John Withers , Orange LAFCo
Most Effective Commission	Santa Clara LAFCo
Outstanding Commissioner	Margie Mohler , Napa LAFCo
Outstanding LAFCo Professional	George Williamson , Del Norte LAFCo
Outstanding LAFCo Clerk	Elizabeth Valdez , Riverside LAFCo
Outstanding CALAFCO Associate Member	Best Best & Krieger
Project of the Year	Lake LAFCo , water services consolidation
Government Leadership Award	City of Porterville, County of Tulare, Dept. of Water Resources, State Water Resources Control Board, Governor's Office of Emergency Services, Self Help Enterprises, Community Water Center for East Porterville water supply project
Mike Gotch Courage & Innovation in Local Government Leadership Award	Mike Ott , San Diego LAFCo
Legislator of the Year	Assembly Member Anna Caballero
Lifetime Achievement Award	Pat McCormick , Santa Cruz LAFCo, George Spiliotis , Riverside LAFCo

2017

Most Effective Commission	Los Angeles LAFCo
Outstanding CALAFCo Member	Sblend Sblendorio , Alameda LAFCo
Outstanding Commissioner	John Marchand , Alameda LAFCo
Outstanding LAFCo Professional	Paul Novak , Los Angeles LAFCo
Outstanding LAFCo Clerk	Richelle Beltran , Ventura LAFCo
Outstanding CALAFCo Associate Member Project of the Year	Policy Consulting Associates County Services MSR , Butte LAFCo, and Santa Rosa Annexation , Sonoma LAFCo
Government Leadership Award Lifetime Achievement Award	San Luis Obispo County Public Works Dept. Kathy Rollings McDonald (San Bernardino)

2016

Distinguished Service Award	Peter Brundage , Sacramento LAFCo
Most Effective Commission	San Luis Obispo LAFCo
Outstanding CALAFCo Member	John Leopold , Santa Cruz LAFCo
Outstanding Commissioner	Don Tatzin , Contra Costa LAFCo
Outstanding LAFCo Professional	Steve Lucas , Butte LAFCo
Outstanding LAFCo Clerk	Cheryl Carter-Benjamin , Orange LAFCo
Project of the Year	Countywide Water Study , (Marin LAFCo)
Government Leadership Award Lifetime Achievement Award	Southern Region of CALAFCo Bob Braitman (retired Executive Officer)

2015

Mike Gotch Courage & Innovation in Local Government Leadership Award	Yuba County Water Agency
Distinguished Service Award	Mary Jane Griego , Yuba LAFCo
Most Effective Commission	Butte LAFCo
Outstanding CALAFCo Member	Marjorie Blom , formerly of Stanislaus LAFCo
Outstanding Commissioner	Matthew Beekman , formerly of Stanislaus LAFCo
Outstanding LAFCo Professional	Sam Martinez , San Bernardino LAFCo
Outstanding LAFCo Clerk	Terri Tuck , Yolo LAFCo
Project of the Year	Formation of the Ventura County Waterworks District No. 38 (Ventura LAFCo) and 2015 San Diego County Health Care Services five-year sphere of influence and service review report (San Diego LAFCo)
Government Leadership Award	The Cities of Dublin, Pleasanton, Livermore and San Ramon, the Dublin San Ramon Services District and the Zone 7 Water Agency
CALAFCo Associate Member of the Year	Michael Colantuono of Colantuono, Highsmith & Whatley
Legislators of the Year Award	Assembly member Chad Mayes
Lifetime Achievement Award	Jim Chapman (Lassen LAFCo) and Chris Tooker (formerly of Sacramento LAFCo)

2014

Mike Gotch Courage & Innovation in
Local Government Leadership Award
Distinguished Service Award
Most Effective Commission
Outstanding CALAFCO Member
Outstanding Commissioner
Outstanding LAFCo Professional
Outstanding LAFCo Clerk
Project of the Year

David Church, San Luis Obispo LAFCo

Kate McKenna, Monterey LAFCo

Santa Clara LAFCo

Stephen Lucas, Butte LAFCo

Paul Norsell, Nevada LAFCo

Kate McKenna, Monterey LAFCo

Paige Hensley, Yuba LAFCo

LAFCo Procedures Guide: 50th Year Special Edition,
San Diego LAFCo

Government Leadership Award

**Orange County Water District, City of Anaheim, Irvine Ranch
Water District, and Yorba Linda Water District**

Legislators of the Year Award

Assembly member Katcho Achadjian

Lifetime Achievement Award

Susan Wilson, Orange LAFCo

2013

Mike Gotch Courage & Innovation in
Local Government Leadership Award
Distinguished Service Award
Most Effective Commission
Outstanding CALAFCO Member
Outstanding Commissioner
Outstanding LAFCo Professional
LAFCo Outstanding LAFCo Clerk
Project of the Year

Simón Salinas, Commissioner, Monterey LAFCo

Roseanne Chamberlain, Amador LAFCo

Stanislaus LAFCo

Harry Ehrlich, San Diego LAFCo

Jerry Gladbach, Los Angeles LAFCo

Lou Ann Texeira, Contra Costa

Kate Sibley, Contra Costa LAFCo

Plan for Agricultural Preservation, Stanislaus LAFCo

Government Leadership Award

Orange County LAFCo Community Islands Taskforce,
Orange LAFCo

Legislators of the Year Award

Senators Bill Emmerson and Richard Roth

Lifetime Achievement Award

H. Peter Faye, Yolo LAFCo; **Henry Pellissier**, Los Angeles
LAFCo; **Carl Leverenz**, Butte LAFCo; **Susan Vicklund-Wilson**,
Santa Clara LAFCo.

2012

Mike Gotch Courage & Innovation in
Local Government Leadership Award
Distinguished Service Award
Most Effective Commission
Outstanding CALAFCO Member

Outstanding Commissioner
LAFCo Outstanding LAFCo Professional
Outstanding LAFCo Clerk
Project of the Year

Bill Chiat, CALAFCO Executive Director

Marty McClelland, Commissioner, Humboldt LAFCo

Sonoma LAFCo

Stephen A. Souza, Commissioner, Yolo LAFCo and
CALAFCO Board of Directors

Sherwood Darington, Monterey

Carole Cooper, Sonoma LAFCo

Gwenna MacDonald, Lassen LAFCo

Countywide Service Review & SOI Update, Santa Clara
LAFCo

Government Leadership Award

North Orange County Coalition of Cities, Orange LAFCo

Lifetime Achievement Award

P. Scott Browne, Legal Counsel LAFCos

2011

Mike Gotch Courage & Innovation in
Local Government Leadership Award
Distinguished Service Award
LAFCo Most Effective Commission
Outstanding CALAFCO Member
Outstanding Commissioner
Outstanding LAFCo Professional
Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Martin Tuttle, Deputy Director for Planning, Caltrans
Mike McKeever, Executive Director, SACOG
Carl Leverenz, Commissioner and Chair, Butte
San Bernardino LAFCo
Keene Simonds, Executive Officer, Napa LAFCo
Louis R. Calcagno, Monterey LAFCo
June Savala, Deputy Executive Officer, Los Angeles LAFCo
Debbie Shubert, Ventura LAFCo

Cortese-Knox-Hertzberg Definitions Revision
Bob Braitman, Scott Browne, Clark Alsop, Carole Cooper,
and George Spiliotis

Contra Costa Sanitary District
**Elsinore Water District and Elsinore Valley Municipal Water
District**

2010

Mike Gotch Courage & Innovation in
Local Government Leadership Award
Distinguished Service Award

Most Effective Commission
Outstanding CALAFCO Member
Outstanding Commissioner
Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Special Achievement

Helen Thompson, Commissioner, Yolo LAFCo

Kathleen Rollings-McDonald, Executive Officer, San
Bernardino LAFCo
Bob Braitman, Executive Officer, Santa Barbara LAFCo

Tulare LAFCo

Roger Anderson, Ph.D., CALAFCO Chair, Santa Cruz LAFCo

George Lange, Ventura LAFCo

Harry Ehrlich, Government Consultant, San Diego LAFCo

Candie Fleming, Fresno LAFCo

Butte LAFCo

Sewer Commission - Oroville Region Municipal Service
Review

**Nipomo Community Services District and the County of San
Luis Obispo**

Chris Tooker, Sacramento LAFCo and CALAFCO Board of
Directors

2009

Mike Gotch Courage & Innovation in
Local Government Leadership Award
Distinguished Service Award
Most Effective Commission
Outstanding CALAFCO Member

Outstanding Commissioner
Outstanding LAFCo Professional
Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Paul Hood, Executive Officer, San Luis Obispo LAFCo

William Zumwalt, Executive Officer, Kings LAFCo
Napa LAFCo

Susan Vicklund Wilson, CALAFCO Vice Chair
Jerry Gladbach, CALAFCO Treasurer

Larry M. Fortune, Fresno LAFCo

Pat McCormick, Santa Cruz LAFCo Executive Officer

Emmanuel Abello, Santa Clara LAFCo

Orange LAFCo Boundary Report

Cities of Amador City, Jackson, Lone, Plymouth & Sutter

Creek; Amador County; Amador Water Agency; Pine Grove CSD – Countywide MSR Project

Legislator of the Year Award

Assembly Member Jim Silva

2008

Distinguished Service Award

Peter M. Detwiler, Senate Local Government Committee
Chief Consultant

Most Effective Commission

Yuba LAFCo

Outstanding Commissioner

Dennis Hansberger, San Bernardino LAFCo

Outstanding LAFCo Professional

Michael Ott, San Diego LAFCo Executive Officer
Martha Poyatos, San Mateo Executive Officer

Outstanding LAFCo Clerk

Wilda Turner, Los Angeles LAFCo

Project of the Year

Kings LAFCo
City and Community District MSR and SOI Update

Government Leadership Award

San Bernardino Board of Supervisors

Legislator of the Year Award

Assembly Member Anna M. Caballero

2007

Outstanding CALAFCo Member

Kathy Long, Board Chair, Ventura LAFCo

Distinguished Service Award

William D. Smith, San Diego Legal

Counsel Most Effective Commission

Santa Clara LAFCo

Outstanding Commissioner

Gayle Uilkema, Contra Costa LAFCo

Outstanding LAFCo Professional

Joyce Crosthwaite, Orange LAFCo Executive Officer

Outstanding LAFCo Clerk

Debby Chamberlin, San Bernardino LAFCo

Project of the Year

San Bernardino LAFCo and City of Fontana
Islands Annexation Program

Government Leadership Award

City of Fontana - Islands Annexation Program

Lifetime Achievement

John T. "Jack" Knox

2006

Outstanding CALAFCo Member

Everett Millais, CALAFCo Executive Officer and Executive
Officer of Ventura LAFCo

Distinguished Service Award

Clark Alsop, CALAFCo Legal Counsel

Most Effective Commission Award

Alameda LAFCo

Outstanding Commissioner Award

Ted Grandsen, Ventura LAFCo
Chris Tooker, Sacramento LAFCo

Outstanding LAFCo Professional Award

Larry Calemine, Los Angeles LAFCo Executive Officer

Outstanding LAFCo Clerk Award

Janice Bryson, San Diego LAFCo
Marilyn Flemmer, Sacramento LAFCo

Project of the Year Award

Sacramento Municipal Utility District Sphere of Influence
Amendment and Annexation; **Sacramento LAFCo**

Outstanding Government Leadership Award

Cities of Porterville, Tulare, and Visalia and Tulare LAFCo
Island Annexation Program

Legislator of the Year Award

Senator Christine Kehoe

2005

Outstanding CALAFCo Member

Peter Herzog, CALAFCo Board, Orange LAFCo

Distinguished Service Award

Elizabeth Castro Kemper, Yolo LAFCo

Most Effective Commission Award

Ventura LAFCo

Outstanding Commissioner Award	Art Aseltine , Yuba LAFCo Henri Pellissier , Los Angeles LAFCo
Outstanding LAFCo Professional Award	Bruce Baracco , San Joaquin LAFCo
Outstanding LAFCo Clerk Award	Danielle Ball , Orange LAFCo
Project of the Year Award	San Diego LAFCo MSR of Fire Protection and Emergency Medical Services
Outstanding Government Leadership Award	Sacramento Area Council of Governments (SACOG)

2004

Outstanding CALAFCO Member	Scott Harvey , CALAFCO Executive Director
Distinguished Service Award	Julie Howard , Shasta LAFCo
Most Effective Commission Award	San Diego LAFCo
Outstanding Commissioner Award	Edith Johnsen , Monterey LAFCo
Outstanding LAFCo Professional Award	David Kindig , Santa Cruz LAFCo
Project of the Year Award	San Luis Obispo LAFCo Nipomo CSD SOI Update, MSR, and EIR

2003

Outstanding CALAFCO Member	Michael P. Ryan , CALAFCO Board Member
Distinguished Service Award	Henri F. Pellissier , Los Angeles LAFCo
Most Effective Commission Award	San Luis Obispo LAFCo
Outstanding Commissioner Award	Bob Salazar , El Dorado LAFCo
Outstanding LAFCo Professional Award	Shirley Anderson , San Diego LAFCo
Outstanding LAFCo Clerk Award	Lori Fleck , Siskiyou LAFCo
Project of the Year Award	Napa LAFCo Comprehensive Water Service Study
Special Achievement Award	James M. Roddy

2002

Outstanding CALAFCO Member	Ken Lee , CALAFCo Legislative Committee Chair
Most Effective Commission Award	San Diego LAFCo Outstanding
Commissioner Award	Ed Snively , Imperial LAFCo
Outstanding LAFCo Professional Award	Paul Hood , San Luis Obispo LAFCo
Outstanding LAFCo Clerk Award	Danielle Ball , Orange LAFCo
Project of the Year Award	San Luis Obispo LAFCo
Outstanding Government Leadership Award	Napa LAFCo, Napa County Farm Bureau, Napa Valley Vintners Association, Napa Valley Housing Authority, Napa County Agricultural Commissioner's Office, Napa County Counsel Office, and Assembly Member Patricia Wiggins

2001

Outstanding CALAFCO Member	SR Jones , CALAFCO Executive Officer
Distinguished Service Award	David Martin , Tax Area Services Section, State Board of Equalization
Outstanding Commissioner Award	H. Peter Faye , Yolo LAFCo
Outstanding LAFCo Professional Award	Ingrid Hansen , San Diego LAFCo
Project of the Year Award	Santa Barbara LAFCo
Outstanding Government Leadership Award	Alameda County Board of Supervisors, Livermore City Council, Pleasanton City Council
Legislator of the Year Award	Senator Jack O'Connell

2000

Outstanding CALAFCO Member Distinguished Service Award	Ron Wootton , CALAFCO Board Chair Ben Williams , Commission on Local Governance for the 21st Century
Most Effective Commission Award Outstanding Commissioner Outstanding LAFCo Professional Award Outstanding LAFCo Clerk Award Project of the Year Award Legislator of the Year Award	Yolo LAFCo Rich Gordon , San Mateo LAFCo Annamaria Perrella , Contra Costa LAFCo Susan Stahmann , El Dorado LAFCo San Diego LAFCo Robert Hertzberg , Assembly Member

1999

Distinguished Service Award Most Effective Commission Award Outstanding Executive Officer Award Outstanding LAFCo Clerk Award Most Creative Solution to a Multi- Jurisdictional Problem Outstanding Government Leadership Award Legislator of the Year Award	Marilyn Ann Flemmer-Rodgers , Sacramento LAFCo Orange LAFCo Don Graff , Alameda LAFCo Dory Adams , Marin LAFCo San Diego LAFCo Assembly Member John Longville Assembly Member Robert Hertzberg
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1998

Outstanding CALAFCO Member Distinguished Service Award Most Effective Commission Award Outstanding Executive Officer Award Outstanding Staff Analysis Outstanding Government Leadership Award	Dana Smith , Orange LAFCo Marvin Panter , Fresno LAFCo San Diego LAFCo George Spiliotis , Riverside LAFCo Joe Convery , San Diego LAFCo Joyce Crosthwaite , Orange LAFCo Santa Clara County Planning Department
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1997

Most Effective Commission Award Outstanding Executive Officer Award Outstanding Staff Analysis Outstanding Government Leadership Award Most Creative Solution to a Multi- Jurisdictional Problem Legislator of the Year Award	Orange LAFCo George Finney , Tulare LAFCo Annamaria Perrella , Contra Costa LAFCo South County Issues Discussion Group Alameda LAFCo and Contra Costa LAFCo Assembly Member Tom Torlakson
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Local Agency Formation Commission of Napa County
Subdivision of the State of California

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www.napa.lafco.ca.gov

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

Agenda Item 7b (Action)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer *BF*

MEETING DATE: August 1, 2022

SUBJECT: Legislative Report

RECOMMENDATION

It is recommended the Commission receive the legislative update and direct the Executive Officer to submit a letter to the Legislature in support of Senate Bill (SB) 1449. The Commission may take additional support positions on other bills if desired.

SUMMARY

The Commission's *Legislative Policy* and *Legislative Platform* are included as Attachment One and Attachment Two, respectively.

Commissioner Dillon, Alternate Commissioner Painter, and the Executive Officer currently serve on the Commission's Legislative Committee, which is a standing subcommittee tasked with reviewing legislative items related to LAFCOs and making recommendations to the full Commission with respect to taking formal positions.

On March 15, 2022, the Legislative Committee held a noticed public meeting to review each bill affecting LAFCOs as tracked by the California Association of LAFCOs (CALAFCO). The most recent CALAFCO Legislative Report is dated July 26, 2022, tracks 29 bills, and is included as Attachment Three.

On April 4, 2022, following discussion of the Legislative Committee's recommendations, the Commission directed staff to submit letters to the Legislature in support of Assembly Bill (AB) 1773, AB 2957, and SB 938. The Commission also directed staff to continue watching several other bills and returning with updates as appropriate.

Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

On June 24, 2022, staff submitted a letter requesting the Governor's signature on SB 938 relating to protest proceedings. Consistent with the *Legislative Policy*, the letter is included as Attachment Four.

AB 2957 (Omnibus bill) and SB 938 have been signed by the Governor. AB 1773 relating to Williamson Act subvention payments is currently held under submission.

Regarding other bills being watched by staff, SB 1449 (Caballero) was significantly amended after the Legislative Committee's March 15th meeting when all bills were reviewed. The current bill text for SB 1449 as amended on April 19, 2022 is included as Attachment Five. SB 1449 would establish the Unincorporated Area Annexation Incentive Grant Program and provide resources to cities for infrastructure projects related to the annexation of substantially surrounded unincorporated areas. While SB 1449 is not specific to unincorporated islands, the bill would incentivize cities to initiate island annexations. Based on the Commission's longstanding interest in providing island annexation incentives, and recognizing the City of Napa's concerns related to infrastructure financing for annexed islands, staff recommends submitting a letter to the Legislature in support of SB 1449. An example support letter from CALAFCO is included as Attachment Six. Notably, the California State Association of Counties has taken a watch position and the League of California Cities has taken a support position.

The Commission is invited to discuss any other bills of interest and consider directing staff to submit formal position letters to the Legislature.

ATTACHMENTS

- 1) Legislative Policy
- 2) Legislative Platform
- 3) CALAFCO Legislative Report (Dated July 26, 2022)
- 4) Request for Governor Signature on SB 938 (Dated June 24, 2022)
- 5) SB 1449 Bill Text (as Amended on April 19, 2022)
- 6) CALAFCO Letter of Support for SB 1449



LOCAL AGENCY FORMATION COMMISSION OF NAPA

Legislative Policy

(Adopted: December 4, 2017; Last Amended: April 4, 2022)

- 1) The Local Agency Formation Commission (LAFCO) of Napa County (“the Commission”) shall establish a standing committee to review proposed legislation (“Legislative Committee”). At the beginning of each two-year legislative session, the Commission shall appoint (or re-appoint) two members to the Legislative Committee, in addition to LAFCO’s Executive Officer. Meetings of the Legislative Committee must be noticed in accordance with the Ralph M. Brown Act.
- 2) The Legislative Committee shall, at least annually, review the California Association of LAFCOs’ legislative platform as well as the Commission’s adopted legislative platform if applicable and determine what action is needed in terms of adopting or amending a local legislative platform. The Legislative Committee shall present recommendations to the full Commission with respect to actions related to the local legislative platform.
- 3) The Legislative Committee shall, at least annually, review proposed legislation affecting LAFCO. The Executive Officer shall continue monitoring proposed legislation and present recommendations to the full Commission with respect to formal positions on proposed legislation.
- 4) In the event that proposed legislation affecting LAFCO cannot be considered by the full Commission due to timing, the Executive Officer is authorized to submit written correspondence to the appropriate entity regarding the Commission’s position if the position is consistent with the adopted legislative platform of the Commission. The Chair, or the Vice-Chair if the Chair is unavailable, shall review and approve the written correspondence prior to it being submitted by the Executive Officer.
- 5) All submitted correspondence pursuant to this policy will be included on the next available Commission agenda.



LOCAL AGENCY FORMATION COMMISSION OF NAPA

Legislative Platform

(Adopted: February 5, 2018; Last Amended: April 4, 2022)

The following core guiding principles underlie the Local Agency Formation Commission (LAFCO) of Napa County's activities. Each of these principles is centered on Napa LAFCO having in-depth, active communication with respect to all relevant constituents.

- Municipal Service Reviews based on local agency, Napa County, & LAFCO needs
- Re-writing policies (on a schedule) to be comprehensive, effective, and transparent
- Forecasting issues relating to local services and boundaries, as well as State legislation
- Active involvement of agency constituents in problem-solving local agency sustainability
- Engagement with local city/town general plan updates
- Active with local agencies in managing housing growth and related issues including transportation

The following serves as Napa LAFCO's Legislative Platform for purposes of informing actions relating to proposed legislation. Napa LAFCO will first review and consider the positions of the California Association of Local Agency Formation Commissions (CALAFCO), the League of California Cities, and the California State Association of Counties before recommending the full Commission take a formal position on proposed legislation.

1. LAFCO Purpose and Authority

- 1.1 Support legislation which enhances Napa LAFCO's authority and powers to carry out the legislative findings and authority in Government Code §56000 et seq., and oppose legislation which diminishes Napa LAFCO's authority.
- 1.2 Support authority for Napa LAFCO to establish local policies to apply Government Code §56000 et seq. based on local needs and conditions, and oppose any limitations to that authority.
- 1.3 Oppose additional Napa LAFCO responsibilities which require expansion of current local funding sources. Oppose unrelated responsibilities which dilute Napa LAFCO's ability to meet its primary mission.
- 1.4 Support alignment of responsibilities and authority of Napa LAFCO and regional agencies which may have overlapping responsibilities in orderly growth, preservation, and service delivery, and oppose legislation or policies which create conflicts or hamper those responsibilities.

- 1.5 Oppose grants of special status to any individual agency or proposal to circumvent the Napa LAFCO process.
- 1.6 Support individual commissioner responsibility that allows each commissioner to independently vote their conscience on issues affecting their own jurisdiction.
- 1.7 Support the independence of Napa LAFCO from local agencies.
- 1.8 Support recognition of Napa LAFCO's spheres of influence by other agencies involved in determining and developing long-term growth and infrastructure plans.
- 1.9 Support efforts to acquire funding for local projects if the funding efforts are supported by the CALAFCO Board of Directors.

2. Agricultural, Watershed, and Open Space Protection

- 2.1. Support legislation which clarifies Napa LAFCO's authority to identify, encourage, and ensure the preservation of agricultural, watershed, and open space lands.
- 2.2. Support policies which encourage cities, counties and special districts to direct development away from agricultural, watershed, and open space lands.
- 2.3. Support policies and tools which protect agricultural, watershed, and open space lands.
- 2.4. Support the continuance of the Williamson Act and restoration of program funding through State subvention payments.
- 2.5. Support the recognition and use of spheres of influence as a management tool to provide better planning of growth and development, and to preserve agricultural, watershed, and open space lands.

CALAFCO Daily Legislative Report as of Tuesday, July 26, 2022

AB 1195 (Garcia, Cristina D) Limited Eligibility and Appointment Program: lists.

Current Text: Amended: 5/18/2022 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 5/18/2022

Status: 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (June 29). Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary:

Current law specifically grants the Department of Human Resources the powers, duties, and authority necessary to operate the state civil service system in accordance with Article VII of the California Constitution, the Government Code, the merit principle, and applicable rules duly adopted by the State Personnel Board. Current law creates the Limited Examination and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Current law requires the Department of Human Resources, when an appointing power seeks to fill a vacant position by using an employment list, to provide the appointing power with a certified list of the names and addresses of all eligible candidates, as specified. Current law requires the department to provide a single certified list of eligible candidates if more than one employment list or LEAP referral list exists, and the department is required to combine the names and addresses of all eligible candidates. This bill would, notwithstanding those provisions, require the department to, upon request of the appointing power, provide the appointing power a LEAP referral list without combining that list with a parallel list and would authorize the appointing power to select and hire any individual from that a referral list to fill any vacancy.

Attachments:

[CALAFCO Letter of Concern - April 2021](#)

[AB 1195 Fact Sheet](#)

CALAFCO Comments: As amended on 4-6-21, the bill was gut and amended and now creates the So LA County Human Rights to Water Collaboration Act. It requires the Water Board to appoint a commissioner to implement the Safe & Affordable Funding for Equity & Resilience Program and gives the commissioner certain authorities (although they are not clearly spelled out). It requires the commissioner by 12-31-24 to submit to the Water Board a plan for the long-term sustainability of public water systems in southern LA County and prescribes what shall be included in the plan. The bill also creates a technical advisory board and requires the commissioner to oversee the Central Basin Municipal Water District.

In its current form the bill creates numerous concerns. CALAFCO's letter of concern is posted in the tracking section of the bill, and includes: (1) Focus of the bill is very broad as is the focus of the commissioner; (2) In an attempt to prevent privatization of water systems there is language regarding severing water rights. That language could be problematic should a consolidation be ordered; (3) Diminishing local control that is being invested in the state (an ongoing concern since SB 88); (4) A clear distinction needs to be made between an Administrator and Commissioner; (5) The poorly written section on the technical advisory board; and (6) The lack of LAFCO involvement in any consolidation process.

As amended on 5-24-21, the bill changes the water rights provision now requiring approval by the water Board; uses the definitions of "at risk system" and "at risk domestic well" found in SB 403 (Gonzalez) as well as the 3,300 connect cap; requires the commissioner appointed by the board to be from the local area; requires the commissioner to do certain things prior to completing the regional plan; and requires the commissioner to apply to LA LAFCo for extension of service, consolidation or dissolution as appropriate. The bill also creates a pilot program for LA LAFCo giving them the authority to take action rather than the water board, providing it is within 120 days of receipt of a completed application. If the LAFCo fails to take action within that time, the matter goes to the water board for their action.

The pilot program also gives LA LAFCo the authority to approve, approve with conditions or deny the application; further giving LAFCo authority to consider consolidation or extension of service with a local publicly owned utility that provides retail water, a private water company or mutual; the bill also waives protest proceedings, gives the LAFCo authority to address governance structure and CEQA is waived, provides full LAFCo indemnification and funding.

There are still issues with the proposed technical advisory board section of the bill, and questions about timing of some of the processes. CALAFCO continues to work with the author and speakers' offices as well as other stakeholders on ongoing amendments.

The bill is author-sponsored and we understand there is currently no funding source. A fact sheet is posted in the tracking section of the bill. CALAFCO's letter of concern is also posted there.

THIS IS NOW A 2-YEAR BILL.

UPDATE AS OF 2/10/22 - According to the author's office, the author is not intending to move the bill forward at this time. CALAFCO will continue to WATCH and monitor the bill. As a result, the bill was downgraded from a P-1 to a P-3.

GUTTED AND AMENDED on 5/18/2022 to remove previous verbiage regarding water. The bill now addresses the State Department of Human Resources and the Limited Eligibility and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Downgraded to Watch, from Watch with Concerns. Changed priority to "None."

1

AB 2957 (Committee on Local Government) Local government: reorganization.

Current Text: Chaptered: 6/21/2022 [html](#) [pdf](#)

Introduced: 3/2/2022

Last Amended: 4/18/2022

Status: 6/21/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 37, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law requires an applicant seeking a change of organization or reorganization to submit a plan for providing services within the affected territory. Current law requires a petitioner or legislative body desiring to initiate proceedings to submit an application to the executive officer of the local agency formation commission, and requires the local agency formation commission, with regard to an application that includes an incorporation, to immediately notify all affected local agencies and any applicable state agency, as specified.

This bill would define the term “successor agency,” for these purposes to mean the local agency a commission designates to wind up the affairs of a dissolved district.

Attachments:

- [LAFCo Support letter template](#)
- [CALAFCO Support letter](#)

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This is the annual Omnibus bill sponsored by CALAFCO. As introduced it makes 3 minor, technical non-substantive changes in CKH: (1) Replaces “to be completed and in existence” with “take effect” under GCS 56102; (2) Adds GCS 56078.5: “Successor Agency” means the local agency the Commission designates to wind up the affairs of a dissolved district; and (3) Replaces “proposals” with “applications” within GCS 56653(a), 56654(a), (b), and (c), and 56658(b)(1) and (b)(2).

CALAFCO support letter and LAFCo support letter template are in the attachments section.

April 18, 2022 bill amended with additional changes requested by CALAFCO. Amendments include grammatical changes, the correction of a PUC citation in GC Sec 56133(e)(5) from 9604 to 224.3, the extension of the sunset date within R&T Section 99(b)(8)(B) to January 1, 2028, and it renumbers remaining provisions as needed due to the above changes.

SB 739 (Cortese D) Private golf courses: conversion to housing.

Current Text: Amended: 6/13/2022 [html](#) [pdf](#)

Introduced: 2/19/2021

Last Amended: 6/13/2022

Status: 6/20/2022-Re-referred to Coms. on NAT. RES. and H. & C.D. pursuant to Assembly Rule 96.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize a development proponent to submit an application to convert land that was previously used as a golf course to market-rate and affordable housing and would provide that the application is subject to a streamlined, ministerial approval process, and not subject to a conditional use permit, if the development satisfies specified objective planning standards. In this regard, the bill would require a development subject to the provisions to be located on a site that was used as a golf course, but has been closed for at least 5 years before the effective date of these provisions and would require that the development include at least 600 housing units. The bill would require the development to dedicate at least 30% of the new housing units to lower income households and persons and families of moderate income, as specified. By requiring local governments to approve development applications submitted under these provisions, the bill would impose a state-mandated local program.

Attachments:

- [SB 738 - Author's Fact Sheet](#)

Position: Oppose unless amended

Subject: Ag/Open Space Protection, Annexation Proceedings, Growth Management, Housing, LAFCo Administration, Municipal Services, Planning, Sustainable Community Plans

CALAFCO Comments: SB 739 was gutted and amended on June 13th and now seeks to add provisions to the Government Code to allow for a rapid, and ministerial, conversion of golf courses that have been closed for at least 5 years to housing developments of at least 600 units. As proposed, the bill is to be in effect until January 1, 2030, authorizes a development proponent to submit an application and receive streamlined, ministerial approvals of both county CUPs and the LAFCo process to speed development. Additionally, while not expressly called out in the bill, it contains provisions that address contracting requirements which discuss high rise developments; the

implication being that high rise developments of at least 600 housing units would have to be ministerially approved on all levels. CALAFCO is currently in discussions with the author's office.

The Fact Sheet can be found in the attachments section.

[SB 938](#) (Hertzberg D) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: protest proceedings: procedural consolidation.

Current Text: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/8/2022

Last Amended: 6/9/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 89, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. Under existing law, in each county there is a local agency formation commission (commission) that oversees these changes of organization and reorganization. Current law authorizes a commission to dissolve an inactive district if specified conditions are satisfied. This bill would also authorize a commission to initiate a proposal for the dissolution of a district, as described, if the commission approves, adopts, or accepts a specified study that includes a finding, based on a preponderance of the evidence, that, among other things, the district has one or more documented chronic service provision deficiencies, the district spent public funds in an unlawful or reckless manner, or the district has shown willful neglect by failing to consistently adhere to the California Public Records Act. The bill would require the commission to adopt a resolution of intent to initiate a dissolution based on these provisions and to provide a remediation period of at least 12 months, during which the district may take steps to remedy the stated deficiencies.

Attachments:

[SB 938 Senate Floor Alert](#)

[SB 938 CALAFCO Support Letter dated 5-25-2022](#)

[SB 938 LAFCo support letter template](#)

[SB 938 CALAFCO Support letter](#)

[SB 938 CALAFCO Fact Sheet](#)

[SB 938 Author Fact Sheet](#)

Position: Sponsor

Subject: CKH General Procedures, Other

CALAFCO Comments: CALAFCO is the sponsor of this bill. SB 839 represents a collaborative three-year effort (by an 18-member working group) to clean up, consolidate, and clarify existing statutory provisions associated with consolidations and dissolutions, as well as codify the conditions under which a LAFCo may initiate dissolution of a district at the 25 percent protest threshold. In response to a recommendation made in the 2017 Little Hoover Commission report (Special Districts: Improving Oversight and Transparency), CALAFCO initiated a working group of stakeholders in early 2019 to discuss the protest process for dissolutions of special districts.

The bill's current format (dated 2/8/22) represents the restructuring of existing protest provisions scattered throughout CKH. There have been some minor technical language added for clarifications. These changes are all minor in nature (by legislative standards).

The bill will be amended to reflect the newly designed process that codifies the ability for LAFCo to initiate a district dissolution at 25% protest threshold. The conditions under which this can occur include one or more of the following, any/all of which must be documented via determinations in a Municipal Service Review (MSR):

1. The agency has one or more documented chronic service provision deficiencies that substantially deviate from industry or trade association standards or other government regulations and its board or management is not actively engaged in efforts to remediate the documented service deficiencies;
2. The agency spent public funds in an unlawful or reckless manner inconsistent with the principal act or other statute governing the agency and has not taken any action to prevent similar future spending;
3. The agency has consistently shown willful neglect by failing to consistently adhere to the California Public Records Act and other public disclosure laws the agency is subject to;
4. The agency has failed to meet the minimum number of times required in its governing act in the prior calendar year and has taken no action to remediate the failures to meet to ensure future meetings are conducted on a timely basis;
5. The agency has consistently failed to perform timely audits in the prior three years, or failed to meet minimum financial requirements under Government Code section 26909 over the prior five years as an alternative to performing an audit, or the agency’s recent annual audits show chronic issues with the agency’s fiscal controls and the agency has taken no action to remediate the issues.

The proposed process is:

1. LAFCo to present the MSR in a 21-day noticed public hearing. At that time the LAFCo may choose to adopt a resolution of intent to dissolve the district. The resolution shall contain a minimum 12-month remediation period.
2. The district will have a minimum of 12 months to remediate the deficiencies.
3. Half-way through the remediation period, the district shall provide LAFCo a written report on the progress of their remediation efforts. The report is to be placed on a LAFCo meeting agenda and presented at that LAFCo meeting.
4. At the conclusion of the remediation period, LAFCo conducts another 21-day noticed public hearing to determine if district has remedied deficiencies. If the district has resolved issues, commission rescinds the resolution of intent to dissolve the district and the matter is dropped. If not, commission adopts a resolution making determinations to dissolve the district.
5. Standard 30-day reconsideration period.
6. Protest proceedings at 25% threshold can be noticed with a required 60-day protest period.
7. Protest hearing is held and amount of qualified protests determined based on 25% threshold. LAFCo either orders dissolution, election, or termination.

As this bill - when amended - adds requirements for LAFCos and districts, it will likely be keyed fiscal (for now it is not). An author fact sheet and CALAFCO fact sheet are posted in our attachments section as well as the CALAFCO Support letter and LAFCo support letter template.

SB 1490 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 94, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would enact the First Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[SB 1490-1491-1492, CALAFCO Letter of Support - March 2022](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is the first of three annual validating acts. The CALAFCO Support letter is posted in our attachments.

SB 1491 (Committee on Governance and Finance) Validations.**Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)**Introduced:** 2/28/2022**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 95, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would enact the Second Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[SB 1490-1491-1492, CALAFCO Letter of Support - March 2022](#)

Position: Support**Subject:** LAFCo Administration**CALAFCO Comments:** This is the second of three annual validating acts. The CALAFCO Support letter is posted in our attachments.**SB 1492 (Committee on Governance and Finance) Validations.****Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)**Introduced:** 2/28/2022**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 96, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would enact the Third Validating Act of 2022, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[SB 1490-1491-1492, CALAFCO Letter of Support - March 2022](#)

Position: Support**Subject:** LAFCo Administration**CALAFCO Comments:** This is the third of three annual validating acts. The CALAFCO Support letter is posted in our attachments.**AB 1640 (Ward D) Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.****Current Text:** Amended: 5/19/2022 [html](#) [pdf](#)**Introduced:** 1/12/2022**Last Amended:** 5/19/2022**Status:** 6/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (June 28). Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair

Summary:

Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the Office of Planning and Research to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

Attachments:

[AB 1640, CALAFCO Letter of Support - March 2022](#)

[AB 1640 Author Fact](#)

Position: Support

Subject: Climate Change

CALAFCO Comments: This bill is a follow up and very similar to AB 897 (2021). The bill would authorize eligible entities, as defined (including LAFCo), to establish and participate in a regional climate network, as defined. The bill would authorize a regional climate network to engage in activities to address climate change, as specified. Further, it requires a regional climate network to develop a regional climate adaptation and resilience action plan and to submit the plan to OPR for review, comments, and certification. The bill would require OPR to: (1) encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks; (2) develop and publish guidelines on how eligible entities may establish regional climate networks and how governing boards may be established within regional climate networks by 7-1-23; and (3) provide technical assistance to regions seeking to establish a regional climate network, facilitate coordination between regions, and encourage regions to incorporate as many eligible entities into one network as feasible.

The difference between this bill and AB 897 is this bill removes requirements for OPR to develop guidelines and establish standards and required content for a regional climate adaptation and resilience action plan (to be produced by the network), and removes some specified technical support requirements by OPR. Those requirements were covered in SB 170, a budget trailer bill from 2021.

The bill is author-sponsored and keyed fiscal. An author fact sheet is included in our attachments area, as well as the CALAFCO Support letter.

Amended 3/23/2022 to provide that regional climate networks MAY be developed rather than the former requirement. Minor clean ups of other superfluous language.

Amended 5/19/2022 to remove the deadline for OPR to develop and publish guidelines for eligible entities to establish regional climate networks, removed an exemption to cover multiple counties when population was greater than 2 million people, removed requirements for membership and biennial reports to OPR.

[AB 1773](#) (Patterson R) Williamson Act: subvention payments: appropriation.

Current Text: Introduced: 2/3/2022 [html](#) [pdf](#)

Introduced: 2/3/2022

Status: 5/19/2022-In committee: Held under submission.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Williamson Act, also known as the California Land Conservation Act of 1965, authorizes a city or county to enter into contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Current law sets forth procedures for reimbursing cities and

counties for property tax revenues not received as a result of these contracts and continuously appropriates General Fund moneys for that purpose. This bill, for the 2022–23 fiscal year, would appropriate an additional \$40,000,000 from the General Fund to the Controller to make subvention payments to counties, as provided, in proportion to the losses incurred by those counties by reason of the reduction of assessed property taxes.

Attachments:

[AB 1773 CALAFCO Letter of Support - March 2022](#)

[AB 1773 Author Fact Sheet](#)

Position: Support

Subject: Ag Preservation - Williamson

CALAFCO Comments: AB 1773 resurrects funding the Williamson Act for the 2022-2023 budget year. The Williamson Act was created to preserve open space and conserve agricultural land. For many years, the state funded the Act at around \$35-\$40 million per year. This funding ceased during the recession, and has not been reinstated since. AB 1773 would allocate \$40 million from the General Fund to the Williamson Act for the purpose of subvention payments.

The bill is author-sponsored, has a general-fund appropriation, and is keyed fiscal. An author fact sheet is posted in our attachments section, along with the CALAFCO Support letter.

[AB 1944](#) (Lee D) Local government: open and public meetings.

Current Text: Amended: 5/25/2022 [html](#) [pdf](#)

Introduced: 2/10/2022

Last Amended: 5/25/2022

Status: 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. GOV. & F. on 6/8/2022)

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely.

Attachments:

[AB 1944 Author Fact Sheet](#)

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill would delete the requirement that an individual participating in a Brown Act meeting remotely from a non-public location must disclose the address of the location. If the governing body chooses to allow for remote participation, it must also provide video streaming and offer public comment via video or phone.

The bill is author sponsored and keyed fiscal. The author's fact sheet is posted in our attachments area.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill authorizes the use of teleconferencing without noticing and making available to the public teleconferencing locations if a quorum of the members of the legislative body participate in person from a singular location that is noticed and open to the public and require the legislative body to offer public comment via video or phone.

CALAFCO reached out to the author's office for information and we've not yet heard back. The bill is not keyed fiscal.

AB 2647 (Levine D) Local government: open meetings.

Current Text: Amended: 4/19/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amended: 4/19/2022

Status: 6/30/2022-From committee: Amend, and do pass as amended. (Ayes 5. Noes 0.) (June 29).

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. Current law requires a local agency to make those writings distributed to the members of the governing board less than 72 hours before a meeting available for public inspection, as specified, at a public office or location that the agency designates. Current law also requires the local agency to list the address of the office or location on the agenda for all meetings of the legislative body of the agency. Current law authorizes a local agency to post the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill seeks to amend the law to make clear that writings that have been distributed to a majority of a local legislative body less than 72 hours before a meeting can be posted online in order to satisfy the law.

Amended on April 19, 2022, to add a provision that agendas will note the physical location from which hard copies of such post-agenda documents can be retrieved.

The bill is sponsored by the League of Cities and is not keyed fiscal.

SB 852 (Dodd D) Climate resilience districts: formation: funding mechanisms.

Current Text: Amended: 6/6/2022 [html](#) [pdf](#)

Introduced: 1/18/2022

Last Amended: 6/6/2022

Status: 6/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 1.) (June 27). Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary:

Would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district, as defined, for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill would deem each district to be an enhanced infrastructure financing district and would require each district to comply with existing law concerning enhanced infrastructure financing districts, unless the district is specified as otherwise. The bill would require a district to finance only specified projects that meet the definition of an eligible project. The bill would define "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified. The bill would establish project priorities and would authorize districts to establish additional priorities.

Attachments:

[SB 852 Author Fact Sheet](#)

Position: Watch

Subject: Special District Principle Acts

CALAFCO Comments: This bill creates the Climate Resilience Districts Act. The bill completely bypasses LAFCo in the formation and oversight of these new districts because the districts are primarily being created as a funding mechanism for local climate resilience projects (as a TIF or tax increment finance district - for which LAFCos also have no involvement).

The bill authorizes a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. The bill defines "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified. The bill authorizes a district created pursuant to these provisions to have boundaries that are identical to the boundaries of the participating entities or within the boundaries of the participating entities. The bill also authorizes specified local entities to adopt a resolution to provide property tax increment revenues to the district. The bill would also authorize specified local entities to adopt a resolution allocating other tax revenues to the district, subject to certain requirements. The bill would provide for the financing of the activities of the district by, among other things, levying a benefit assessment, special tax, property-related fee, or other service charge or fee consistent with the requirements of the California Constitution. It requires 95% of monies collected to fund eligible projects, and 5% for district administration. The bill would require each district to prepare an annual expenditure plan and an operating budget and capital improvement budget, which must be adopted by the governing body of the district and subject to review and revision at least annually.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary:

Would require the Office of Planning and Research to, upon appropriation by the Legislature, establish the Unincorporated Area Annexation Incentive Program, authorizing the office to issue a grant to a city for the purpose of funding infrastructure projects related to the proposed or completed annexation of a substantially surrounded unincorporated area, as defined, subject to approval by the Director of State Planning after the city submits an application containing specified information. The bill would require the office to match, on a dollar-for-dollar basis, any dollar contribution a city makes toward a project funded by the program, subject to a maximum funding threshold as determined by the director. The bill would, by September 1, 2023, require the office to develop guidelines, and consult with various local representatives to prepare those guidelines, for purposes of implementing the program, and would provide that the guidelines are not subject to the rulemaking requirements of the Administrative Procedure Act.

Attachments:

[SB 1449 - CALAFCO Letter of Support](#)

Position: Support

Subject: Annexation Proceedings

CALAFCO Comments: This is currently a spot bill. According to the author's office, they are working on state funding to incentivize annexation of inhabited territory (when the VLF was taken away, so too was any financial incentive to annex inhabited territory). For many years bills have been run to reinstate funding, none of which have ever successfully passed. There is no other information available on this bill at this time. CALAFCO will continue conversations with the author's office as this is an important topic for LAFcos. (The bill will remain a P-3 until amended.)

Amended 3/16/2022 to remove spot holder language, add definitions and other language tying to CKH, and add language more specific to a grant program.

LAFcos added in to assist OPR develop the program guidelines.

The CALAFCO letter of support can be found in the attachments section.

[AB 897](#) (Mullin D) Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.

Current Text: Amended: 7/14/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 7/14/2021

Status: 8/27/2021-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/16/2021)(May be acted upon Jan 2022)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor's office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be

administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

Attachments:

[CALAFCO Support July 2021](#)

[AB 897 Fact Sheet](#)

Position: Support

Subject: Climate Change

CALAFCO Comments: As introduced, the bill builds on existing programs through OPR by promoting regional collaboration in climate adaptation planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region.

As amended, the bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 1-1-23 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state can support the creation and ongoing work of regional climate networks. The bill outlines the authority of a regional climate network, and defines eligible entities. Prior versions of the bill kept the definition as rather generic and with each amended version gets more specific. As a result, CALAFCO has requested the author add LAFCOs explicitly to the list of entities eligible to participate in these regional climate networks.

As amended on 4/7, AB 11 (Ward) was joined with this bill - specifically found in 71136 in the Public Resources Code as noted in the amended bill. Other amendments include requiring OPR to, before 7-1-22, establish geographic boundaries for regional climate networks and prescribes requirements in doing so.

This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

As amended 4/19/21: There is no longer a requirement for OPR to include in their guidelines how a regional climate network may develop their plan: it does require ("may" to "shall") a regional climate network to develop a regional climate adaptation plan and submit it to OPR for approval; adds requirements of what OPR shall publish on their website; and makes several other minor technical changes.

As amended 7/1/21, the bill now explicitly names LAFCo as an eligible entity. It also adjusts several timelines for OPR's requirements including establishing boundaries for the regional climate networks, develop guidelines and establish standards for the networks, and to make recommendations to the Legislature related to regional adaptation. Give the addition of LAFCo as an eligible entity, CALAFCO is now in support of the bill.

Amendments of 7/14/21, as requested by the Senate Natural Resources & Water Committee, mostly do the following: (1) Include "resilience" to climate adaptation; (2) Prioritize the most vulnerable communities; (3) Add definitions for "under-resourced" and "vulnerable" communities; (4) Remove the requirement for OPR to establish geographic boundaries for the regional climate networks; (5) Include agencies with hazard mitigation authority and in doing so also include the Office of Emergency Services to work with OPR to establish guidelines and standards required for the climate adaptation and resilience plan; and (6) Add several regional and local planning documents to be used in the creation of guidelines.

2/24/22 UPDATE: It appears this bill is being replaced with AB 1640 (Ward, Mullin, etc.). CALAFCO will keep this bill on Watch and follow the new bill.

AB 903 (Frazier D) Los Medanos Community Healthcare District.**Current Text:** Amended: 4/19/2021 [html](#) [pdf](#)**Introduced:** 2/17/2021**Last Amended:** 4/19/2021**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. 2 YEAR on 7/14/2021)

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the dissolution of the Los Medanos Community Healthcare District, as specified. The bill would require the County of Contra Costa to be successor of all rights and responsibilities of the district, and require the county to develop and conduct the Los Medanos Area Health Plan Grant Program focused on comprehensive health-related services in the district's territory. The bill would require the county to complete a property tax transfer process to ensure the transfer of the district's health-related ad valorem property tax revenues to the county for the sole purpose of funding the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as specified, the bill would impose a state-mandated local program.

Position: Watch

CALAFCO Comments: This bill mandates the dissolution of the Los Medanos Community Healthcare District with the County as the successor agency, effective 2-1-22. The bill requires the County to perform certain acts prior to the dissolution. The LAFCo is not involved in the dissolution as the bill is written. Currently, the district is suing both the Contra Costa LAFCo and the County of Contra Costa after the LAFCo approved the dissolution of the district upon application by the County and the district failed to get enough signatures in the protest process to go to an election.

The amendment on 4/5/21 was just to correct a typo in the bill.

As amended on 4/19/21, the bill specifies monies received by the county as part of the property tax transfer shall be used specifically to fund the Los Medanos Area Health Plan Grant Program within the district's territory. It further adds a clause that any new or existing profits shall be used solely for the purpose of the grant program within the district's territory.

The bill did not pass out of Senate Governance & Finance Committee and will not move forward this year. It may be acted on in 2022.

2022 UPDATE: Given Member Frazier is no longer in the Assembly and the appellate court overturned the lower court's decision, it is likely the bill will not move forward. CALAFCO will retain WACTH on the bill.

AB 975 (Rivas, Luz D) Political Reform Act of 1974: filing requirements and gifts.**Current Text:** Amended: 6/16/2022 [html](#) [pdf](#)**Introduced:** 2/18/2021**Last Amended:** 6/16/2022**Status:** 6/28/2022-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Political Reform Act of 1974 generally requires elected officials, candidates for elective offices, and committees formed primarily to support or oppose a candidate for public office or a ballot measure, along with other persons and entities, to file periodic campaign statements and certain reports concerning campaign finances and related matters. Current law permits a report or statement that has been on file for at least two years to be retained by a filing officer as a copy on microfilm or other space-saving materials and, after the

Secretary of State certifies an online filing and disclosure system, as an electronic copy. This bill would permit a filing officer to retain a report or statement filed in a paper format as a copy on microfilm or other space-saving materials or as an electronic copy, as specified, without a two-year waiting period. The bill would also permit a filing officer to retain a report or statement as an electronic copy before the Secretary of State certifies an online filing and disclosure system.

Position: Watch

Subject: FPPC

CALAFCO Comments: As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days after the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

The amendment on 4/21/21 just corrects wording (technical, non-substantive change).

The amendments on 5/18/21 clarify who is to file a statement of economic interest to include candidates (prior text was office holders).

UPDATE AS OF 2/24/22 - The author's office indicates they are moving forward with the bill this year and are planning amendments. They are not clear what those amendments will be so CALAFCO will retain a WATCH position on the bill.

AB 1757 (Haney D) Groundwater sustainability agency.

Current Text: Amended: 5/10/2022 [html](#) [pdf](#)

Introduced: 2/2/2022

Last Amended: 5/10/2022

Status: 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was S. N.R. & W. on 6/1/2022)

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin. Current law governs the formation of a groundwater sustainability agency. This bill would authorize a conservation district overlying a groundwater basin in this state to decide to become a groundwater sustainability agency for that basin and would make the law governing the formation of a groundwater sustainability agency applicable to that district.

Position: Watch

Subject: Water

AB 2041 (Garcia, Eduardo D) California Safe Drinking Water Act: primary drinking water standards: compliance.

Current Text: Amended: 4/18/2022 [html](#) [pdf](#)

Introduced: 2/14/2022

Last Amended: 4/18/2022

Status: 5/20/2022-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 5/11/2022)

Desk	Policy	Dead	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the State Water Resources Control Board to take specified actions if the state board adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Specifically, the bill would require the state board to determine which public water system may not be able to comply with the primary drinking water standard without receiving financial assistance and develop a compliance plan, including a financial plan to assist that public water system in complying with the primary drinking water standard. The bill would also require the state board, if a public water system is in violation of the primary drinking water standard after the compliance period, to take into consideration whether or not the public water system implemented the compliance plan.

Attachments:

[AB 2041 Author Fact Sheet](#)

Position: Watch

Subject: Water

CALAFCO Comments: This bill would require the SWRCB to take specified actions if the SWRCB adopts a primary drinking water standard with a compliance period for which public water systems are given a designated period of time to install necessary measures, including, but not limited to, installation of water treatment systems, to comply with the primary drinking water standard without being held in violation of the primary drinking water standard. Those actions would include, among other actions, developing a financial plan to assist public water systems that will require financial assistance in procuring and installing the necessary measures.

CALAFCO reached out to the author's office for information on the bill and has not heard back. The bill is keyed fiscal. An author fact sheet is attached.

[AB 2201](#) ([Bennett D](#)) Groundwater sustainability agency: groundwater extraction permit: verification.

Current Text: Amended: 6/22/2022 [html](#) [pdf](#)

Introduced: 2/15/2022

Last Amended: 6/22/2022

Status: 6/30/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 3. Noes 1.) (June 29). Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would prohibit a county, city, or any other water well permitting agency from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the act and classified as medium- or high-priority unless specified conditions are met, including that it obtains a written verification, from the groundwater sustainability agency that manages the basin or area of the basin where the well is proposed to be located, determining that, among other things, the extraction by the proposed well is consistent with any sustainable groundwater management program established in any applicable groundwater sustainability plan adopted by that groundwater sustainability agency or an alternate plan approved or under review by the Department of Water Resources.

Position: Watch

Subject: Water

CALAFCO Comments: 2/15/2022: As introduced, a spot holder.

3/17/2022: As amended, this bill now seeks to add a new section into the Water Code that would require, after July 1, 2023, designated

extraction facilities to procure permits from the Department of Water Resources (DWR.) Extraction facilities are defined as those located in a basin that has already been designated by DWR as subject to critical overdraft conditions. It would also define times when permits are not needed, including for "de minimis extractors" (as defined by Section 10721), for replacement extractors, when drinking water is needed by a water system for public health purposes, for habitat and wetlands conservation, for photovoltaic or wind energy generation when less than 75 acre feet of groundwater is needed annually, when required by an approved CEQA document, and for facilities constructed to ensure a sustain water supply to consolidated public water systems. This bill would also require groundwater sustainability agencies (GSAs) to develop a process for the issuance of groundwater extraction permits which considers demonstrations of need, adherence to a groundwater sustainability plan, a showing that the extraction will not contribute to an undesirable result, and other procedural requirements. Additionally, the bill would require notification to all groundwater users within one mile of the proposed groundwater extraction facility, and to the DWR when the proposed extraction is within one mile of a disadvantaged community or a domestic well user, and other procedural steps. Also allows those GSAs in a basin not designated as subject to critical conditions of overdraft to adopt an ordinance that establishes their own process, in accordance with this section, for the issuance of groundwater extraction permits, and allows imposition of fees as long as they do not exceed reasonable agency costs. DWR shall provide technical assistance to assist GSA implement this section. This bill would further amend Water Code Section 10728 to require annual reports by GSA to include information regarding the number, location, and volume of water encompassed by permits issued under this section.

Unfunded mandate, now reimbursements provided. Keyed: fiscal.

Amended 4/27/2022 to removes all provisions regarding groundwater extraction facilities, adds in provisions regarding local agencies, which are defined as cities, counties, districts, agencies, or other entities with the authority to issue a permit for a a new groundwater well or for an alteration to an existing well.

AB 2442 (Rivas, Robert D) Climate change.

Current Text: Amended: 6/22/2022 [html](#) [pdf](#)

Introduced: 2/17/2022

Last Amended: 6/22/2022

Status: 6/30/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 4. Noes 1.) (June 29).

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The California Disaster Assistance Act, requires the Director of Emergency Services to authorize the replacement of a damaged or destroyed facility, whenever a local agency and the director determine that the general public and state interest will be better served by replacing a damaged or destroyed facility with a facility that will more adequately serve the present and future public needs than would be accomplished merely by repairing or restoring the damaged or destroyed facility. Current law also authorizes the director to implement mitigation measures when the director determines that the measures are cost effective and substantially reduce the risk of future damage, hardship, loss, or suffering in any area where a state of emergency has been proclaimed by the Governor.. This bill would specify that mitigation measures for climate change and disasters related to climate, may include, but are not limited to, measures that reduce emissions of greenhouse gases and investments in natural infrastructure, as defined, including, but not limited to, the preservation of open space, improved forest management, and wildfire risk reduction measures.

Position: Watch

Subject: Ag/Open Space Protection

CALAFCO Comments: Seeks to add climate change to California Disaster Assistance Act and adds, as noted cost effective mitigation measures, the preservation of open space, improved forest management and wildfire risk reduction measures, and other investments in natural infrastructure (in line with definition of a "natural infrastructure" in GC Section 65302(g)(4)(C)(v).) Also would amend GC Sec 65302 to require General Plans to include "a set of measures designed to reduce emissions of greenhouse gases resulting in climate change, and natural features and ecosystem processes in or near identified at-risk areas threatened by the impacts attributable."

SB 12 (McGuire D) Local government: planning and zoning: wildfires.**Current Text:** Amended: 6/6/2022 [html](#) [pdf](#)**Introduced:** 12/7/2020**Last Amended:** 6/6/2022**Status:** 7/5/2022-Failed Deadline pursuant to Rule 61(b)(14). (Last location was A. H. & C.D. on 5/24/2022)

Desk	Policy	Fiscal	Floor	Desk	Dead	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Planning and Zoning Law requires the legislative body of a city or county to adopt a comprehensive, long-term general plan that includes various elements, including, among others, a housing element and a safety element for the protection of the community from unreasonable risks associated with the effects of various geologic and seismic hazards, flooding, and wildland and urban fires. Current law requires the housing element to be revised according to a specific schedule. Current law requires the planning agency to review and, if necessary, revise the safety element upon each revision of the housing element or local hazard mitigation plan, but not less than once every 8 years to identify new information relating to flood and fire hazards and climate adaptation and resiliency strategies applicable to the city or county that was not available during the previous revision of the safety element. Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse

Position: Watch**Subject:** Growth Management, Planning**CALAFCO Comments:** UPDATE 2/24/22: According to the author's office, they do plan to move this bill forward in 2022 and no other details are available at this time.**SB 418 (Laird D) Pajaro Valley Health Care District.****Current Text:** Chaptered: 2/4/2022 [html](#) [pdf](#)**Introduced:** 2/12/2021**Last Amended:** 1/24/2022**Status:** 2/4/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 1, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would create the Pajaro Valley Health Care District, as specified, except that the bill would authorize the Pajaro Valley Health Care District to be organized, incorporated, and managed, only if the relevant county board of supervisors chooses to appoint an initial board of directors.

Position: Watch**Subject:** Special District Principle Acts**CALAFCO Comments:** Gut and amended on 1/14/22, this bill forms the Pajaro Valley Health Care District within Santa Cruz and Monterey counties. The formation, done by special legislation, bypasses the LAFCo process, with language explicitly stating upon formation, LAFCo shall have authority. The bill requires that within 5 years of the date of the first meeting of the Board of Directors of the district, the board of directors shall divide the district into zones. The bill would require the district to notify Santa Cruz LAFCo when the

district, or any other entity, acquires the Watsonville Community Hospital. The bill requires the LAFCo to order the dissolution of the district if the hospital has not been acquired by January 1, 2024 through a streamlined process, and requires the district to notify LAFCo if the district sells the Watsonville Community Hospital to another entity or stops providing health care services at the facility, requiring the LAFCo to dissolve the district under those circumstances in a streamlined process.

Given the hospital has filed bankruptcy and this is the only hospital in the area and serves disadvantaged communities and employs a large number of people in the area, the bill has an urgency clause.

Several amendments were added on 1/24/22 by the ALGC and SGFC all contained within Section 32498.7.

CALAFCO worked closely with the author's office, Santa Cruz County lobbyist and the Santa Cruz and Monterey LAFcos on this bill. We have requested further amendments which the Senator has agreed to take in a follow-up bill this year. Those amendments include requiring Santa Cruz LAFCo to adopt a sphere of influence for the district within 1 year of formation; the district filing annual progress reports to Santa Cruz LAFCo for the first 3 years, Santa Cruz LAFCo conducting a special study on the district after 3 years, and representation from both counties on the governing board.

The bill is sponsored by the Pajaro Valley Healthcare District Project and is not keyed fiscal.

SB 969 (Laird D) Pajaro Valley Health Care District.

Current Text: Chaptered: 7/1/2022 [html](#) [pdf](#)

Introduced: 2/10/2022

Last Amended: 3/2/2022

Status: 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 90, Statutes of 2022.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law creates the Pajaro Valley Health Care District, as specified, and authorizes the Pajaro Valley Health Care District to be organized, incorporated, and managed, only if the relevant county board of supervisors chooses to appoint an initial board of directors. Current law requires, within 5 years of the date of the first meeting of the Board of Directors of the Pajaro Valley Health Care District, the board of directors to divide the district into zones and number the zones consecutively. Existing law requires the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to govern any organizational changes for the district after formation. Existing law requires the district to notify the County of Santa Cruz local agency formation commission (LAFCO) when the district, or any other entity, acquires the Watsonville Community Hospital. Existing law requires the LAFCO to dissolve the district under certain circumstances. This bill would require the LAFCO to develop and determine a sphere of influence for the district within one year of the district's date of formation, and to conduct a municipal service review regarding health care provision in the district by December 31, 2025, and by December 31 every 5 years thereafter.

Position: Watch

Subject: Other

CALAFCO Comments: This bill is a follow up to SB 418 (Laird) and contains some of the amendments requested by CALAFCO and Monterey and Santa Cruz LAFcos. As introduced the bill requires Santa Cruz LAFCo to adopt a sphere of influence for the district within 1 year of formation; the district filing annual progress reports to Santa Cruz LAFCo for the first 2 years, Santa Cruz LAFCo conducting a Municipal Service Review on the district every 5 years with the first being conducted by 12-31-25. Our final requested amendment, ensuring representation from both counties on the governing board, is still being worked on and not reflected in the introduced version of the bill.

SB 1405 (Ochoa Bogh R) Community service districts: Lake Arrowhead Community Service District: covenants, conditions, and restrictions: enforcement.

Current Text: Amended: 4/18/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amended: 4/18/2022

Status: 6/20/2022-From consent calendar on motion of Assembly Member Seyarto. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize the Lake Arrowhead Community Services District to enforce all or part of the covenants, conditions, and restrictions for tracts within that district, and to assume the duties of the Arrowhead Woods Architectural Committee for those tracts, as provided. This bill contains other related provisions.

Position: Watch

Subject: Other

SB 1425 (Stern D) Open-space element: updates.

Current Text: Amended: 4/18/2022 [html](#) [pdf](#)

Introduced: 2/18/2022

Last Amended: 4/18/2022

Status: 6/30/2022-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require every city and county to review and update its local open-space plan by January 1, 2026. The bill would require the local open-space plan update to include plans and an action program that address specified issues, including climate resilience and other cobenefits of open space, correlated with the safety element. By imposing additional duties on local officials, the bill would create a state-mandated local program.

Position: Watch

Subject: Other

SB 1489 (Committee on Governance and Finance) Local Government Omnibus Act of 2022.

Current Text: Amended: 6/20/2022 [html](#) [pdf](#)

Introduced: 2/28/2022

Last Amended: 6/20/2022

Status: 6/29/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 8. Noes 0.) (June 29). Re-referred to Com. on APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair

Summary:

Current law, including the Professional Land Surveyors’ Act, the Mello-Roos Community Facilities Act of 1982, the Subdivision Map Act, provisions relating to official maps of counties and cities, and provisions relating to maps of certain special assessment districts, prescribe

requirements for the identification, storage, access, and preservation of maps. This bill would revise requirements for storage, access, and preservation of maps, in connection with the above-described laws, to authorize alternative methods by which maps may be identified, kept safe and reproducible, and to which they may be referred, and would generally eliminate the requirement that they be fastened and stored in books.

Position: Watch

CALAFCO Comments: This is the Senate Governance & Finance Committee annual omnibus bill.

Total Measures: 29

Total Tracking Forms: 29

7/26/2022 9:34:57 AM



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

1754 Second Street, Suite C
 Napa, California 94559
 Phone: (707) 259-8645
www.napa.lafco.ca.gov

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

June 24, 2022

The Honorable Gavin Newsom
 Governor, State of California
 State Capitol
 Sacramento, CA 95814

SUBJECT: Request for Signature: Senate Bill 938: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: Protest Proceedings: Procedural Consolidation

Dear Governor Newsom:

The Local Agency Formation Commission (LAFCO) of Napa County respectfully **requests your signature on *Senate Bill 938*** by Senate Majority Leader Emeritus Hertzberg. The California Association of Local Agency Formation Commissions (CALAFCO) is the sponsor of this important measure, which unanimously passed both the Senate and Assembly and has broad stakeholder support. ***SB 938*** represents a collaborative three-year effort to clean up, consolidate, and clarify existing statutory provisions associated with consolidations and dissolutions, as well as codify the conditions under which a LAFCO may initiate dissolution of a district at the 25% protest threshold.

The statutes related to protest provisions and the disparate protest thresholds established for LAFCO-initiated actions (10%) and all other initiated actions (25%) make addressing necessary and appropriate special district consolidations and dissolutions considerably more difficult when initiated by a LAFCo. Further, they serve as a deterrent for LAFCo to initiate action, even if meaningful efficiencies in the provision of public services could be achieved or if a district is failing to meet its statutory requirements. A statewide study conducted by CALAFCO in 2018 found that the 10% protest threshold was the second-most common deterrent for LAFCOs initiating action (the first being the lack of funding).

In response to a recommendation made in the 2017 Little Hoover Commission report after a year-long study (*Special Districts: Improving Oversight and Transparency*), CALAFCO initiated a working group of stakeholders in early 2019 to examine the protest process for consolidations and dissolutions of special districts. After three years of work (delayed due to the pandemic), the working group came to consensus on the redraft of existing protest statutes and a new process that allows LAFCOs to initiate dissolution of a district at the 25% protest threshold under specific circumstances.

Margie Mohler, Chair
 Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
 Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
 Councilmember, City of Napa

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

Kenneth Leary, Commissioner
 Representative of the General Public

Eve Kahn, Alternate Commissioner
 Representative of the General Public

Brendon Freeman
 Executive Officer

Request for Governor Signature on Senate Bill 938 from Napa LAFCO

June 24, 2022

Page 2 of 2

The overarching goal of these changes is to ensure that LAFCOs have the tools they need to carry out their statutory obligations to ensure orderly and functioning local government services and to create greater consistency in the statute. The specific circumstances under which a dissolution may be initiated are more than reasonable and the subsequent process includes three noticed public hearings, a minimum 12-month remediation period, and a 60-day protest period, all of which are extremely practical. Additionally, the proposed process for LAFCO-initiated actions at the 25% protest threshold applies only to dissolutions, making the scope of use exceptionally narrow.

The 18-member working group consisted of a broad group of stakeholder representatives from CALAFCO (including Executive Officers and legal counsel), the California Special Districts Association (CSDA) (including board members and staff from water, resource conservation and fire protection districts, as well as legal counsel), a shared CALAFCO-CSDA Board member, and representatives from the League of California Cities, California State Association of Counties (CSAC), and the Senate Governance and Finance and Assembly Local Government Committees. CALAFCO greatly appreciates the working group participants for their hard work and dedication to this endeavor.

SB 938 makes much needed and long-awaited improvements to The Act through the restructure and clarification of existing protest provisions, and addition of a fair and appropriate process that offers LAFCOs additional tools necessary to effectively fulfill their statutory obligations.

Napa LAFCO appreciates your most positive consideration of ***SB 938*** when it comes before you for action.

Sincerely,



Brendon Freeman
Executive Officer

cc: The Honorable Robert Hertzberg, California State Senate
Ms. Ronda Paschal, Deputy Legislative Secretary to the Governor
Ms. René LaRoche, Executive Director, CALAFCO
Ms. Margie Mohler, Chair, Napa LAFCO

AMENDED IN SENATE APRIL 19, 2022

AMENDED IN SENATE MARCH 16, 2022

SENATE BILL

No. 1449

Introduced by Senator Caballero

February 18, 2022

An act to add Section 65040.16 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1449, as amended, Caballero. Office of Planning and Research: grant program: annexation of unincorporated areas.

Existing law establishes, within the Governor's office, the Office of Planning and Research to constitute the comprehensive state planning agency, under the control of the Director of State Planning. Existing law requires the office to, among other things, accept and allocate or expend grants and gifts from any source, public or private, for the purpose of state planning and undertake other planning and coordinating activities, as specified, and encourage the formation and proper functioning of, and provide planning assistance to, city, county, district, and regional planning agencies.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Existing law requires that an applicant seeking a change of organization or reorganization submit a plan for providing services within the affected territory that includes, among other requirements, an enumeration and description of the services to be extended to the affected territory and an indication of when those services can feasibly be extended.

This bill would require the office to, upon appropriation by the Legislature, establish the Unincorporated Area Annexation Incentive Program, authorizing the office to issue a grant to a city for the purpose of funding infrastructure projects related to the proposed or completed annexation of a substantially surrounded unincorporated area, as defined, subject to approval by the director after the city submits an application containing specified information. The bill would require the office to match, on a dollar-for-dollar basis, any dollar contribution a city makes toward a project funded by the program, subject to a maximum funding threshold as determined by the director. *The bill would, by September 1, 2023, require the office to develop guidelines, and consult with various local representatives to prepare those guidelines, for purposes of implementing the program, and would provide that the guidelines are not subject to the rulemaking requirements of the Administrative Procedure Act.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 65040.16 is added to the Government
- 2 Code, to read:
- 3 65040.16. (a) For purposes of this section, the following
- 4 definitions apply:
- 5 (1) “City” means any incorporated chartered or general law city,
- 6 including any city the name of which includes the word “town.”
- 7 (2) “Director” refers to the Director of State Planning and
- 8 Research.
- 9 (3) “Fully surrounded” means the entire perimeter of the
- 10 unincorporated area adjoins, or is separated only by an improved
- 11 public right-of-way from, parcels that are developed with qualified
- 12 urban uses.
- 13 (4) “Program” refers to the Unincorporated Area Annexation
- 14 Incentive Program.
- 15 (5) “Qualified urban use” means any residential, commercial,
- 16 public institutional, transit or transportation passenger facility, or
- 17 retail use, or any combination of those uses.
- 18 (6) “Substantially surrounded” means at least 75 percent of the
- 19 perimeter of the unincorporated area adjoins, or is separated only

1 by an improved public right-of-way from, parcels that are
2 developed with qualified urban uses.

3 (7) “Unincorporated area” means inhabited territory, as defined
4 by Section 56046, that is not part of a city or that a city has annexed
5 according to the process described in the Cortese-Knox-Hertzberg
6 Local Government Reorganization Act of 2000 (Division 3
7 (commencing with Section 56000) of Title 5).

8 (b) The Office of Planning and Research shall establish, upon
9 appropriation by the Legislature, the Unincorporated Area
10 Annexation Incentive Program.

11 (c) Pursuant to the program, the office may issue, subject to
12 approval by the director, a grant to a city for the purpose of funding
13 projects related to the proposed or completed annexation of an
14 unincorporated area into the city.

15 (1) The director shall not issue a grant to a project unless that
16 project is related to the annexation of a substantially surrounded
17 unincorporated area.

18 ~~(2) The director shall prioritize the issuance of grants to projects
19 related to the annexation of fully surrounded unincorporated areas.~~

20 ~~(3) The director shall prioritize the issuance of grants that fund
21 projects related to public health and safety infrastructure.~~

22 ~~(4)~~

23 (2) The director may issue grants that fund projects related to
24 municipal infrastructure including, but not limited to, roads, street
25 lighting, sidewalks, curbs, gutters, ~~storm water~~ *stormwater*
26 management infrastructure, parks, and greenways.

27 (3) *The director shall prioritize the issuance of grants to
28 applications to fund projects related to any of the following:*

29 (A) *Annexation of fully surrounded unincorporated areas.*

30 (B) *Annexations that would result in the improvement of public
31 health and safety infrastructure.*

32 (C) *Annexation of disadvantaged unincorporated communities,
33 as defined in Section 56033.5.*

34 (d) The director shall require a city to submit an application to
35 the office in order to participate in the program. The application
36 shall include, but not be limited to, all of the following:

37 (1) A description of the unincorporated area and the population
38 that resides in the unincorporated area.

39 (2) A statement on the infrastructure that the project proposes
40 to construct or improve, including the estimated capital cost of the

1 infrastructure and the timeline for the development of the
2 infrastructure.

3 (3) A funding plan, including estimated funds from the program,
4 for the costs and ongoing maintenance of the infrastructure.

5 (e) A project funded by the program shall not receive funding
6 pursuant to this section that exceeds a maximum threshold
7 determined by the director.

8 (f) Any dollar contribution a city makes toward a project funded
9 by the program shall be matched by the office on a dollar-for-dollar
10 basis. Matching funds from the office shall be subject to the
11 maximum threshold determined pursuant to subdivision (e).

12 (g) (1) *The office shall develop guidelines for purposes of*
13 *implementing the program no later than September 1, 2023. In*
14 *preparing the guidelines, the office shall consult with*
15 *representatives of all of the following:*

16 (A) *Local agency formation commissions.*

17 (B) *Counties.*

18 (C) *Cities.*

19 (D) *Residents of disadvantaged unincorporated communities,*
20 *as defined in Section 56033.5.*

21 (2) *The guidelines developed pursuant to paragraph (1) shall*
22 *not be subject to the requirements of Chapter 3.5 (commencing*
23 *with Section 11340) of Part 1 of Division 3 of Title 2.*



June 17, 2022

The Honorable Cecilia Aquiar-Curry, Chair
California State Assembly Local Government Committee
State Capitol, Room 157
Sacramento, California 95814

RE: SB 1449 SUPPORT

Dear Chair Aguiar-Curry:

The California Association of Local Agency Formation Commissions (CALAFCO), which represents Local Agency Formation Commissions (LAFCOs) across the state, is pleased to support **Senate Bill 1449**, which will establish the Unincorporated Area Annexation Incentive Grant Program and provide resources to cities for infrastructure projects related to the annexation of substantially surrounded unincorporated areas.

Substantially surrounded unincorporated areas (also known as “islands”), have long been a concern for LAFCOs because of the problems that they create for cities, counties, the various agencies and special districts responsible for providing the area with urban services and facilities and, of course, the residents. Annexation of these islands in a transparent and public process results in better and sustainable infrastructure that efficiently delivers services such as water, sewer, trash collection, etc. We are particularly supportive of the provisions that would make the program applicable to both proposed and completed annexations since many LAFCOs have been diligently working with small cities on island annexations for some time.

CALAFCO is also supportive of having the various stakeholders provide input on the development of the program guidelines, as the end product will then be informed by the needs and expertise of those most affected by it. We, of course, stand ready to assist in any way possible.

By providing grant funds to help alleviate the cost of infrastructure build-outs, SB 1449 will provide much-needed assistance for the cities that would be annexing these areas. This is a common-sense approach that aligns with, and supports, the statutory intent under which LAFCOs operate. Consequently, CALAFCO is pleased to **support SB 1449**.

Yours Sincerely,

A handwritten signature in blue ink that reads "René LaRoche".

René LaRoche
Executive Director

cc: Members, Assembly Local Government Committee
Jimmy MacDonald, Assembly Local Government Committee Principal Consultant
Anton Favorini-Csorba, Senate Governance and Finance Committee Consultant
William Weber, Assembly Republican Caucus Consultant



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 8a (Discussion)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer BF DML
Dawn Mittleman Longoria, Analyst II/Interim Clerk
MEETING DATE: August 1, 2022
SUBJECT: Draft Municipal Service Review and Sphere of Influence Review
for the Silverado Community Services District

RECOMMENDATION

It is recommended the Commission discuss the attached draft Municipal Service Review (MSR) and Sphere of Influence (SOI) Review for the Silverado Community Services District (SCSD) and provide direction for possible further development of the draft report prior to public hearing and action on a final report at a future meeting. No formal action will be taken as part of this item.

SUMMARY

In accordance with the Commission's adopted Work Program, staff has prepared a draft report representing the scheduled MSR and SOI review for SCSD. The draft report follows the last MSR prepared by the Commission for SCSD, completed in April 2014. The last SOI review for SCSD was completed in October 2015 and resulted in affirmation of the District's existing SOI.

The draft report provides a review of SCSD's existing boundaries, organizational structure, municipal service provision, and financial standing. The draft report recommends affirming SCSD's SOI with no changes. The draft report was made available to the public for review on July 26, 2022. Written comments on the draft report are welcome through September 9, 2022.

Commissioners are invited to provide feedback to staff on the scope, contents, and format of the draft report. Unless otherwise directed, staff anticipates presenting a final report incorporating any public comments to the Commission at its October 3, 2022 meeting.

ATTACHMENT

- 1) Draft Municipal Service Review and Sphere of Influence Review for SCSD

Margie Mohler, Chair
Councilmember, Town of Yountville

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

Kenneth Leary, Commissioner
Representative of the General Public

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

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

Eve Kahn, Alternate Commissioner
Representative of the General Public

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

Brendon Freeman
Executive Officer



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Political Subdivision of the State of California

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

Draft Report Released July 26, 2022

**MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE REVIEW**

SILVERADO COMMUNITY SERVICES DISTRICT



Commissioners

Margie Mohler, Chair, City Member
Brad Wagenknecht, Vice Chair, County Member
Mariam Aboudamous, City Member
Diane Dillon, County Member
Kenneth Leary, Public Member
Ryan Gregory, Alternate County Member
Eve Kahn, Alternate Public Member
Beth Painter, Alternate City Member

Staff

Brendon Freeman, Executive Officer
Dawn Mittleman Longoria, Analyst II/Interim Clerk
Gary Bell, Commission Counsel

Administrative Office and Website

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We wish to express appreciation to the following County of Napa staff for their assistance:

Steven Lederer, District Manager

Michael Karath, Staff Services Analyst

INTRODUCTION

The purpose of a municipal service review, sometimes called a “service review” or “MSR”, is to provide an inventory and analysis for improving efficiency, cost-effectiveness, accountability, and reliability of public services provided by cities and special districts. A service review evaluates the structure and operation of these agencies, highlights agency accomplishments, and discusses possible areas for improvement and coordination. A service review is used by the Local Agency Formation Commission (LAFCO) when reviewing and, as appropriate, updating a sphere of influence (SOI), and can be used by subject agencies when considering changes in their operations.

This report represents an update of the most recent MSR and SOI review for the Silverado Community Services District (SCSD). The most recent MSR was conducted by Napa LAFCO in 2014 and concluded SCSD appeared to be operating efficiently and in a fiscally sound manner with no significant infrastructure needs or deficiencies identified. The MSR also noted the unique governance structure of SCSD with the Board of Supervisors serving as the District Board of Directors while ultimately concluding the arrangement – while not traditional for these types of special districts – appears satisfactory given the active involvement of the Municipal Advisory Council (MAC). The most recent SOI review was conducted in 2015 and resulted in Napa LAFCO affirming SCSD’s existing SOI.



LAFCOs are required by law to provide a written statement of determinations as part of any MSR.¹ Napa LAFCO’s MSR policies provide additional determinations for consideration. The review of these determinations are listed in this update.

LAFCO’s are also required by law to provide a written statement of determinations as part of any SOI determination.² It is Napa LAFCO’s policy to review SOIs in conjunction with MSRs to inform any appropriate SOI changes.

¹ California Government Code Section 56430(a).

² California Government Code Section 56425(e).

AGENCY PROFILE

OVERVIEW

SCSD was formed in 1967 and originally authorized to provide a full range of municipal services to the Silverado area, consisting largely of a planned resort community located northeast of the City of Napa. Services actually activated following formation, however, were limited to water, street lighting, street sweeping, and landscape maintenance services. SCSD ceased providing water in 1977 when Napa purchased and assumed full control of the District's water distribution system. SCSD expanded its services in 2010 with the approval of the Commission to include sidewalk improvements and maintenance; activities previously the responsibility of property owners.



GOVERNANCE, ADMINISTRATION, AND SERVICES PROVIDED

Silverado Community Services District	
Date Formed	1967
Enabling Legislation	Government Code 6100 et. seq.
Active Services	Street Lighting Street Sweeping Street Landscaping Sidewalk Improvements
Estimated Service Population	1,321 (year-round) 2,829 (with second homes)
District Structure	Dependent Special District
Governing Body	County Board of Supervisors
Municipal Advisory Committee (MAC)	Appointed registered voters Limited decision-making
Administration	County Public Works
Website	https://www.countyofnapa.org/2565/Silverado-Community-Services-District

AGENCY BOUNDARY

Jurisdictional Boundary Characteristics	
Total Jurisdictional Acreage	1,159
Approximate Square Miles	1.8
Total Jurisdictional Parcels	1,158
Percent of Jurisdictional Boundary Developed	96%
Corporate or Nonprofit Owned Undeveloped Lots	57

A map of SCSD’s current jurisdictional boundary and sphere of influence is included as **Appendix A**.

GROWTH AND POPULATION ESTIMATES

There are no specific population counts within SCSD’s jurisdictional boundary. The community includes both permanent and temporary residents. Various homes are owned as second-homes and are not occupied year-round. The County General Plan designates the area *Urban Residential*. The County of Napa has zoned the area as *Planned Development*. The County is currently updating its Housing Element of the General Plan. The process includes compliance with Regional Housing Needs Allocation (RHNA). Future housing sites must be determined to comply with this requirement. None of the proposed housing sites are located within SCSD.

LAFCO’s study *Central County Region Municipal Service Review*, completed in 2014, separated population numbers into permanent and temporary categories. The total population was estimated at 2,829 residents, including both primary and secondary homes. The report made an estimate of permanent residents representing an overall projected growth rate of 1.2% over the last 10-year period or 0.1% annually. However, the 2017 wildfires destroyed 34 homes in the community. It is unknown when these homes will be rebuilt. It is reasonable to assume SCSD’s growth rate will be nominal over the next 10 years.

FINANCIAL

SCSD practices an annual budget process consistent with legal requirements with oversight provided by the County Auditor-Controller’s office. An annual audit is conducted by Brown Armstrong, Accountancy Corporation. The County Auditor-Controller’s office provides annual Special District Financial Reports.³

The MAC provides recommendations regarding community needs. Once the service needs are determined for the fiscal year, the budget is established. District expenses during the year have consistently remained within the budgeted amount. The District’s employees are provided by contract with the County, and therefore SCSD does not have pension liabilities.

The District’s FY 2022-23 budget is \$200,400. SCSD’s current unrestricted/unreserved fund balance is \$155,447 and is sufficient to cover over nine months of general operating expenses.

Revenues

SCSD’s revenues are derived from an annual special tax on each parcel. The District does not participate in the 1% general property tax revenue. For each fiscal year, SCSD determines the total tax requirement for the District based on the required level of services to be provided. The total tax requirement cannot exceed the established maximum tax for a given fiscal year. The following chart provides the maximum dollar amount per fiscal year.⁴



³ Available on the District web site.

⁴ Source: County Department of Public Works.

Each parcel in SCSD is assigned to one of six special tax categories based upon the property's development intensity: vacant residential lots are assigned one tax unit; condominiums and single-family residences with limited services are assigned two units; properties on Silver Trail are assigned two and one-half units; and single-family residences with full service are assigned four units. The remaining amount is apportioned among seven large and primarily vacant parcels, including the Silverado Resort, based on their acreage. The following table shows the special tax rate per parcel for each category.⁵

Parcel Category & Land Use	Maximum Special Tax	Proposed Special Tax ⁶
A: Large Vacant Land	\$32,121.26	\$32,121.20
B: Vacant Land	5,071.48	5,070.72
C: Condominium	73,269.61	73,269.54
D: Single-Family Residence (Limited Service)	28,293.55	28,293.52
E: Silver Trail	5,838.88	5,838.70
F: Single-Family Residence	58,188.62	58,188.56
N: Non-Taxable	0	0



⁵ Source: County Department of Public Works.

⁶ Slight variance due to installment rounding necessary to place amounts on the County tax roll.

DETERMINATIONS

1. GROWTH AND POPULATION

Growth and population projections for the affected area.	YES	MAYBE	NO
a) Is the agency's territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Will population changes have an impact on the subject agency's service needs and demands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Will projected growth require a change in the agency's service boundary?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Determinations:

1. Wildfires destroyed 34 homes in the Silverado community. Rebuilding has been slow with some homeowners moving away from the area.
2. SCSD serves a planned community with no additional subdivision allowed. Current County of Napa zoning would not allow further subdivisions in the area.
3. The draft County Housing Element Update has not designated the area as a future housing site.
4. The population estimates include primary and second home residents.
5. It is reasonable to assume SCSD's growth rate will be nominal and follow recent patterns over the next 10 years.

2. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

	YES	MAYBE	NO
a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any concerns regarding public services provided by the agency being considered adequate?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Are there any significant infrastructure needs or deficiencies to be addressed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency's sphere of influence?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Determinations:

1. SCSD's infrastructure system is sufficient to provide needed services to meet present and future demands.
2. Services provided include street lighting, street sweeping, landscape maintenance, and sidewalk improvement and maintenance services within its jurisdictional boundary.
3. There are no disadvantaged unincorporated communities located within or contiguous to SCSD's sphere of influence.

3. FINANCIAL ABILITY

Financial ability of agencies to provide services.

	YES	MAYBE	NO
a) Does the organization routinely engage in budgeting practices that may indicate poor financial management, such as overspending its revenues, failing to commission independent audits, or adopting its budget late?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Is the organization lacking adequate reserve to protect against unexpected events or upcoming significant costs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Is the organization's rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is the organization unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Is improvement needed in the organization's financial policies to ensure its continued financial accountability and stability?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Is the organization's debt at an unmanageable level?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

SCSD, as a dependent district, is managed in accordance with County of Napa financial management and budgeting policies.

Determinations:

1. Calculations performed assessing SCSD's liquidity, capital, and profitability indicate the District finished fiscal year 2021-22 with sufficient resources to remain operational into the foreseeable future. Short-term liquidity remained high given SCSD finished the fiscal year with sufficient current assets to cover its current liabilities. SCSD finished the fiscal year with no long-term debt and a neutral operating margin as revenues and expenses were nearly identical.
2. It is recommended that the annual audit conducted by Brown Armstrong CPAs be included on the SCSD website.

4. SHARED SERVICES AND FACILITIES

Status of, and opportunities for, shared facilities.

	YES	MAYBE	NO
a) Is the agency currently sharing services or facilities with other organizations? If so, describe the status of such efforts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any governance options that may produce economies of scale and/or improve buying power in order to reduce costs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Determinations:

1. SCSD shares facilities and services with the County of Napa, which both governs SCSD as a dependent special district and operates SCSD facilities under various contracts with private vendors. The purpose of these arrangements for governance and provision of service is cost efficiency gained from elimination of election costs and the ability to provide service on an as-needed, contractual basis rather than through permanent staff. Please refer to the Agency Profile for additional information.
2. SCSD benefits from shared administrative staff and oversight provided by the County.
3. SCSD procures its own contractors for projects and therefore, does not benefit from the County's purchasing power.

5. ACCOUNTABILITY, STRUCTURE, AND EFFICIENCIES

Accountability for community service needs, including governmental structure and operational efficiencies.

	YES	MAYBE	NO
a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Are there any issues with filling board vacancies and maintaining board members?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there any issues with staff turnover or operational efficiencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is there a lack of regular audits, adopted budgets and public access to these documents?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Is the agency involved in any Joint Powers Agreements/Authorities (JPAs)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Are there any recommended changes to the organization's governance structure that will increase accountability and efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Are there any governance restructure options to enhance services and/or eliminate deficiencies or redundancies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Are there any opportunities to eliminate overlapping boundaries that confuse the public, cause service inefficiencies, unnecessarily increase the cost of infrastructure, exacerbate rate issues and/or undermine good planning practices?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The Napa County Board of Supervisors serves as the District Board of Directors. The appointed Municipal Advisory Committee (MAC) makes recommendations to staff. Services and staff are provided by the County Department of Public Works. Please refer to the Agency Overview Section for additional information.

Determinations:

1. SCSD’s existing form, as a dependent special district, is aimed at maximizing efficiency through the use of County Department of Public Works staff and avoidance of election costs. The efficacy of the existing governance arrangement depends on low costs and the County’s responsiveness to the direction the SCSD MAC. There are alternative sources of both governance and services available to the Silverado community if the County’s performance with respect to the maintenance of streets, sidewalks, paths, and landscaping were to fall short of community expectations.
2. Transparency of SCSD meetings and business are consistent with Napa County Board of Supervisors policy and are available on the SCSD website, as a function of the County of Napa.
3. The MAC conducts quarterly meetings. These meeting are noticed and open to the public.
4. The County Auditor-Controller oversees the financial operations of the District. Special District Financial Transaction Reports for each fiscal year, are available on the District’s web site. Annual financial audits are conducted by Brown Armstrong, CPA.



6. OTHER ISSUES

Any other matter related to effective or efficient service delivery, as required by commission policy.

	YES	MAYBE	NO
a) Are there negative impacts on the Agricultural Preserve and the voter approved Measure P?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Are there existing outside service agreements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Are there joint power agreements involving the direct provision of public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Is the District in conformance with growth goals and policies of the land use authorities in Napa County?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Do District operations affect climate change?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Does the District enhance or hinder housing goals, including affordable housing and workforce housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Is the District identified in regional transportation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Are there negative cumulative service impacts related to current and planned development?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Determinations:

1. SCSD is located within a planned development approved by the County in 1966.
2. Expansion of the area is not contemplated within the next 10 years.
3. The district currently benefits from shared administrative services.

SPHERE OF INFLUENCE REVIEW

It is recommended that the Commission affirm SCSD's existing sphere. There are no current plans to amend the SOI boundary. Pursuant to California Government Code Section 56425(e), the following statements have been prepared in support of the recommendation:

1. The present and planned land uses in the area, including agricultural and open-space lands.

The present and planned land uses in SCSD are subject to the County General Plan. The County General Plan and adopted zoning standards provide for the current and future residential and resort uses that characterize the majority of the jurisdictional boundary and sphere of influence.

2. The present and probable need for public facilities and services in the area.

SCSD provides street lighting, street sweeping, landscape maintenance, and sidewalk improvement and maintenance services within its jurisdictional boundary and sphere of influence. These public services support the present and planned urban and resort uses within the area as contemplated in the County General Plan. Constituents of SCSD have confirmed their desire for these public services by approving a special assessment to fund the District's operations.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

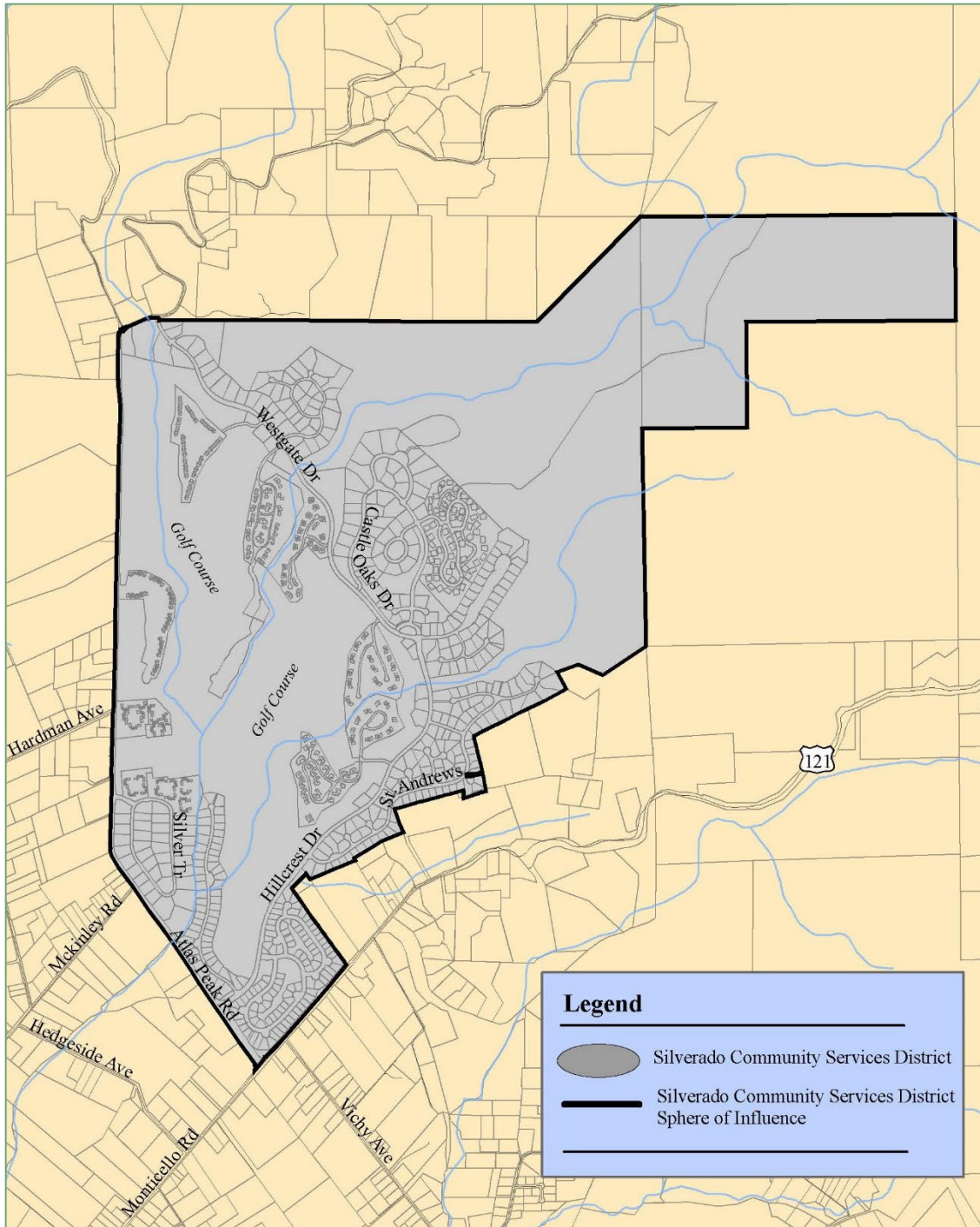
SCSD has demonstrated its ability to provide an adequate level of street lighting, street sweeping, landscape maintenance, and sidewalk improvement and maintenance services within its jurisdictional boundary and sphere of influence.

4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

SCSD fosters social and economic interdependencies within the area by providing public services in support of the present and planned development of the Silverado Resort.

APPENDIX A

SCSD CURRENT BOUNDARY AND SOI





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

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Phone: (707) 259-8645
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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

Agenda Item 8b (Discussion)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer *BF*

MEETING DATE: August 1, 2022

SUBJECT: Strategic Plan and Work Program Progress Report

RECOMMENDATION

This item is for discussion purposes only. No formal action is required as part of this item. It is recommended the Commission consider providing direction to the Executive Officer with respect to future strategic planning activities.

BACKGROUND AND SUMMARY

The Commission will receive a report on its adopted *Strategic Plan 2018-2022* (“Strategic Plan”), included as Attachment One, and *Work Program for Fiscal Year 2022-23* (“Work Program”), included as Attachment Two.

On February 5, 2018, the Commission adopted the Strategic Plan, which includes comprehensive schedules for municipal service reviews (MSRs), sphere of influence (SOI) reviews, and review of local policies. The Strategic Plan includes a set of core guiding principles that underlie Napa LAFCO’s activities, as follows:

- 1) Active, in-depth communication and outreach
- 2) Review and update Commission policies
- 3) Prepare MSRs and SOI updates

On February 7, 2022, the Commission discussed strategic planning and directed staff to return with further discussion of unincorporated islands and MSRs before scheduling a special meeting in 2023 for purposes of more general strategic planning.

On June 6, 2022, the Commission adopted the Work Program, which includes scheduling for the Commission’s key activities in the near term.

A summary of progress on key activities in the Strategic Plan and Work Program follows.

Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

MSRs and SOI Reviews

Staff is actively working, or anticipates commencing work, on the following MSRs and SOI reviews:

- MSR and SOI Review for the Silverado Community Services District
A draft report is on today's agenda as item 8a. A final report for adoption will follow the public review and comment period.
- MSR and SOI Review for the Napa County Resource Conservation District
Staff anticipates a draft report will be presented as early as the October 3, 2022 regular meeting. A final report for adoption will follow the public review and comment period.
- MSR and SOI Review for the City of St. Helena
A preliminary draft MSR and SOI Review for St. Helena was completed by a former consultant in August 2017. The City requested numerous revisions along with an indefinite delay to allow the City to first complete its General Plan Update, which has since been completed. The City recently hired a new City Manager. Staff will engage the City Manager to discuss appropriate timing to resume this activity.
- MSR and SOI Review for the City of Calistoga
Staff anticipates this activity will be completed by June 2023.
- MSR and SOI Review for the City of Napa
Staff from the City recommended initiating this activity after completion of the City's General Plan update. Staff anticipates this activity will be completed by December 2023.
- SOI Review for the Napa Sanitation District
Staff anticipates this activity will be completed by December 2023.
- MSR and SOI Review for County Service Area No. 4
Staff anticipates a draft report will be completed by December 2023.

Policy Review

It is anticipated the Policy Committee (Commissioners Mohler and Wagenknecht) will complete its comprehensive review of local policies and present amendments or new policies, as appropriate, by June 2023.

Communications and Outreach

The Commission recently began issuing a quarterly newsletter. Staff prepares and distributes newsletters in January, April, July, and October each year. The most recent issue of the quarterly newsletter was distributed in July 2022 and is included on today's agenda as item 5f.

Island Annexation Program

The City of Napa will have the lead role for the initiation of any island annexations in the future. LAFCO staff agreed to assist the City with public outreach as requested. The Commission requested further discussion of island annexations prior to the impending departure of retiring Commissioners Dillon and Wagenknecht. However, the City reports it is currently struggling to provide basic level planning services following the departure of its former Planning Manager, who had been the City's lead staff member for island annexations. The City anticipates it will have capacity to resume island discussions sometime in 2023. Staff recommends the Commission defer discussion of island annexations until the City has capacity to meaningfully engage.

Housing and General Plan Updates

This activity was requested by the Commission to assist in its decision making as it relates to best serving the diverse needs of all local municipalities. Staff anticipates presenting an informational countywide report on housing and general plan activities at the Commission's October 3, 2022 meeting. The most recent report is available online at: https://www.napa.lafco.ca.gov/uploads/documents/10-4-21_7a_Housing-GeneralPlans.pdf.

Support Services Agreement with the County of Napa

LAFCO staff continues to work with County staff to prepare comprehensive amendments to the existing support services agreement between the two agencies. Staff anticipates the amendments will be available for Commission consideration within the next six months.

Future Strategic Planning

The Commission previously discussed scheduling a future strategic planning session to guide its activities into the foreseeable future after the current Strategic Plan expires at the end of 2022. The Commission indicated a preference for an in-person strategic planning session and included funding in the fiscal year 2022-23 budget to hire a facilitator. It may be appropriate to defer scheduling of the next strategic planning session to the second half of 2023 to allow for newer Commissioners to first become better acclimated to LAFCO.

Staff recommends the Commission continue to discuss the following items related to strategic planning and provide direction to staff as appropriate:

- Desired location and timing
- Specific agenda topics (islands and a fire service MSR already discussed)
- Selection of an outside facilitator
- Any other matters relevant to strategic planning

ATTACHMENTS

- 1) Strategic Plan 2018-22
- 2) Work Program 2022-23



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Strategic Plan 2018-2022
(Adopted: February 5, 2018)

Mission Statement

The Local Agency Formation Commission (LAFCO) of Napa County is committed to serving the citizens and government agencies of its jurisdiction by encouraging the preservation of agricultural lands and open-space and coordinating the efficient delivery of municipal services.

Focus of Napa LAFCO

The following core guiding principles underlie Napa LAFCO's activities. Each of these principles is centered on Napa LAFCO having in-depth, active communication with respect to all relevant constituents.

- Municipal Service Reviews based on local agency, Napa County, & LAFCO needs
 - Study Schedule for 2018-2022 included as Exhibit A
- Re-writing policies (on a schedule) to be comprehensive, effective, and transparent
 - Policy Review Schedule for 2018-2020 included as Exhibit B
- Forecasting issues relating to local services and boundaries, as well as State legislation
- Active involvement of agency constituents in problem-solving local agency sustainability
- Engagement with local city/town general plan updates
- Active with local agencies in managing housing growth and related issues including transportation



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

STUDY SCHEDULE (2018-2022)

Municipal Service Reviews (Government Code §56430)
Sphere of Influence Updates (Government Code §56425)
Major Boundary Change Projects

Adopted: February 5, 2018

2018

South County Region MSR and SOIs

Municipal Service Review will examine the governmental services provided by the City of American Canyon, American Canyon Fire Protection District, and County Service Area No. 3. The Municipal Service Review will inform Sphere Of Influence Updates for all three local agencies.

City of St. Helena MSR and SOI

Municipal Service Review will examine the governmental services provided by the City of St. Helena. The Municipal Service Review will inform a Sphere Of Influence Update.

Napa County Regional Park and Open Space District MSR and SOI

Municipal Service Review will examine the governmental services provided by the Napa County Regional Park and Open Space District and inform a Sphere Of Influence Update.

Island Annexation Program

The Commission will seek to partner with the City of Napa and the County of Napa to develop an island annexation program.

2019

Island Annexation Program

The Commission will seek to partner with the City of Napa and the County of Napa to develop an island annexation program.

Countywide Water and Wastewater Services MSR

Municipal Service Review will examine all municipal water and wastewater services provided throughout Napa County and will inform Sphere Of Influence Updates for each agency under review.

2020

Island Annexation Program

The Commission will seek to partner with the City of Napa and the County of Napa to develop an island annexation program.

City of Napa MSR and SOI

Municipal Service Review will examine the governmental services provided by the City of Napa and inform a Sphere Of Influence Update.

Lake Berryessa Resort Improvement District SOI

Sphere Of Influence Update for the Lake Berryessa Resort Improvement District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

Napa Berryessa Resort Improvement District SOI

Sphere Of Influence Update for the Napa Berryessa Resort Improvement District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

Spanish Flat Water District SOI

Sphere Of Influence Update for the Spanish Flat Water District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

Napa Sanitation District SOI

Sphere Of Influence Update for the Napa Sanitation District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

2021

Napa County Resource Conservation District MSR and SOI

Municipal Service Review will examine the governmental services provided by the Napa County Resource Conservation District and inform a Sphere Of Influence Update.

Napa County Flood Control and Water Conservation District SOI

Sphere Of Influence Update for the Napa County Flood Control and Water Conservation District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

Silverado Community Services District MSR and SOI

Municipal Service Review will examine the governmental services provided by the Silverado Community Services District and inform a Sphere Of Influence Update.

Public Cemetery Districts MSR and SOIs

Municipal Service Review will examine the governmental services provided by the Monticello Public Cemetery District and Pope Valley Cemetery District and inform Sphere Of Influence Updates for both agencies.

Los Carneros Water District SOI

Sphere Of Influence Update for the Los Carneros Water District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

Napa River Reclamation District No. 2109 SOI

Sphere Of Influence Update for the Napa River Reclamation District No. 2109 will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

City of Calistoga MSR and SOI

Municipal Service Review will examine the governmental services provided by the City of Calistoga and inform a Sphere Of Influence Update.

2022

Congress Valley Water District SOI

Sphere Of Influence Update for the Congress Valley Water District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

Circle Oaks County Water District SOI

Sphere Of Influence Update for the Circle Oaks County Water District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

County Service Area No. 4 MSR and SOI

Municipal Service Review will examine the governmental services provided by County Service Area No. 4 and inform a Sphere Of Influence Update.

Napa County Mosquito Abatement District MSR and SOI

Municipal Service Review will examine the governmental services provided by the Napa County Mosquito Abatement District and inform a Sphere Of Influence Update.

Town of Yountville MSR and SOI

Municipal Service Review will examine the governmental services provided by the Town of Yountville and inform a Sphere Of Influence Update.

Recent MSRs and SOI Updates / Study Schedule 2018-2022				
Local Agencies	Last MSR	Next MSR	Last SOI Update	Next SOI Update
CITIES/TOWN				
American Canyon	June 2009	April 2018	June 2010	April 2018
Calistoga	December 2016	December 2021	December 2016	December 2021
Napa	December 2013	April 2020	February 2014	December 2020
St. Helena	May 2008	October 2018	August 2008	December 2018
Yountville	April 2017	October 2022	April 2017	October 2022
SPECIAL DISTRICTS				
American Canyon Fire Protection District (ACFPD)	June 2009	April 2018	August 2010	April 2018
Circle Oaks County Water District (COCWD)	August 2016	December 2019	August 2016	April 2022
Congress Valley Water District (CVWD)	December 2017	December 2019	December 2017	February 2022
County Service Area No. 3 (CSA 3)	June 2009	April 2018	October 2012	April 2018
County Service Area No. 4 (CSA 4)	December 2017	June 2022	December 2017	June 2022
Lake Berryessa Resort Improvement District (LBRID)	April 2011	December 2019	December 2012	August 2020
Los Carneros Water District (LCWD)	August 2016	December 2019	August 2016	August 2021
Monticello Public Cemetery District (MPCD)	July 2016	June 2021	July 2016	June 2021
Napa Berryessa Resort Improvement District (NBRID)	April 2011	December 2019	April 2013	August 2020
Napa County Flood Control & Water Conservation District (NCFCWCD)	June 2016	December 2019	June 2016	April 2021
Napa County Mosquito Abatement District (NCMAD)	June 2017	June 2022	June 2017	June 2022
Napa County Regional Park and Open Space District (NCRPOSD)	December 2010	December 2018	December 2010	December 2018
Napa County Resource Conservation District (NCRCD)	April 2016	February 2021	April 2016	February 2021
Napa River Reclamation District No. 2109 (NRRD)	December 2016	December 2019	December 2016	October 2021
Napa Sanitation District (NSD)	April 2014	December 2019	October 2015	December 2020
Pope Valley Cemetery District (PVCD)	July 2016	June 2021	July 2016	June 2021
Silverado Community Services District (SCSD)	April 2014	April 2021	October 2015	April 2021
Spanish Flat Water District (SFWD)	April 2011	December 2019	August 2013	August 2020

South County Region MSR and SOI Updates

Public Cemetery Districts MSR and SOI Updates

Countywide Water and Wastewater Services MSR

Policy	Priority	Adopted or Last Amended	Complete Review
Legislation	1	N/A	December 2017
Unincorporated Islands *	1	October 2011	February 2018
Outside Service Agreements	1	April 2016	April 2018
Conflict of Interest Code	1	October 2016	August 2018
Spheres of Influence *	1	October 2011	October 2018
Municipal Service Reviews	1	October 2015	December 2018
Annexations *	2	October 2011	February 2019
Disadvantaged Unincorporated Communities	2	N/A	April 2019
Definitions *	2	October 2011	June 2019
CEQA	3	December 2006	August 2019
Appointment of Public Members	3	April 2008	October 2019
Appointment of Chair and Vice-Chair	3	June 2015	October 2019
Budget	3	June 2016	December 2019
Budget Contributions and Collection of Funds	3	April 2001	December 2019
Establishing Officers of the Commission	3	August 2004	February 2020
Executive Officer Performance Review	3	October 2014	February 2020
Executive Officer Purchasing Authority	3	October 2014	February 2020
Records Retention and Destruction	3	December 2015	April 2020
Social Media	3	October 2011	April 2020
Conducting Meetings and Business	3	December 2015	June 2020
Scheduling of Meetings	3	June 2016	June 2020
Indemnification	3	October 2014	August 2020
Conducting Authority Proceedings	3	December 2008	August 2020
Appointment of Commission Counsel	3	April 2001	October 2020
Work Schedule	3	June 2002	October 2020
Telecommuting	3	July 1997	December 2020
Travel Policy	3	November 2009	December 2020

* Currently Part of General Policy Determinations

Napa LAFCO Work Program for Fiscal Year 2022-23			
		Timeline	Comments
STUDIES	Silverado Community Services District MSR & SOI	2022	Previous MSR completed in 2014 (Central County Region MSR), previous SOI completed in 2016
	Napa County Resource Conservation District MSR & SOI	2022	Previous MSR & SOI completed in 2016
	City of St. Helena MSR & SOI	2022 or 2023	Previous MSR & SOI completed in 2008, on hold for permanent City Manager
	City of Calistoga MSR & SOI	2023	Previous MSR & SOI completed in 2016
	City of Napa MSR & SOI	2023	Previous MSR completed in 2014 (Central County Region MSR), previous SOI completed in 2014, on hold until City General Plan update complete
	Napa Sanitation District SOI	2023	Previous MSR completed in 2014 (Central County Region MSR), previous SOI completed in 2015, on hold for City & County housing element progress
	County Service Area No. 4 MSR & SOI	2023	Previous MSR & SOI completed in 2017
ADMINISTRATION	Audit	Annual	Will be presented by the County Auditor-Controller
	Budget	Annual	Final budget must be adopted by June 15, two Commissioners will be appointed to Budget Committee in December, staff presents quarterly budget reports
	Legislation	Ongoing	Legislative Committee reviews state legislation and recommends positions
	Policies	Ongoing	Policy Committee reviews and recommends updates
	Newsletter	Quarterly	Quarterly newsletter issued in January, April, July, and October
	Website	Ongoing	Staff updates information on website
OTHER	Strategic Planning	2022 or 2023	Commission will schedule a strategic planning session to consider challenges, opportunities, and vision for LAFCO
	Support Services Agreement with County of Napa	2022 or 2023	Staff working with County to update agreement, amendments will be presented to Commission and BOS for adoption
	2022 CALAFCO Annual Conference	October 2022	October 19 - 21 in Newport Beach
	2023 CALAFCO Staff Workshop	March 2023	April 26 - 28 in Murphys
Adopted on June 6, 2022			



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 8c (Discussion)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer *BF*
Dawn Mittleman Longoria, Analyst II/Interim Clerk *DML*

MEETING DATE: August 1, 2022

SUBJECT: Direction on Future Commission Meetings

RECOMMENDATION

This item is for discussion purposes only. No formal action is required as part of this item. It is recommended the Commission consider alternatives for holding future Commission meetings and provide direction to staff as appropriate.

BACKGROUND AND SUMMARY

The Commission's regular in person meeting facility is the County of Napa Board of Supervisors Chambers, located at 1195 Third Street in the City of Napa.

The Commission has been conducting teleconference only meetings since May 2020 in response the Executive Order declaring a State of Emergency by the Governor related to the COVID-19 pandemic on March 4, 2020, and consistent with Assembly Bill (AB) 361 allowing continued flexibility for public meetings following the expiration of the Governor's Executive Orders.

On April 4, 2022, the Commission discussed its preference for future meetings and requested the June 6, 2022 meeting be conducted as a hybrid combining in person and teleconference attendance options. LAFCO staff had been assured by County staff that this would be possible with some outside assistance. Following a significant rise in positive COVID-19 case rates, the Chair and staff agreed to schedule the June 6th meeting as teleconference only and include another agenda item to discuss meeting preferences.

On June 6, 2022, the Commission discussed its preference for future meetings and requested hybrid meetings as soon as possible while noting there are challenges with meeting in person or via hybrid. The Commission directed staff to work with the Chair to schedule future meetings based on public health considerations and staff capacity.

Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

On July 7, 2022, staff and the Chair met with members of County staff to simulate a hybrid meeting. Based on prior communication with County staff, it was assumed LAFCO staff would be able to run a hybrid meeting with minimal assistance from County staff. However, it was quickly determined LAFCO is significantly understaffed to operate all of the technical requirements for an effective hybrid meeting. County staff mentioned that Board of Supervisors meetings require a minimum of four dedicated staff to ensure meetings are well run and that the public has an equal opportunity to participate whether attending in person or remotely. Importantly, County staff is unable to commit to providing the level of assistance needed to effectively conduct LAFCO hybrid meetings. Following this discussion, staff and the Chair considered all options and agreed the August 1, 2022 LAFCO meeting should be scheduled as a teleconference only meeting consistent with AB 361, which remains in effect as of the date of today's meeting.

ALTERNATIVES AND DISCUSSION

Staff has identified two alternatives for Commission consideration as summarized below.

1. Teleconference only meetings: The Commission has used this format since May 2020. Commissioner attendance and public engagement have remained high. There are no expenses associated with recording teleconference only meetings.
2. In person only meetings: This format involves a \$150 per hour expense for Napa Valley TV to video record the meeting and operate the audio-visual system in the Board of Supervisors Chambers.

Staff recommends the Commission discuss the alternatives listed above and consider providing direction to staff with respect to scheduling future Commission meetings. The next Commission meeting is scheduled for Monday, October 3, 2022.

ATTACHMENTS

None