



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

MEETING MINUTES OF FEBRUARY 1, 2010

1. CALL TO ORDER; ROLL CALL

Chair Inman called the meeting to order at 4:00 p.m.

Roll was called with Regular Commissioners Chilton, Dodd, Kelly, Wagenknecht and Chair Inman present. Alternate Commissioners Bennett, Luce and Rodeno were also present.

Staff present: Keene Simonds, Executive Officer; Jackie Gong, Commission Counsel; Brendon Freeman, Analyst; and Kathy Mabry, Commission Secretary.

2. PLEDGE OF ALLEGIANCE

Former LAFCO Commissioner Guy Kay led the Pledge of Allegiance.

At this time, Chair Inman made a request to hear agenda item #7a after item #5.

A motion to move item #7a was made by Commissioner Chilton, second by Commissioner Kelly.

3. APPROVAL OF MINUTES: Minutes of December 7, 2009 Meeting

The Commission was presented with minutes from the December 7, 2009 meeting for approval. Upon motion by Commissioner Wagenknecht and second by Commissioner Chilton, the minutes were approved.

4. PUBLIC COMMENT

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

5. CONSENT ITEMS

a) Second Quarter Budget Report for 2009-2010

The Commission received a second quarter budget report for the 2009-2010 fiscal year for information.

b) New Legislation for 2010

The Commission received a report from staff summarizing new legislation affecting LAFCOs that became effective as of January 1, 2010 for information.

c) Current and Future Proposals

The Commission received a report on the status of three active proposals on file with LAFCO and three expected to be submitted in the near future for information.

Upon motion by Commissioner Wagenknecht and second by Commissioner Kelly, the consent calendar items were approved.

7. ACTION ITEM

a) Trancas Crossing Park Annexation to the City of Napa: Continuation

The Commission continued consideration of a proposal from the City of Napa to annex approximately 33 acres of unincorporated territory located adjacent to the eastern terminus of Old Trancas Street. The proposal is intended to facilitate the development of a public park. Staff presented a second report addressing issues raised during the initial review of the proposal at the Commission's December 7, 2009 meeting.

7. ACTION ITEM ~ continued:

Staff noted it had amended its earlier recommendation to eliminate a special condition to approval requiring Napa reach an agreement with neighboring landowners on the construction of an extended fence. Commissioner Chilton stated the existence of a conservation agreement on the land along with the use of Government Code 56742 provides sufficient protection of agricultural land. Commissioner Kelly stated the second report addressed the concerns he raised in December. Upon motion by Commissioner Kelly to approve as recommended and second by Commissioner Wagenknecht, the annexation was approved (**Resolution #10-05**).

6. PUBLIC HEARING ITEMS

a) Jefferson Street No. 9 Annexation to the Napa Sanitation District

The Commission considered an application by a landowner to annex 0.68 acres of incorporated territory in the City of Napa to the Napa Sanitation District. Staff recommended approval with standard conditions, and the adoption of a negative declaration consistent with the findings of an initial study concluding the annexation will not have any significant impacts on the environment. No comments were received from audience members.

Upon motion by Commissioner Kelly and second by Commissioner Chilton, the Commission adopted resolutions approving the negative declaration (**Resolution #10-01**) and proposed annexation (**Resolution #10-02**).

b) Linda Vista Avenue No. 20 Annexation to the Napa Sanitation District

The Commission considered an application by a landowner to annex 0.83 acres of incorporated territory in the City of Napa to the Napa Sanitation District. Staff recommended approval of the annexation with standard terms and conditions, and adoption of a negative declaration confirming the findings of an initial study finding the annexation will not have a significant effect on the environment. No comments were received from audience members.

Upon motion by Commissioner Wagenknecht and second by Commissioner Kelly, the Commission adopted resolutions approving the negative declaration (**Resolution #10-03**) and proposed annexation (**Resolution #10-04**).

c) Ratification of an Outside Service Agreement Approval for the Napa Sanitation District Involving 2047 Big Ranch Road in the City of Napa

The Commission considered ratifying an outside service agreement approved by the Chair authorizing the Napa Sanitation District to provide temporary public sewer service to 2047 Big Ranch Road in the City of Napa to address a public health threat. Staff recommended approval along with waiving the application fee. No comments were received from audience members.

Upon motion by Commissioner Dodd and second by Commissioner Wagenknecht, the Commission ratified the Chair's approval of the outside service agreement while waiving the application fee. (**Resolution #10-06**).

7. ACTION ITEMS

b) Draft Proposed Budget for Fiscal Year 2010-2011

The Commission received a draft proposed budget from the Budget Committee for 2010-2011 projecting overall operating expenses at \$413,480. The projected amount represents a 16.8% decrease over the current fiscal year.

7. ACTION ITEMS ~ continued:

The Committee proposed substantive changes to the budget process, including the elimination of apportioning annual reserves and contingencies in favor of establishing a policy to maintain three months of operating reserves in the fund balance.

Commissioner Chilton noted the recommended changes will benefit the local agencies by providing greater cost-certainty.

Upon motion by Commissioner Kelly and second by Commissioner Chilton, the Commission approved the staff recommendations to:

- 1) Approve with any desired changes the draft proposed budget for 2010-2011;
- 2) Direct the Executive Officer to circulate the approved draft proposed budget for review and comment to each funding agency; and
- 3) Direct the Executive Officer to schedule a public hearing for the Commission to consider adopting a proposed budget at its April 5, 2010 meeting.

c) Financial Audit for Fiscal Year Ending June 30, 2009

The Commission received a final audit report from Gallina, LLP for the fiscal year ending June 30, 2009. The report found no material weakness or instances of non-compliance with LAFCO's accounting principles. An overview of the audit was provided by Tracy Schulze, County Auditor. Staff commended Secretary Mabry for the successful audit and for working closely with the Auditor's Office to obtain the results of the audit.

8. DISCUSSION ITEMS

a) Legislative Report

Staff provided the Commission with a report on the second year of the 2009-2010 sessions of the California Legislature as it relates to bills directly or indirectly effecting Local Agency Formation Commissions.

b) Review of Disclosure Requirements

Staff provided the Commission with a verbal report regarding disclosure requirements and FPPC changes affecting LAFCO's.

9. COMMISSION WORKSHOP ITEMS

The Commission continued the following items originally scheduled as part of its December 7, 2009 biannual workshop. Staff provided a verbal summary of the following items:

a) Proposal Review Factors and Imposing Terms and Conditions

The Commission received a presentation from staff regarding the factors required for review for all change of organization or reorganization proposals and its authority to impose terms and conditions.

b) Goals and Objectives

Commissioners discussed their goals and objectives for the agency over the next two years, including the Island Annexation Program.

10. EXECUTIVE OFFICER REPORT

The Commission was provided with a verbal report from the Executive Officer regarding the following items:

- CALAFCO Proposal to Establish Voting Regions – Staff reported that CALAFCO has decided to leave the regions as they are, however, it will be presenting a proposal in April to vote in favor of regional voting, and that Southern California LAFCOs will leave CALAFCO if the vote does not go through.
- City of American Canyon Sphere of Influence Update – Staff reported on and a possible amendment to the Study Schedule. Brent Cooper, City of American Canyon’s Community Development Coordinator, spoke to the Commission about Study Area ‘A’ in addition to other areas in American Canyon that will be submitting annexation applications in the near future.

11. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

There was no discussion of this item.

12. ADJOURNMENT

The meeting was adjourned at 5:53 p.m. The next regular LAFCO meeting is scheduled for Monday, April 5, 2010 at 4:00 p.m.

Juliana Inman, Chair

ATTEST: Keene Simonds
Executive Officer

Prepared by:

Kathy Mabry
Commission Secretary