



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MEETING MINUTES OF DECEMBER 4, 2017**

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

Chair Wagenknecht called the regular meeting of December 4, 2017 to order at 2:00 PM.

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

Regular Commissioners	Alternate Commissioners	Staff
Brad Wagenknecht, Chair	Ryan Gregory	Brendon Freeman, Executive Officer
Diane Dillon	Gregory Rodeno	Madeline Miller, Commission Counsel
Margie Mohler	Kenneth Leary ( <i>Voting due to the</i>	Kathy Mabry, Secretary
Brian Kelly, Vice-Chair	<i>City Member I vacancy</i> )	
( <i>Arrived at 2:58 during #6c</i> )		
City Member I ( <i>vacant</i> )		

**2. PLEDGE OF ALLEGIANCE**

Chair Wagenknecht led the Pledge of Allegiance.

**3. APPROVAL OF AGENDA**

Chair Wagenknecht asked if there were any requests to rearrange the agenda. There were no requests or changes made to the agenda.

Upon motion by Commissioner Mohler and second by Commissioner Dillon, the Commission unanimously adopted the agenda as submitted.

**4. PUBLIC COMMENTS**

Chair Wagenknecht invited members of the audience to provide public comment.

No public comments were received.

**5. CONSENT ITEMS**

- a) **Approval of Meeting Minutes: October 2, 2017 Regular Meeting**
- b) **Current and Future Proposals** (*Staff directed to identify Prime Ag Land and Islands on maps*)
- c) **First Quarter Budget Report for 2017-2018**
- d) **Work Program Progress Report** (*Staff directed to remove healthcare districts from work plan*)
- e) **Progress Report on General Plan Updates & Housing** (*Continued - County needs more time*)
- f) **Establishing a Matching Retirement Savings Contribution for the Executive Officer in 2018** (**Resolution No. 2017-08**)
- g) **New Legislation for 2018**
- h) **Approval of Meeting Calendar for 2018** (*Modified calendar to remove the special meetings*)
- i) **Notice of Expiring Commissioner Terms in 2018**

Upon motion by Commissioner Leary and second by Commissioner Mohler, the Commission pulled items b, d, e, and h for discussion in more detail:

**VOTE:**

**AYES: LEARY, MOHLER, DILLON, RODENO AND WAGENKNECHT**  
**NOES: NONE**  
**ABSENT: KELLY**  
**ABSTAIN: NONE**

**5. CONSENT ITEMS – continued:**

Upon motion by Commissioner Dillon and second by Commissioner Mohler, consent items **a, c, f, g** and **i** were approved. Following a brief discussion, consent items **b, d** and **h** were also approved, and item **e** was continued:

**VOTE:**

**AYES: DILLON, MOHLER, LEARY, RODENO AND WAGENKNECHT**  
**NOES: NONE**  
**ABSENT: KELLY**  
**ABSTAIN: NONE**

**6. PUBLIC HEARING ITEMS**

**a) Revised Final Municipal Service Review and Sphere of Influence Update for the Congress Valley Water District and Associated CEQA Exemptions**

The Commission reviewed a revised final Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Congress Valley Water District (CVWD). The public hearing was continued from the Commission’s October 2, 2017 regular meeting.

The revised final report included written determinations making statements on the level and range of services provided by CVWD. The recommended action is for the Commission to adopt a resolution that (1) confirms the determinative statements in the report, (2) updates CVWD’s sphere of influence to remove approximately 10.6 acres of territory, and (3) makes certain findings pursuant to the California Environmental Quality Act (CEQA).

Staff provided a review of the staff report.

Chair Wagenknecht opened the public hearing.

Public comments were received from Gary Margadant and Scott Sedgley.

Chair Wagenknecht closed the public hearing.

Upon motion by Commissioner Rodeno and second by Commissioner Mohler, the Commission approved the revised Final MSR and SOI Update for CVWD; and adopted the resolution

**(Resolution No. 2017-06):**

**VOTE:**

**AYES: RODENO, MOHLER, DILLON, LEARY AND WAGENKNECHT**  
**NOES: NONE**  
**ABSENT: KELLY**  
**ABSTAIN: NONE**

**b) Municipal Service Review and Sphere of Influence Update for County Service Area No. 4 and Associated CEQA Exemptions**

The Commission reviewed a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for County Service Area No. 4 (CSA 4). The report included written determinations making statements on the level and range of services provided by CSA 4.

The recommended action is for the Commission to adopt a resolution that (1) confirms the determinative statements in the report, (2) affirms CSA 4’s sphere of influence with no changes, and (3) makes certain findings pursuant to CEQA.

Staff provided a review of the staff report.

Chair Wagenknecht opened the public hearing. No comments were received.

Chair Wagenknecht closed the public hearing.

**6. PUBLIC HEARING ITEMS – continued:**

Commissioner Mohler commented that she is appreciative of the recent legislation which included additional funding for County Service Area No. 4.

Upon motion by Commissioner Rodeno and second by Commissioner Mohler, the Commission approved the MSR and SOI update, affirming the existing sphere of influence with no changes, and adopted the resolution (**Resolution No. 2017-09**):

**VOTE:**

**AYES: RODENO, MOHLER, LEARY, DILLON AND WAGENKNECHT**  
**NOES: NONE**  
**ABSENT: KELLY**  
**ABSTAIN: NONE**

**c) Approval of an Outside Service Agreement Involving the Napa Sanitation District and 410 Stonecrest Drive and Associated CEQA Exemption**

The Commission considered approving a request from the Napa Sanitation District (NSD) to provide public sewer service to an unincorporated property located outside the District’s jurisdictional boundary and sphere of influence at 410 Stonecrest Drive.

Staff recommends approval of the request on the basis the outside service extension would prevent a threat to public health and safety.

Alternate Commissioner Ryan Gregory recused himself from this item and exited the meeting.

Staff provided a review of the staff report, noting NSD representatives, and a representative for the property are available for questions.

Chair Wagenknecht opened the public hearing.

Comments were received by Tim Healy, NSD General Manager and from Randy Gularte, Realtor.

Chair Wagenknecht closed the public hearing.

Upon motion by Commissioner Mohler and second by Commissioner Dillon, the Commission approved the Outside Service Agreement and resolution which includes the required findings to (a) approve CEQA exemption determinations and (b) authorize NSD to provide outside sewer service to 410 Stonecrest Drive to address a threat to public health and safety (**Resolution No. 2017-07**):

**VOTE:**

**AYES: MOHLER, DILLON, LEARY AND WAGENKNECHT**  
**NOES: RODENO**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

**7. ACTION ITEMS**

**a) Audit Report for Fiscal Year Ending June 30, 2017**

The Commission received and filed a financial audit prepared by for the 2016-2017 fiscal year. The report was presented to the Commission to receive and file.

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, as well as Commissioner Kelly commended Executive Officer Freeman and Secretary Mabry for the great work relating to a successful and clean audit again this year.

**7. ACTION ITEMS – continued:**

Upon motion by Commissioner Kelly and second by Commissioner Dillon, the Commission unanimously agreed to accept and file the 2016-2017 audit report:

**VOTE:**

**AYES: KELLY, DILLON, MOHLER LEARY AND WAGENKNECHT**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

**b) Proposed Adoption of a Legislative Policy**

The Commission considered taking formal action to adopt a Legislative Policy that has been prepared by the Policy Committee.

Staff provided an overview of the report.

At its October meeting, the Committee presented a draft *Legislative Policy* (“Policy”) for discussion. The Commission directed the Committee to circulate the draft Policy for public review and comment, which was made available for review and comment from October 3 through November 3, 2017.

One comment was received by the November 3<sup>rd</sup> deadline.

Molly Rattigan, Deputy County Executive Officer stated the County supports the policy and asked staff to include the County Executive Office in any future legislative updates.

Bruce Ketron, local Attorney, stated he supports the proposed policy.

Upon motion by Commissioner Kelly and second by Commissioner Mohler, the Commission unanimously adopted the proposed Legislative Policy and established a new standing committee (“Legislative Committee”) by appointing Commissioners Mohler and Dillon members:

**VOTE:**

**AYES: KELLY, MOHLER, DILLON, LEARY AND WAGENKNECHT**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

**c) Appointments to the 2018-2019 Budget Committee**

The Commission considered appointing two members to serve with the Executive Officer on the 2018-2019 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 Dillon and second by Commissioner Mohler, the Commission appointed Commissioners Kelly and Gregory to serve on the Budget Committee for fiscal year 2018-2019:

**VOTE:**

**AYES: DILLON, MOHLER, KELLY, LEARY AND WAGENKNECHT**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

**7. ACTION ITEMS – continued:**

**d) Expiring Public Member Term**

The city and county members of the Commission considered directing staff to initiate an open recruitment for the Public Member position currently held by Brian J. Kelly.

Staff provided an overview of the report, noting that Commissioner Kelly has been on LAFCO since 2005, and will not be seeking another term.

Upon motion by Commissioner Dillon and second by Commissioner Mohler, the Commission directed the Executive Officer to initiate an open recruitment for the Public Member position and schedule a public hearing during the April 2, 2018, meeting, which is consistent with the procedures identified in the policy:

**VOTE:**

<b>AYES:</b>	<b><u>DILLON, MOHLER, KELLY, LEARY AND WAGENKNECHT</u></b>
<b>NOES:</b>	<b><u>NONE</u></b>
<b>ABSENT:</b>	<b><u>NONE</u></b>
<b>ABSTAIN:</b>	<b><u>NONE</u></b>

**8. DISCUSSION ITEMS**

**a) Draft Strategic Plan**

The Commission received a draft Strategic Plan prepared by the Strategic Planning Committee. The draft Strategic Plan is the result of the Commission’s strategic planning workshops on March 6, 2017 and May 1, 2017.

At its March 6, 2017 and May 1, 2017, strategic planning workshops, the Commission discussed, among other items, the agency’s purpose, goals, priorities, and opportunities. Following these discussions, the Commission established an ad hoc committee (“the Committee”) consisting of Chair Wagenknecht and Vice Chair Kelly to serve on the Committee with the Executive Officer.

On August 23, 2017, the Committee met with the Commission’s March 6, 2017, strategic planning workshop facilitator, Mr. Bill Chiat. The Committee and Mr. Chiat developed a draft Strategic Plan that is intended to guide the Commission and staff in all agency actions and procedures in the foreseeable future, and how to prioritize the agency’s Work Program.

The Commission directed the Committee to circulate the draft Strategic Plan for public review and comment.

No formal action was taken by the Commission as part of this item.

**b) Draft Policy on Unincorporated Islands**

The Commission received a draft Policy on Unincorporated Islands that has been prepared by the Policy Committee. The Commission was invited to discuss the draft policy and provide direction to the Policy Committee with respect to additional changes before the draft policy is circulated for public review and comment.

At its October 2, 2017, meeting, the Commission’s ad hoc Policy Committee presented a draft policy for discussion and possible circulation to the general public for review and comment. Following that meeting, the Committee met via teleconference on October 23<sup>rd</sup> and November 21<sup>st</sup>. The Commission directed the Committee to return with more information relating to unincorporated islands prior to public circulation of the draft Policy.

At its December 4, 2017 meeting, staff provided an overview of the report which included maps for reference. The Commission stated it would like the percentage or size of the islands to be defined, as well as feedback from the various agencies on percentages before moving forward.

The Commission directed staff to request feedback from cities when sending out the draft policy and noted definitions of substantially surrounded and publicly or privately owned land will need work.

**9. EXECUTIVE OFFICER REPORT**

The Executive Officer provided a brief report on staff activities including the introduction of new Commission Counsel, Madeline Miller (replaced Jennifer Gore), and Commissioner Mohler's appointment to the CALAFCO Board during the CALAFCO conference in San Diego in October.

**10. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS**

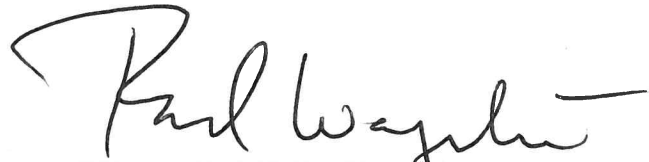
There were no comments from Commissioners.

**11. CLOSED SESSION: Public Employee Performance Evaluation – Executive Officer (Government Code Section 54957(b)(1))**

There was no reportable action.

**12. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING**

The meeting was adjourned at 4:35 PM. The next regular LAFCO meeting is scheduled for Monday, February 5, 2018 at **2:00 PM** in the Napa County BOS Chambers, located at 1195 Third Street, 3<sup>rd</sup> floor, Napa, CA 94559.

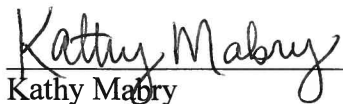


Brad Wagenknecht, LAFCO Chair

ATTEST:

Brendon Freeman, Executive Officer

Prepared by:



Kathy Mabry  
Commission Secretary