



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

1030 Seminary Street, Suite B
Napa, California 94559
Phone: (707) 259-8645
Fax: (707) 251-1053
www.napa.lafco.ca.gov

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

Agenda Item 6a (Public Hearing)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer

MEETING DATE: April 2, 2018

SUBJECT: Appointment of Public Member

RECOMMENDATION

It is recommended the Commission take the following actions:

- 1) Open the public hearing and take testimony;
- 2) Invite candidates to address the Commission;
- 3) Close the public hearing;
- 4) Appoint a Public Member to a four-year term commencing on May 7, 2018.

BACKGROUND AND SUMMARY

Under Government Code (G.C.) Section 56325(d), the composition of Local Agency Formation Commissions (LAFCOs) includes one member representing the general public, who is appointed to a four-year term by the city and county members of the Commission. The city and county members may also appoint one Alternate Public Member who shall serve pursuant to G.C. Section 56331.

To qualify, the Public Member and Alternate Public Member cannot be officers or employees with local governmental agencies and must be residents of Napa County. The Public Member and Alternate Public Member must receive at least one vote each from a city and county member. G.C. Section 56334 specifies all Commissioner terms are to begin on the first Monday in the month of May. The appointment term is four years beginning May 7, 2018, and ending May 2, 2022.

Scott Sedgley, Commissioner
Councilmember, City of Napa

Margie Mohler, Commissioner
Councilmember, Town of Yountville

Kenneth Leary, Alternate Commissioner
Councilmember, City of American Canyon

Brad Wagenknecht, 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

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

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

The Commission fully complied with the notice requirements and recruitment procedure found in the Commission's *Policy on the Appointment of a Public Member and Alternate Public Member* ("the Policy") included as Attachment One, including posting an announcement in the Napa Valley Register and on the Commission's website and Facebook page. The announcement was also circulated to all local agencies that are subject to Commission oversight as well as other local stakeholder groups.

The Commission received five applications for the Public Member position from: Michelle Benvenuto, Eve Kahn, Bruce Ketron, John Morris, and Alternate Public Member Gregory Rodeno. All five applicants qualify for appointment. The applications are attached.

Expiring Term of the Public Member

Commissioner Brian J. Kelly's term as Public Member expires on Monday, May 7, 2018. Commissioner Kelly served in several capacities on the Commission. Notably, Commissioner Kelly enhanced the Commission's strategic planning process, emphasized financial sustainability of local agencies, served as Commission Chair for two one-year terms, and served on 12 total ad hoc subcommittees. We thank Commissioner Kelly for his invaluable service to LAFCO since 2005.

Hearing Procedure for Appointment of Public Member

Each city and county member may nominate a candidate. The Chair shall ask if there is a second to any of the nominations. If there is a second, the Chair shall call for a vote on that nomination. If the vote is in the affirmative, the appointment is made. If the vote is not in the affirmative, the Chair shall call for a second to another of the nominations. This process shall continue until an appointment is made or all of the nominations are exhausted. If all of the nominations are exhausted, the Chair may begin the entire procedure again by calling for one nomination from each Commissioner, or call for the use of the ballot system as described in Paragraph 5 of the Policy.

In the event that Alternate Public Member Gregory Rodeno is appointed by the Commission as the new Public Member, the Alternate Public Member position will become vacant with a term expiring on May 4, 2020. Therefore, if Gregory Rodeno is appointed as the Public Member as part of this item, it would be appropriate for the Commission to direct staff to immediately initiate a public recruitment consistent with the Policy to fill the remainder of the unexpired Alternate Public Member term. This includes issuing a notice of vacancy and scheduling a public hearing for the Commission to appoint an Alternate Public Member.

ALTERNATIVES FOR COMMISSION CONSIDERATION

Staff has identified two alternatives for Commission consideration with respect to appointing a Public Member as follows.

Alternative One:

Appoint a candidate to a four-year term as the Public Member.

Alternative Two:

Continue this item to the next scheduled meeting. This alternative would be appropriate if the procedure to appoint a Public Member pursuant to the Policy does not result in an affirmative vote of any candidate.

ATTACHMENTS

- 1) Policy on the Appointment of the Public Member and Alternate Public Member
- 2) Candidate Application: Michelle Benvenuto
- 3) Candidate Application: Eve Kahn
- 4) Candidate Application: Bruce Ketron
- 5) Candidate Application: John Morris
- 6) Candidate Application: Gregory Rodeno (Alternate Public Member)



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on the Appointment of a Public Member and Alternate Public Member

(Adopted: October 11, 2001; Last Amended: April 7, 2008)

Authority

California Government Code Section 56325(d) states the composition of the Commission shall include one member representing the general public, hereinafter referred to as “public member.” This code section also states that the Commission may designate one alternate public member. The selection of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members appointed by each of the Board of Supervisors and City Selection Committee.

Eligibility

The public member and alternate public member shall be a resident of Napa County. No person may serve as public member or alternate public member if at the same time he or she is an officer or employee of a local public agency. No person may also serve as public member or alternate public member if he or she is member of a local public board, commission, or committee with the authority to make advisory or final decisions relative to land use or the provision of municipal services.

Term of Office

The term of office for public member and alternate public member shall be four years and shall end on the first Monday in May of the year in which the term expires. The public member and alternate public member shall continue to serve until his or her successor is appointed.

Appointment Procedures

New Term for Public Member or Alternate Public Member

It is the policy of the Commission that in anticipation of the expiration of a four-year term for the public member or alternate public member, the following procedures will be taken:

1. At a regular meeting no less than 120 days prior to the scheduled expiration of public member or alternate public member’s term, the Executive Officer shall inform the Commission of the impending vacancy and whether the incumbent is eligible to seek reappointment. The Commission shall take either of the following two actions set forth in 1.a) or 1.b).
 - a) Direct the Executive Officer to recruit candidates and schedule a hearing date to consider making an appointment to the position. Tasks of Executive Officer shall include, but not limited to, the following:

- i) Issue a notice announcing the vacancy and that the Commission is accepting applications for the position no less than 60 days prior to the scheduled hearing for the appointment. The notice shall be posted at the LAFCO office and on its website, sent to all local agencies, and published in the Napa Valley Register.¹ The notice shall indicate if the incumbent is eligible for reappointment.
 - ii) Determine the filing period to receive applications for the position. All applications shall be made available to each city and county member on the Commission no less than 14 days prior to the scheduled hearing for the appointment.
 - iii) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the appointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.
- b) If the incumbent is eligible and has served no more than all or a portion of one term, the Commission may direct the Executive Officer to schedule a public hearing to consider approving reappointment. Tasks of Executive Officer shall include, but not limited to, the following:
- i) Issue a notice announcing the scheduled reappointment of the incumbent. The notice shall be posted at the LAFCO office and on its website and sent to all local agencies. The notice shall be posted no less than 21 days prior to the hearing for which the reappointment has been scheduled.
 - ii) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the reappointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.

Mid-Term Vacancy for Public Member

If the position of public member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term through one of the following:

1. Choose from among the remaining applicants for the position if no more than 12 months have passed since the appointment of the public member.
2. Appoint the alternate public member.
3. Fill the position in the manner prescribed for the appointment for a public member to a new term.

An appointment to fill an unexpired term shall be preceded by posting a notice of vacancy. The notice will be posted at the LAFCO office and on its website and sent to all local

¹ For purposes of this policy, notice to local agencies is fulfilled by sending a copy of the notice to the clerk or secretary of the legislative body of each local agency in Napa County.

agencies. The notice will be posted no less than 21 days prior to the meeting at which time the Commission will consider taking action to fill the unexpired term.

Mid-Term Vacancy for Alternate Public Member

If the position of alternate public member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term through one of the following:

1. Choose from among the remaining applicants for the position if no more than 12 months have passed since the appointment of the alternate public member.
2. Fill the position in the manner prescribed for the appointment of an alternate public member to a new term.

An appointment to fill an unexpired term shall be preceded by posting a notice of vacancy. The notice will be posted at the LAFCO office and on its website and sent to all local agencies. The notice will be posted no less than 21 days prior to the meeting at which time the Commission will consider taking action to fill the unexpired term.

Conducting Public Hearings for Appointing a Public Member or Alternate Public Member

It is the policy of the Commission that a public hearing to appoint either the public member or alternate public member shall be conducted as follows:

1. The Chair shall open the public hearing and first invite candidates to address the Commission. The Chair shall then invite public comments from the audience.
2. Upon the close of the public comment period, the Chair shall ask each commissioner to make one nomination. Commissioners may nominate anyone from the applicant pool, and an applicant may receive more than one nomination.
3. After each commissioner has made a nomination, the Chair shall ask if there is a second to any of the nominations. If there is a second, the Chair shall call for a vote on that nomination. If the vote is in the affirmative, the appointment is made. If the vote is not in the affirmative, the Chair shall call for a second to another of the nominations. This process shall continue until an appointment is made or all of the nominations are exhausted.
4. If all of the nominations are exhausted, the Chair may 1) begin the entire procedure again by calling for one nomination from each commissioner or 2) call for the use of the ballot system as described in Paragraph 5.
5. If the Chair calls for use of a ballot system, then the Clerk shall provide each commissioner with a ballot that has been preformatted to label their printed name. Each commissioner shall mark the ballot with the name of a candidate from

among the applicants. The ballots are then submitted to the Clerk for tabulation. The Clerk determines the number of votes for each candidate. If a candidate receives at least three votes, the Clerk announces the name of the candidate and the number votes. The Commission then formally votes to appoint that candidate. If no candidate receives at least three votes, the Clerk shall announce which candidates received votes and shall provide each commissioner with a second ballot that has been preformatted to label their printed name. Each commissioner shall mark the ballot with the name of candidate from among those candidates that received votes in the previous round of voting. The ballots are then submitted to the Clerk for tabulation. The Clerk determines the number of votes for each candidate. If a candidate receives at least three votes, the Clerk announces the name of the candidate and the number votes. The Commission then formally votes to appoint that candidate. If no candidate receives at least three votes, the Clerk shall announce which candidates received votes and the Commission shall engage in another round of voting. This shall continue until a candidate is selected.

As mentioned, California Government Code Section 56325(d) specifies that the appointment of a public or alternate public member requires the vote of at least one commissioner appointed by the Board of Supervisors and one commissioner appointed by the City Selection Committee. If a candidate receives at least three votes, this requirement is fulfilled.



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

APPLICATION FOR LAFCO PUBLIC MEMBER

The Local Agency Formation Commission (LAFCO) of Napa County is accepting applications for its Public Member position. The position involves a four-year appointment made by city and county members already serving on LAFCO. The Public Member is expected to actively participate in LAFCO meetings with respect to providing input and voting on all regulatory and planning matters before the agency.

Eligibility

Applicants must be a resident of Napa County. Applicants also must not be currently employed by a local public agency or serving as a member on a local public body with the authority to make final or advisory decisions relative to land use or municipal service.

Time Commitments

LAFCO currently meets on the first Monday of every even-numbered month unless otherwise scheduled. Regular meetings are calendared to begin at 2:00 P.M. in the County of Napa Administration Building located at 1195 Third Street in Napa. Special meetings are calendared as needed. All members are expected to attend unless excused and currently receive a \$125.00 per diem for each regular, special, and subcommittee meeting attended.

Deadline for Applications

Completed applications must be received by LAFCO by Friday, March 9, 2018. The city and county members are expected to consider making an appointment for the Public Member position at its April 2, 2018 regular meeting. Questions should be directed to LAFCO Executive Officer Brendon Freeman at (707) 259-8645 or bfreeman@napa.lafco.ca.gov.

I. General Information			
a) Name:	Michelle	Benvenuto	
	First	Last	
b) Address:	██████████	Napa	94558
	Street Address	City	Zip Code
c) Contact Information:	██████████	██████████	
	Phone Number	E-Mail	
d) Present Employer:	Winegrowers of Napa County	Non-profit Organization	
	Employer Name	Employer Field	

II. Questionnaire (Applicants may use additional sheets to complete the following questions)	
a) Summarize your interest in serving on the Commission.	I believe that orderly growth and development of cities, districts and Napa County is critical to preserve Napa's agricultural heritage and open space. While studying architecture and planning at UC Berkeley, the importance of "smart growth" and rural urban limit lines was emphasized as a way to manage urban sprawl. This only works if there is collaboration between the rural and urban stakeholders. I am interested in helping to facilitate collaboration as well as provide a balanced approach to planning, growth, and land use.
b) Summarize your qualification to serve on the Commission.	My professional experience as an architect/project manager and now as the executive director at Winegrowers of Napa County as well as my positions as a City of Napa Planning Commissioner and Vice-chair of the Napa County Groundwater Resources Advisory Committee have provided considerable background in growth and land use issues, knowledge of the challenges facing Napa County now and in the future, the benefits of collaboration and planning, and the importance of strategically analyzing the many sides of an issue before making a decision.
c) List any formal education received beyond high school.	University of California at Berkeley, BA – Architecture Sonoma State University, MBA Licensed Architect in California, granted 1994 LEED AP, granted 2009 Leadership Napa Valley graduate
d) List community activities and interests.	Attend all BOS and Napa County Planning Commission meetings Attend/participate in various Napa County stakeholder meetings Board member, Napa Valley Cal Alumni Club Active road bicyclist and user of the vine trail Past trustee, Justin Siena High School Board of Trustees Past City of Napa Planning Commissioner Past vice-chair, Napa County Groundwater Resources Advisory Committee Past City of Napa Cultural Heritage Commissioner

Letters of recommendation/reference are not required, but will be accepted and should be attached to the completed application at the time of submission.



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I. General Information			
a) Name:	EVE		KAHN
	First	Last	
b) Address:	[REDACTED]		Napa
	Street Address	City	94558 Zip Code
c) Contact Information:	[REDACTED]		[REDACTED]
	Phone Number	E-Mail	
d) Present Employer:	Keller Williams		Real Estate
	Employer Name	Employer Field	

II. Questionnaire (Applicants may use additional sheets to complete the following questions)	
a) Summarize your interest in serving on the Commission.	
b) Summarize your qualification to serve on the Commission.	
c) List any formal education received beyond high school.	
d) List community activities and interests.	

SEE ATTACHED

Letters of recommendation/reference are not required, but will be accepted and should be attached to the completed application at the time of submission.

Application for LAFCO Public Member Position

II. Questionnaire

A. Summarize your interest in serving on the Commission.

A few Goggle searches resulted in these types of headlines:

- Will Water Become the Chief Commodity of the 21st Century?
- Why trading water futures could be in our future? Looking ahead into the next quarter century, clean drinkable water is expected to become more scarce as the human population grows and climate change shifts the shorelines and weather patterns.
- Water set to become more valuable than oil as rising demand from people, industries and agriculture puts pressure on supplies.

These water issues around the US and around the world are similar, on a smaller scale, here in Napa County. And a renewed focus on housing comes at the same time as a diminishing water supply to fuel this growth. The role of LAFCO to set direction, control and manage our municipal services within and outside our city/township boundaries will be key to our success. Being able to help steer this slowly turning ship is very appealing and clearly within the bounds of my community involvement over the past 20 years.

B. Summarize your qualification to serve on the Commission.

For over 20 years I have been actively engaged in Preventing Sprawl and Promoting Slow, Smart, and Sustainable Growth. I have participated in General Plans and Housing Element updates and various committees and/or focus groups at the City and County level. I am eager to get more involved in supporting and managing the growth in Napa, and LAFCO is the right place to use my skills and expertise.

C. List and formal education received beyond high school.

BA Mathematics State University of NY at Oneonta 1966
 MA Mathematics Education State University of NY at Albany 1967
 California licensed Realtor

D. List community activities and interests.

Citizen Activist
 Leadership Napa Valley Class 17
 Chair of Get a Grip on Growth
 Board member Vision 2050
 Member Napa Housing Coalition
 Member of APAC [Agricultural Protection Advisory Council]
 Secretary, Board of Trustees Congregation Beth Shalom
 North Bay Association of Realtors, Napa Chapter – member of Napa chapter council,
 member of Local Government Relations Committee, and Scholarship Chair.

March 7th, 2018

This letter is in support for Eve Kahn, who is applying for the appointment to LAFCO.

Eve has been in the banking and real estate business ever since she arrived in Napa. Very soon Eve became interested in the communities of Napa County, and served on volunteer and appointed committees at the City and County level. Recently she was a member of APAC [Agricultural Preservation Advisory Committee].

Her experiences have given her a very broad knowledge of the public services and the issues that face the various cities and township of Napa County. She has publicly supported proposals for Affordable Housing, and was a good member of the committee studying the re-planning of the Downtown, as it has grown and changed.

Eve will be a pleasant, bright, hard-working member of this Commission.

Sincerely,

Mrs. Ginny Simms
3460 Villa Lane
Napa CA 94558

FEB 23 2018



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NAPA COUNTY

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Eligibility

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Time Commitments

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I. General Information			
a) Name:	First	Bruce	Last
			Ketron
b) Address: Mailing		Napa, CA	94559
	Street Address	City	Zip Code
c) Contact Information:	Phone Number	E-Mail	
d) Present Employer:	self - Lawyer	Est Plan, Trust & Probate Law	
	Employer Name	Employer Field	

II. Questionnaire

(Applicants may use additional sheets)

a) Summarize your interest in serving on the Commission.

My interest in serving on Napa LAFCO has grown greatly in the two years of attending its meetings. My law practice is in the field of legacy planning family wealth management. My approach is to carry out deepest values and goals that give significance to their lives and those of their families. I believe the effects on Napa from what LAFCO does now are our legacy to Napa's future.

b) Summarize your qualification to serve on the Commission.

My 3 terms on the NVC board of Trustees (and an earlier 4 years of the Santa Rosa school board) provided extensive training and familiarity with the Brown Act and the importance of public input. As a lawyer I have the highest regard for CEQA, the statutes and regulations the LAFCO adheres to and carries out.

c) List any formal education received beyond high school.

Perhaps the most important formal education is from conferences and the ongoing training and advice while on a public board. I attended the October CALAFCO San Diego conference and many community college and school board conferences. My law degree is from Hastings with BA (Economics) from UCSB after a community college AA degree. I earned an LLM from London School of Economics in 1985.

d) List community activities and interests.

I am a board member of the NVC Foundation (scholarships and fundraising) and for Napa Creek Senior Housing. I am active in my church, political organizations and follow local elections. My personal purpose is working for a more healthy community with inclusion of all.

*Letters of recommendation
be attached to this*



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RECEIVED

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MAR 5 - 2018

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NAPA COUNTY
LAFCO

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I. General Information			
a) Name:	John	Morris	
	First	Last	
b) Address:	[REDACTED]	Napa	94558
	Street Address	City	Zip Code
c) Contact Information:	[REDACTED]	[REDACTED]	
	Phone Number	E-Mail	
d) Present Employer:	Retired		
	Employer Name	Employer Field	

II. Questionnaire

(Applicants may use additional sheets to complete the following questions)

<p>a) Summarize your interest in serving on the Commission.</p>	<p>I am interested in the efficient functioning of County organizations and in overlapping responsibilities. I believe that a clear definition of the sphere of influence of the various entities is crucial.</p>
<p>b) Summarize your qualification to serve on the Commission.</p>	<p>Through continuing service on the Napa County Grand Jury I have maintained an active pursuit of knowledge of the functioning of County government - what the various agencies do and where they put their emphasis. My work experience (engineering) and my work in the social aspects of the Napa community add to my general background.</p>
<p>c) List any formal education received beyond high school.</p>	<p>Univ of Colorado, Engineering, 1956-1957 U.S. Naval Academy, 1957-1961, BS Massachusetts Institute of Technology, 1970-1973, MS Massachusetts Institute of Technology, 1970-1973, OE General Theological Union, Berkely, CA, 2010-2011</p>
<p>d) List community activities and interests.</p>	<p>Napa County Grand Jury: 2007-2208, 2008-2009, 2010-2011 (Foreperson), 2016-2017, 2017-2018 Ordained Clergy, Episcopal Church, on staff local parish Advisory Board, Napa-Solano Area Agency on Aging Napa County Grand Jury Association Interests: Napa County administration, elder care</p>

Letters of recommendation/reference are not required, but will be accepted and should be attached to the completed application at the time of submission.

Morris, John K.

Page 3

1. The Advisory Board, Napa-Solano Area Agency on Aging, does not make decisions relative to land use or municipal service. It does however, make decisions regarding local service providers for the elderly. If this is considered a conflict, I would resign from the Advisory Board.
2. The Napa County Grand Jury is an arm of the California Superior Court and does not make decisions relative to land use or municipal service. If selected, I would have to recuse myself from any Grand Jury investigation regarding LAFCO. My term on the Grand Jury expires June 30, 2018.

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I. General Information			
a) Name:	Gregory	Rodeno	
	First	Last	
b) Address:	██████████	Napa	94558
	Street Address	City	Zip Code
c) Contact Information:	██████████	██████████	

	Phone Number	E-Mail
d) Present Employer:	Villa Ragazzi Wine & Vineyards	farming and wine production
	Employer Name	Employer Field

II. Questionnaire

(Applicants may use additional sheets to complete the following questions)

a) Summarize your interest in serving on the Commission.	I have been the alternate public member of LAFCo since 2007. My focus has been the protection of agriculture in Napa County and coherent focused growth of its cities.
	In the short term, this will require careful critical evaluation of Applications for Outside Service Agreements and individual Applications for Amendments of Spheres of Influence.
	The Commission is at an inflection point with such applications likely. I would like to bring the perspective of viticulture, Napa's largest business and largest employer, directly and indirectly to the deliberation.
b) Summarize your qualification to serve on the Commission.	I have practiced law in Napa, mostly real estate development, since 1972. I have farmed wine grapes in Oakville since 1977, and made wine since 1988. I bring a perspective that has been unique to the Commission throughout my tenure.

c) List any formal education received beyond high school.	<p>2005- University of California, Berkeley Certificate: Mediation and Conflict Resolution</p>
	<p>1977- misc. continuing education classes in viticulture U. C. Davis</p>
	<p>1970 U.C. Davis School of Law</p>
	<p>1967 Stanford University B.A. Psychology</p>
d) List community activities and interests.	<p>2007- present LAFCO</p>
	<p>2010- Adjunct Professor - Business Law, Napa Valley College</p>
	<p>2010- Administrative Hearing Officer, City of Napa</p>
	<p>2005 Adjunct Professor of Law, John F. Kennedy University School of Law</p>
	<p>2005-2009 Napa Valley College Proposition "N" Bond Oversight Committee, Chairman 2007-2009</p>
	<p>2001-2008 5th District Agricultural Association, Board of Directors, Chairman 2007</p>

1993-1995 Oakville Winegrowers Founding Board of
Directors

*Letters of recommendation/reference are not required, but will be accepted and should
be attached to the completed application at the time of submission.*