



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MINUTES OF DECEMBER 3, 2018**

County of Napa Administration Building
1195 Third Street, 3rd floor, Board Chambers, Napa, California 94559

1. WELCOME AND CALL TO ORDER; ROLL CALL

Chair Mohler called the regular meeting of December 3, 2018, to order at 2:03 PM.

At the time of roll call, the following Commissioners and staff were present:

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

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led the Commissioner Scott Sedgley.

3. APPROVAL OF AGENDA

Chair Mohler asked if there were any requests to rearrange the agenda. There were no requests. Upon motion by Commissioner Rodeno and second by Commissioner Dillon, the Commission unanimously approved the agenda as submitted:

VOTE:

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

NOES: NONE

ABSENT: LAWRENCE

ABSTAIN: NONE

4. PUBLIC COMMENTS

Chair Mohler invited members of the audience to provide comment.

Public comment was received by James Hinton, Napa resident, who spoke to the Commission about various issues currently affecting Napa County, including the Watson Ranch project in the City of American Canyon. No other public comments were received.

5. CONSENT ITEMS

- a) **Approval of Meeting Minutes: October 1, 2018, Regular Meeting**
- b) **Current and Future Proposals**
- c) **First Quarter Budget Report**
- d) **Legislative Report**
- e) **Work Program Progress Report**
- f) **Report on the 2018 CALAFCO Conference**
- g) **Expiring Commissioner Terms**
- h) **Meeting Calendar for 2019**

Upon motion by Commissioner Wagenknecht and second by Commissioner Sedgley, the Commission approved the consent items: (*continued on next page*)

5. CONSENT ITEMS – continued:

VOTE:

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

6. PUBLIC HEARING ITEMS

a) Final South County Region Municipal Service Review and Sphere of Influence Updates and Associated CEQA Findings

The Commission received the final South County Region Municipal Service Review (MSR) and Sphere of Influence (SOI) Updates. The report includes written determinations making statements on the level and range of services provided by the City of American Canyon, American Canyon Fire Protection District, and County Service Area No. 3, as well as recommendations to affirm each agency's SOI with no changes.

CORRECTION: A clerical error was made on the December 3, 2018, meeting **agenda** with respect to item #6a. Under the description of this item, County Service Area No. 4 was mistakenly written. The correct service area is **County Service Area No. 3**. Staff has verified that the related staff report and the approved resolution are accurate.

Staff provided a verbal report of this item, which included the history:

- At its February 5, 2018, meeting, the Commission discussed a preliminary draft report and directed staff to return with a revised draft report that incorporates several corrections and clarifications.
- At its August 6, 2018, meeting, the Commission discussed a revised draft report and directed staff to return with further revisions to incorporate information relating to fire service ISO ratings.
- At its October 1, 2018, meeting, the Commission discussed a second revised draft report and directed staff to notice a public hearing and return with a final report that incorporates any comments received during the public review period. Written comments from the Napa County Farm Bureau have been included in the final report.

Commissioner Wagenknecht noted the Commission has thoroughly reviewed and discussed this study which has previously been presented in draft form.

Chair Mohler opened the public hearing. No public comments or questions were received.

Chair Mohler closed the public hearing.

The Commission considered taking formal action on the final report which was prepared by staff.

Upon motion by Commissioner Dillon and second by Commissioner Wagenknecht, the Commission unanimously received and filed the report, adopted the resolution confirming the determinative statements; affirmed each affected agency's sphere of influence with no changes, and determined the MSR and SOI Update are exempt from further review under the California Environmental Quality Act (**Resolution #2018-15**):

VOTE:

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

6. PUBLIC HEARING ITEMS – continued:

b) Proposed Alston Park Sphere of Influence Amendment and Annexation to the Napa Sanitation District and Associated CEQA Findings

The Commission considered a proposal submitted by resolution of application from the City of Napa to concurrently amend the Napa Sanitation District’s (NSD) sphere of influence and annex approximately 158.2 acres of territory to NSD. The City of Napa also submitted a request for the Commission to waive its proposal processing fees.

Current land uses within the affected territory include Alston Park and the Alston Park Water Tank Site (APN’s 035-120-032 and 035-120-034). The purpose of the proposal is to facilitate the extension of NSD’s public sewer infrastructure to serve a planned permanent public restroom at Alston Park.

The recommended action was for the Commission to take the following two actions: (1) adopt a resolution approving the NSD sphere of influence amendment with standard terms and conditions and approving the fee waiver request; and (2) adopt a resolution approving the annexation to NSD with standard terms and conditions and approving the fee waiver request. Staff provided the Commission with an overview, and thanked City of Napa staff for their help in this process.

Chair Mohler opened the public hearing.

Public comment was received from John Coates, City of Napa Parks & Recreation Director, who thanked the Commission for its consideration of this request. Mr. Coates noted that there is a conservation easement over the subject property which requires it to remain for recreation purposes in perpetuity.

Counsel confirmed that if the subject property were sold, it would no longer be within the City’s boundaries, however, it would remain in NSD’s boundaries.

Chair Mohler closed the public hearing.

Commissioners thanked City staff for submitting this much needed public park improvement.

Upon motion by Commissioner Sedgley and second by Commissioner Wagenknecht, the Commission unanimously approved the Sphere of Influence Amendment to the NSD, approved the fee waiver request and adopted the resolution (**Resolution #2018-16**):

VOTE:

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

NOES: NONE

ABSENT: LAWRENCE

ABSTAIN: NONE

In addition, upon motion by Commissioner Sedgley and second by Commissioner Rodeno, the Commission unanimously approved the annexation to the NSD, approved the fee waiver request and adopted the resolution (**Resolution #2018-17**):

VOTE:

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

NOES: NONE

ABSENT: LAWRENCE

ABSTAIN: NONE

7. ACTION ITEMS

a) Audit Report for Fiscal Year Ending June 30, 2018

The Commission received a financial audit prepared by Brown Armstrong for the 2017-2018 fiscal year.

Tracy Schulze, Napa County Auditor-Controller, provided the Commission with a detailed overview of the written audit report, prepared by Brown Armstrong, CPA.

Ms. Schulze commended Executive Officer Freeman and Secretary Mabry for the great work relating to a successful and clean audit again this year.

Upon motion by Commissioner Rodeno and second by Commissioner Sedgley, the Commission unanimously agreed to accept and file the 2017-2018 audit report:

VOTE:

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

b) Appointments to the 2019-2020 Budget Committee

The Commission considered appointing two members to serve with the Executive Officer on the 2019-2020 Budget Committee. The Budget Committee is an ad hoc subcommittee responsible for preparing a draft and final budget for review and adoption by the Commission at its April and June regular meetings, respectively. The Budget Committee is also responsible for reviewing and updating the Commission's adopted fee schedule and work program as needed.

Staff provided an overview of the report.

Upon motion by Commissioner Sedgley and second by Commissioner Mohler, the Commission appointed Commissioners Mohler and Lawrence to serve on the Budget Committee for fiscal year 2019-2020:

VOTE:

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

c) Establishing a Matching Retirement Savings Contribution for the Executive Officer in 2019

The Commission considered designating a matching \$1,000 contribution to a 401(a) retirement savings account for the Executive Officer. The recommended action is for the Commission to adopt a resolution consenting to participation in the County of Napa 401(a) Retirement Savings Plan and establishing the LAFCO match for the 2019 calendar year, consistent with prior year contributions. The requested matching contribution is within the adopted budget.

Upon motion by Commissioner Wagenknecht and second by Commissioner Dillon, the Commission approved the resolution (**Resolution #2018-18**):

7. ACTION ITEMS – continued:

VOTE:

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

8. INFORMATION ITEMS

a) Update on Policy on Spheres of Influence

The Commission received an update on the draft Policy on Spheres of Influence prepared by the Policy Committee. The draft Policy on Spheres of Influence was previously discussed by the Commission and subsequently circulated for public review and comment. Comments received on the draft policy were included for information purposes.

Staff provided an update. The Policy Committee initially met to review the submitted comments on November 14, 2018, and another meeting is scheduled for January 16, 2019, to further review the comments. Additional time is needed for all cities to respond. Also, the Policy Committee has recommended additional time to work on the policy and increase communication to cities and special districts. The Committee intends to revise the draft Policy taking into consideration the comments received from the local agencies.

Following discussion, the Commission chose to schedule a public workshop for purposes of enhancing awareness of LAFCO's mandate and providing open discussion with the local agencies. Staff will poll the Commission on its availability for this public workshop, tentatively scheduled for the first part of March.

9. EXECUTIVE OFFICER REPORT

The Executive Officer provided a brief report of recent activities, including the recruitment of the Analyst. The Executive Officer has received written acceptance from the top ranked candidate to be hired as Staff Analyst II at step three of the salary scale. The Analyst is expected to officially begin work in mid-January.

10. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

There was no discussion of this item.

11. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 3:21 PM. The next regular LAFCO meeting is scheduled for Monday, February 4, 2019 at 2:00 PM.



Margie Mohler, LAFCO Chair

ATTEST: Brendon Freeman, Executive Officer

Prepared by: K. Mabry
Kathy Mabry, Commission Secretary