



**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*

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**April 1, 2013**

**Agenda Item No. 5b (Consent/Action)**

March 26, 2013

**TO:** Local Agency Formation Commission

**FROM:** Kathy Mabry, Commission Secretary

**SUBJECT: Approval of Minutes for Regular Meeting on February 4, 2013**

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**A. Discussion and Recommendation**

Attached are summary minutes prepared for the Commission's Regular Meeting on February 4, 2013. Staff recommends approval.

Respectfully submitted,

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Kathy Mabry  
Commission Secretary

Attachment: as stated

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Lewis Chilton, Commissioner  
Councilmember, Town of Yountville

Joan Bennett, Commissioner  
Councilmember, City of American Canyon

Juliana Inman, Alternate Commissioner  
Councilmember, City of Napa

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

Bill Dodd, Commissioner  
County of Napa Supervisor, 4th District

Mark Luce, Alternate Commissioner  
County of Napa Supervisor, 2nd District

Brian J. Kelly, Vice Chair  
Representative of the General Public

Gregory Rodeno, Alternate Commissioner  
Representative of the General Public

Keene Simonds  
*Executive Officer*



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MEETING MINUTES OF FEBRUARY 4, 2013**

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

Chair Wagenknecht called the regular meeting of February 4, 2013 to order at 4:00P.M. At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Brad Wagenknecht, Chair	Juliana Inman	Keene Simonds, Executive Officer
Brian J. Kelly, Vice-Chair	Mark Luce	Jackie Gong, Commission Counsel
Lewis Chilton	Gregory Rodeno	Brendon Freeman, Analyst
Joan Bennett		Kathy Mabry, Secretary
Bill Dodd		

**2. PLEDGE OF ALLEGIANCE**

Chair Wagenknecht led the Pledge of Allegiance.

**3. AGENDA REVIEW**

There were no requests to rearrange the agenda.

**4. PUBLIC COMMENT**

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

**5. CONSENT ITEMS**

**a) Second Quarter Budget Report for 2012-2013**

The Commission reviewed a second quarter budget report for 2012-2013. The report compared budgeted versus actual transactions through one-half of the fiscal year. The report projected the Commission is on pace to improve its year-end financial position by eliminating its budgeted funding gap of (\$8,811) and finish with an overall operating surplus of \$12,163. The report was presented to the Commission to formally accept.

**b) Progress Report on Strategic Plan**

The Commission received a report on progress made to date in meeting goals and implementing strategies in the current two-year strategic plan. The report was presented to the Commission to formally accept.

**c) Approval of Meeting Minutes**

The Commission received minutes prepared by staff for the January 7, 2013 meeting.

**d) New Legislation in 2013**

The Commission reviewed a report from staff summarizing new legislation affecting LAFCOs in 2013. The report was presented to the Commission for information only.

**e) Current and Future Proposals**

The Commission received a report summarizing current and future proposals. No new proposals have been submitted since the January 7, 2013 meeting.

Upon motion by Commissioner Dodd and second by Commissioner Chilton, the consent items were unanimously approved.

**6. PUBLIC HEARING ITEMS**

There was no discussion of this item.

**7. DISCUSSION ITEMS**

**a) Approval of Draft Proposed Budget for Fiscal Year 2013-2014**

The Commission reviewed a draft proposed budget for 2013-2014. The draft's operating expenses total \$448,755 and represent a 3.8% increase over the current fiscal year. The draft's operating revenues total \$435,915 with the remaining shortfall (\$12,841) to be covered by drawing down on agency reserves. The draft was presented to the Commission for approval and authorization to circulate to local funding agencies for their review in anticipation of adopting a proposed budget in April.

Staff provided a verbal report to the Commission in regards to the increase in the budget which is mainly tied to non-discretionary expenses relating to County contract costs, salaries, insurance, retirement, in addition to a per diem increase, and retaining a consultant for the next biennial strategic workshop.

Chair Wagenknecht invited the public to comment. No comments were received.

Chair Wagenknecht closed the comment period.

Upon motion by Commissioner Kelly and second by Commissioner Bennett, the Commission unanimously approved the following three actions:

- (a) Approve the draft proposed budget for 2013-2014 as provided in Attachment One of the staff report.
- (b) Direct the Executive Officer to circulate the approved draft proposed budget to funding agencies for review and schedule a public hearing on April 1, 2013 for consideration of adoption.
- (c) Direct the Policy Committee to incorporate the recommendations of the Budget Committee in preparing policy revisions to address the proposed changes in per diem payments.

**b) Proposed Annexation of 29 Forest Drive to the City of Napa**

The Commission considered a proposal from the City of Napa on behalf of interested landowners to annex an approximate 6.0 acre unincorporated lot at 29 Forest Drive (APN 041-720-003). Staff provided a verbal report and noted their recommendation to approve with two discretionary amendments to expand the proposed annexation boundary to include an additional 0.4 acre portion of adjacent right-of-way, as well as concurrent detachment of the affected territory from County Service Area No. 4 for reasons detailed in the staff report. The special conditions of approval, as noted in the staff report and the accompanying resolution, will be delegated to the Executive Officer to determine when the requested actions have been sufficiently satisfied before proceeding with a recordation of the proposal.

Chair Wagenknecht invited the public to comment. No comments were received.

Chair Wagenknecht closed the comment period.

Upon motion by Commissioner Chilton and second by Commissioner Dodd, the Commission approved the proposal with the conditions identified in the resolution (**Resolution #2013-03**).

## 8. DISCUSSION ITEMS

### a) Napa Berryessa Resort Improvement District Sphere of Influence Update

The Commission received a draft report on its scheduled sphere of influence update on Napa Berryessa Resort Improvement District. The focus of the draft report was to consider whether it is appropriate to expand the current sphere of influence designation to include the entire jurisdictional boundary. A draft report was presented for initial review and discussion. Staff provided a verbal report that, among other items, highlighted a recommendation for the actions identified as Option Four. This option – updating with no changes and tabling policy related considerations to the next study cycle – would serve to signal the Commission’s interest and intent in prioritizing the conclusion of the pending reorganization proceedings before making any other determinations on possible changes to the sphere. Further, this option would provide the Commission, NBRID, and the community the opportunity to continue to collectively consider the merit of sphere changes in step with the District’s anticipated facility improvements over the next five year period.

The following comments were made by the Commission:

- Commissioner Rodeno stated that he would like to see more open discussion about the Oakridge Estates and asked staff if that area is out of the jurisdiction of the District. Staff replied that area is within the jurisdiction of the Napa Berryessa Resort Improvement District, and that those lands would be subject to bonds if ever converted to a Community Services District (CSD). Staff noted that Oakridge Estates should be brought into the sphere, as it doesn’t make sense that it was not included in the sphere back in 1985.
- Commissioner Kelly expressed concern about the financial strength of the District, but suggested waiting until after the pending reorganization of the region before proceeding with that issue.
- Stu Williams, resident of Berryessa Highlands and member of the region’s Transition Committee spoke to the Commission stating that all residents up in the Berryessa area are impacted by the recent assessment imposed on the District, and many residents are further impacted because they own more than 1 dwelling. Mr. Williams said the District is anxious to achieve their goal of becoming a CSD, but realizes it needs to be done in a measured way. He stated that NBRID currently does not have certain powers because it is not a CSD. He told the Commission that it may take years to realize what Steele Park is going to do as a concessionaire, and given that the Berryessa Highlands area is doing all that it can; he believes that these areas should be included in NBRID’s sphere of influence boundaries.
- Commissioner Chilton stated that if he had a preference he would choose Option 2 (expand the Sphere to include A-1’s Oakridge Estates, as shown on map in the report).

Staff will incorporate the Commission’s comments into the final report for consideration at the next regularly scheduled meeting.

Staff will also issue a 30-day public review notice on the draft report to all interested parties – including landowners and the Bureau of Reclamation. The comments received during the 30-day review period will be incorporated into the final report.

**8. DISCUSSION ITEMS – continued:**

**b) Legislative Report**

The Commission received a report from staff summarizing notable items under discussion as the 2013-2014 legislative session commences. In addition to the items noted in the staff report, staff mentioned an important vote coming up regarding proposed amendments to CA Government Code Section 56133 at the CALAFCO Board Meeting on February 8th in Irvine, CA, at which Commissioner Inman will vote (CALAFCO Board Member) and the Napa LAFCO Executive Officer will attend.

**9. EXECUTIVE OFFICER REPORT**

There was no verbal report from the Executive Officer regarding current staff activities.

**10. CLOSED SESSION**

There was no closed session.

**11. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS**

There was no discussion of this item.

**12. ADJOURNMENT**

The meeting was adjourned at 4:36 p.m. The next regular LAFCO meeting is scheduled for Monday, April 1, 2013 at 4:00 p.m.

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Brad Wagenknecht, Chair

ATTEST: Keene Simonds, Executive Officer

Prepared by:

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Kathy Mabry, Commission Secretary