



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 ■ Brad Wagenknecht ■ Vacant ■ Vacant
■ Ryan Gregory, Alternate ■ Eve Kahn, Alternate ■ Scott Sedgley, 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, December 7, 2020, 2:00 PM

This meeting will be conducted by Teleconference

Written public comments may be submitted PRIOR to the meeting (Deadline: December 7, 2020 at 10:00 A.M.). Public comments DURING the meeting: See "Coronavirus (COVID-19) – Notice of Meeting Procedures" on page 3 of the agenda.

Join Teleconference Meeting **Electronically** (computer, tablet or smartphone): click on the link below:

<https://countyofnapa.zoom.us/j/84082240842>

Join Teleconference Meeting by **Telephone**:

Dial: (669) 900-6833

Follow the prompts: Meeting ID: 84082240842#

Please avoid the speakerphone function to prevent echoing.

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 a motion to approve the agenda as prepared by the Executive Officer with any requests to remove or rearrange items by members 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 Coronavirus (COVID-19) – Notice of Meeting Procedure on page 3 of the agenda to submit comments.*

5. RECOGNITION OF SERVICE: Gregory Rodeno

6. CONSENT ITEMS

All items calendared as consent are considered ministerial or non-substantive action items. As such, all consent items may be approved 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: November 2, 2020 Special Meeting](#)
- b) [Budget Adjustment No. 3 for Fiscal Year 2020-2021](#)
- c) [Approval of Meeting Calendar for 2021](#)

7. INFORMATION ITEMS

Information items will be received by the Commission without a presentation from staff unless requested by the Commission. Information items do not involve any action by the Commission.

- a) [Chair Rotation Due to Vacancy](#)
- b) [Current and Future Proposals](#)
- c) [First Quarter Budget Report for Fiscal Year 2020-2021](#)
- d) [Napa County Water and Wastewater Municipal Service Review Prologue](#)
- e) [Work Program Progress Report](#)
- f) [Expiring Commissioner Terms in 2021](#)
- g) [Executive Officer Report](#)

8. 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 *Coronavirus (COVID-19) – Notice of Meeting Procedure on page 3 of the agenda to submit comments.*

- a) [Audit Report for Fiscal Year Ending June 30, 2020 \(Approx. 10 Minutes\)](#)
The Commission will consider a financial audit prepared by Brown Armstrong for the 2019-2020 fiscal year. The recommended action is for the Commission to receive and file the audit.
- b) [Consideration of Appointment Procedure for Public Member and possible appointment of Alternate Public Member as Public Member \(Approx. 10 Minutes\)](#)
The city and county members of the Commission will consider their options under local policy to fill the vacant Public Member position with an unexpired term ending May 2, 2022. The city and county members of the Commission may appoint the Alternate Public Member as the Public Member at this meeting, or provide direction to the Executive Officer with respect to appointing a Public Member as part of a public hearing at a future Commission meeting.
- c) [Subcommittee Appointments \(Approx. 10 Minutes\)](#)
The Commission will consider the membership of three ad hoc subcommittees and one standing subcommittee. The recommended action is for the Commission to make appointments or re-appointments, as appropriate, to the following: 2021-2022 Budget Committee; Legislative Committee; Policy Committee; and Outreach Committee.
- d) [Establishing a Matching Retirement Savings Contribution for the Executive Officer in 2021 \(Approx. 5 Minutes\)](#)
The Commission will consider 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 2021 calendar year.
- e) [Consideration of Legal Services Contract \(Approx. 10 Minutes\)](#)
The Commission will consider its options related to contracted legal services prior to the expiration of the contract term on June 30, 2021. The recommended action is for the Commission to provide direction to the Executive Officer with respect to contracted legal services.

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, February 1, 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

****CORONAVIRUS (COVID-19) – Notice of Meeting Procedures**

TELCONFERENCE 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):* click on the link below:
<https://countyofnapa.zoom.us/j/84082240842>

*Join Teleconference Meeting by **Telephone**:*
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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 **December 7, 2020 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 **December 7, 2020 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).

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.
