



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 ■ Diane Dillon, Vice Chair ■ Mariam Aboudamous ■ Brad Wagenknecht ■ Vacant
■ Ryan Gregory, Alternate ■ Eve Kahn, Alternate ■ Beth Painter, Alternate

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Consistent with the California Governor's Executive Order N-29-20 promoting social distancing, there will be no physical or in-person meeting location available to the public. Instead, the meeting will be conducted 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, April 5, 2021, 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 April 5, 2021. Public comments DURING the meeting: See "COVID-19 – Notice of Meeting Procedures" on page 3 of the agenda.

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

<https://countyofnapa.zoom.us/j/81400545275>

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

Dial: (669) 900-6833

Follow the prompts: Meeting ID: 81400545275#

If you need assistance before or during the meeting, please contact Commission Clerk Kathy Mabry at: kmabry@napa.lafco.ca.gov or call the LAFCO office at (707) 259-8645.

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. See "COVID-19 – Notice of Meeting Procedures" on page 3 of the agenda to submit comments.

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.

- a) [Approval of Meeting Minutes: February 1, 2021 Regular Meeting](#)
- b) [Proposed Amendment to Policy on Social Media Use](#)
- c) [Proposed Amendment to Policy on Executive Officer Performance Review](#)
- d) [Current and Future Proposals](#)
- e) [CALAFCO Reports](#)
- f) [Chair Rotation](#)

6. PUBLIC HEARING ITEMS

Any member of the public may address the Commission with respect to a scheduled public hearing item.
See Coronavirus (COVID-19) – Notice of Meeting Procedure on page 3 of the agenda to submit comments.

a) Appointment of Public Member (Approx. 30 Minutes)

The city and county members of the Commission will consider making an appointment to fill the remainder of an unexpired term for the Public Member position with a term that expires on May 2, 2022. Six candidates have applied: Bruce Bardesson; Tom Gamble; Eve Kahn; Kenneth Leary; Nick Van Male; and Alton Weeks.

b) Proposed Budget for Fiscal Year 2021-2022 and Draft Amendment to the Schedule of Fees and Deposits (Approx. 15 Minutes)

The Commission will consider adopting a resolution to approve a proposed budget for fiscal year 2021-2022. Proposed operating expenses total \$553,916 and proposed operating revenues total \$540,270 with the remaining shortfall of \$13,646 to be covered by drawing from reserves. The Commission will also discuss a draft amendment to its Schedule of Fees and Deposits. The recommended actions are for the Commission to adopt the proposed budget by resolution, circulate the proposed budget for public review and comment, and circulate the draft amendment to the Schedule of Fees and Deposits for public review and comment.

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.
See “COVID-19 – Notice of Meeting Procedures” on page 3 of the agenda to submit comments.

a) Montalcino Resort No. 2 Annexation to the Napa Sanitation District and Associated CEQA Findings (Approx. 10 Minutes)

The Commission will consider approving a proposal submitted by resolution of application for the annexation of three unincorporated parcels totaling approximately 36.1 acres in size to the Napa Sanitation District (NSD). The affected territory is located in the Napa Valley Business Park with no current situs address, and identified by the County Assessor as 057-020-006, 057-020-017, and 057-020-018. The annexation is intended to facilitate the planned Montalcino Resort project. The County of Napa, as Lead Agency pursuant to CEQA, previously certified an Environmental Impact Report (EIR) and a Subsequent EIR addressing the environmental impacts associated with the Montalcino Resort project, including annexation to NSD. The recommended action is for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

b) Legislative Report (Approx. 20 Minutes)

The Commission will receive a report on legislative items directly or indirectly affecting LAFCOs. The recommended actions are for the Commission to do the following: (1) Authorize the Executive Officer to submit a letter to the Legislature in support of Assembly Bill (AB) 1581; (2) Authorize the Executive Officer to submit a letter to the Legislature in support of AB 959; (3) Direct the Executive Officer to watch AB 1250, Senate Bill (SB) 273, and SB 403, and return with updates as appropriate at future Commission meetings; (4) Discuss SB 13 and the City of St. Helena’s pending proposed amendment, and consider submitting a formal position letter to the Legislature; and (5) Discuss San Diego LAFCO’s proposed amendment to Government Code (G.C.) §56133(e) and consider taking a position in concept.

c) Agreement for the Provision of Support Services (Approx. 5 Minutes)

The Commission will receive a report on the current status of the Commission’s Agreement for the Provision of Support Services (“the Agreement”) with the County of Napa, which was made effective July 1, 2003, and subsequently amended 10 times. The recommended action is for the Commission to provide formal direction to the Executive Officer with respect to pursuing any amendments to the Agreement with representatives of the County. It is also recommended the Commission consider establishing an ad hoc subcommittee with two appointed members to assist the Executive Officer in this process.

d) Appointment of Outreach Committee Member (Approx. 5 Minutes)

The Commission will consider appointing a member to fill a vacant seat on its ad hoc Outreach Committee.

8. 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.

9. ADJOURNMENT TO NEXT SCHEDULED MEETING

Monday, June 7, 2021 at 2:00 P.M. The meeting will be conducted by teleconference due to COVID-19 in compliance with Executive Order N-29-20.

MEETING INFORMATION

COVID-19 – Notice of Meeting Procedures

TELECONFERENCE MEETING: In order to slow the spread of the Coronavirus (COVID-19) pandemic, the Commission will conduct this meeting as a teleconference in compliance with the Governor’s Executive Order N-29-20 and Napa County Shelter at Home Order issued March 18, 2020, and members of the Commission or Commission 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/81400545275>

Join Teleconference Meeting by **Telephone**:
Dial: (669) 900-6833
Follow the prompts: Meeting ID: 81400545275#

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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 **April 5, 2021 at 10:00 A.M.** by email to kmabry@napa.lafco.ca.gov or by mail to Napa LAFCO at 1030 Seminary Street, Suite B, Napa, CA 94559-2814. 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 Clerk prior to the deadline of **April 5, 2021 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 activate and 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 (landline):

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 activate and unmute speakers in turn. You will be called upon using the last four digits of your phone number, since your name is not visible.
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).

When speaking during the meeting, please avoid the speakerphone function to prevent echoing.

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) testimony of opponent; (4) public testimony; (5) rebuttal by proponent; (6) provision of additional clarification by staff as required; (7) close of the public hearing; (8) 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 the Commission Clerk at (707) 259-8645 or kmabry@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 the Commission Clerk at kmabry@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 the Commission Clerk at kmabry@napa.lafco.ca.gov or call the LAFCO office at (707) 259-8645.
