



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MEETING MINUTES OF APRIL 4, 2022**

1. WELCOME AND CALL TO ORDER; ROLL CALL (teleconference)

Chair Dillon called the regular meeting of April 4, 2022 to order at 2:04 PM.

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

Regular Commissioners	Alternate Commissioners	Staff
Diane Dillon, Chair	Ryan Gregory	Brendon Freeman, Executive Officer
Margie Mohler, Vice Chair	Eve Kahn	DeeAnne Gillick, Commission Counsel
Brad Wagenknecht	Beth Painter (<i>Voting</i>)	Dawn Mittleman Longoria, Analyst II and Interim Clerk
Kenneth Leary		
Mariam Aboudamous (<i>Excused</i>)		

2. PLEDGE OF ALLEGIANCE

Chair Dillon led the Pledge of Allegiance.

3. APPROVAL OF AGENDA

Chair Dillon asked if there were any requests to rearrange the agenda. There were no requests.

Upon motion by Vice Chair Mohler and second by Commissioner Wagenknecht, the Commission unanimously adopted the agenda as submitted:

VOTE:

AYES: MOHLER, WAGENKNECHT, DILLON, PAINTER AND LEARY

NOES: NONE

ABSENT: ABOUDAMOUS

ABSTAIN: NONE

4. PUBLIC COMMENTS

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

5. CONSENT ITEMS

Vice Chair Mohler requested to make a comment on item 5d. She stated that she expects that the Policy Committee will update the *Chair Rotation Policy* to reflect the unusual situation of two Commissioners retiring before the end of their rotation. The Chair recognized the comment.

Action Items:

- a) **Approval of Meeting Minutes:** February 7, 2022, Regular Meeting and March 10, 2022, Special Meeting
- b) **Consider AB 361 Findings for Remote Teleconference Only Commission Meeting due to COVID-19 Emergency**

Receive Report for Information Only:

- c) **CALAFCO Quarterly Report**

- d) **Chair Rotation**
- e) **Current and Future Proposals**

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

VOTE:

AYES: WAGENKNECHT, PAINTER, DILLON, LEARY, AND MOHLER
NOES: NONE
ABSENT: ABOUDAMOUS
ABSTAIN: NONE

6. PUBLIC HEARING ITEMS

a) **Sphere of Influence Amendment Request Involving the City of American Canyon, American Canyon Fire Protection District, and 1661 Green Island Road**

The Commission will consider a landowner request to amend the spheres of influence for the City of American Canyon (City) and American Canyon Fire Protection District (ACFPD) involving 1661 Green Island Road (APN 058-030-041). The recommended action is for the Commission to deny the request.

Staff advised that the applicant had requested a continuance to the Commission's June 6, 2022 meeting. The applicant also requested that the City and County have a discussion about the underlying sphere request. Fire District staff also requested continuance on the matter and that more analysis be given to the District sphere amendment. The Board of Directors of the Fire District voted to support the sphere amendment for ACFPD. Staff will conduct further analysis, separating the City from the District. Staff recommends continuance to June 6, 2022.

Chair Dillon opened the public hearing and asked if there were any comments from Commissioners or from the public. No comments were received.

Chair Dillon closed the public hearing.

Upon motion by Commissioner Leary and second by Vice Chair Mohler, the matter was continued to the Commission's June 6, 2022 regular meeting.

VOTE:

AYES: LEARY, MOHLER, DILLON, PAINTER AND WAGENKNECHT
NOES: NONE
ABSENT: ABOUDAMOUS
ABSTAIN: NONE

b) **Proposed Budget for Fiscal Year 2022-23**

The Commission considered adopting a resolution to approve a proposed budget for fiscal year 2022-23. Proposed operating expenses and revenues total \$663,588. The recommended actions were for the Commission to (1) adopt the proposed budget by resolution; (2) direct staff to circulate the proposed budget for public review and comment; and (3) direct the Budget Committee to return with recommendation for a final budget for adoption at a noticed public hearing on June 6, 2022.

The Executive Officer thanked this year's Budget Committee members (Commissioners Mohler and Leary) for their work on the proposed budget, as well as provided an overview of the agency's

expenses and revenues. Complete financial information was provided in the staff report for this agenda item. Staff noted that the Draft Amendment to the Schedule of Fees will be presented to the Commission on June 6, 2022. Staff provided an overview of the budget explaining that proposed revenues and expenses would total \$663,588. LAFCO would be in a position to end the 22-23 fiscal year with reserves totaling \$285,777 or 43.1% of budgeted expenses. That amount would be consistent with the Commission's policy for reserves at a minimum of 33.3% of budget expenses. Staff explained the increase in budgeted revenues and expenses. Staff explained that the Budget Committee discussed at length the need for increased flexibility for LAFCO's staffing positions which are currently locked into specific job titles and salary ranges as part of the Commission's Support Services Agreement with the County of Napa. Notably, with the retirement of the Commission Clerk, staff has taken on these functions to better understand the needs of the agency. The Executive Officer noted that the Commission's Analyst II has temporarily taken on the role of Interim Clerk until that position is filled by a permanent employee. Staff has been meeting with the County regarding changes in the Services Agreement.

The Budget Committee proceeded with their presentation. Budget Committee member Mohler explained that in past years LAFCO has adopted budgets that required drawing down reserves to cover operations. The proposed budget addresses current inflation, the challenges of hiring personnel, and retaining existing staff.

Committee member Leary added that the proposed budget would allow LAFCO to be able to do its job as we are supposed to do, and to operate smoothly.

Chair Dillon asked if the budget allowed funding to staff for in-person meetings.

The Executive Officer affirmed this statement.

Commissioner Painter stated that, as a new Commissioner, she was unaware of the process to notify the funding agencies. She added that they should be notified of the proposed budget as early as possible for preparation of their budgets.

The Commission agreed and discussed the need to advise the funding agencies.

Staff explained that the proposed budget would be circulated to funding agencies and public. Staff clarified that the practice has been, immediately after this meeting, to send to all funding agency managers and finance directors a cover letter and the proposed budget.

The Commission discussed funding for special projects such as the island annexation program.

Staff explained that the adopted fee schedule includes waiver of fees if a city applies to annex an entire island.

The Commission discussed the cost of the island annexation program, as well as the previously requested report on the island program.

Staff advised that the report on the island annexation program is scheduled for August.

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

Chair Dillon closed the public hearing.

Upon motion by Vice Chair Mohler and second by Commissioner Wagenknecht, the Commission unanimously approved the following staff recommendations:

- 1) Adopt the Resolution of the Local Agency Formation Commission of Napa County adopting a Proposed Budget for the 2022-23 Fiscal Year (**RESOLUTION #2022-04**);
- 2) Direct staff to circulate the proposed budget to each of the funding agencies as well as to the general public for review and comment; and
- 3) Direct the Budget Committee to return with recommendations for a final budget for adoption at a noticed public hearing on June 6, 2022.

VOTE:**AYES: MOHLER, WAGENKNECHT, DILLON, PAINTER AND LEARY****NOES: NONE****ABSENT: ABOUDAMOUS****ABSTAIN: NONE****c) Reappointment of Kenneth Leary as Public Member**

The city and county members of the Commission considered approving the reappointment of Public Member Kenneth Leary to a new four-year term beginning May 2, 2022.

Staff explained that local policy requires a public hearing to make the formal appointment of Public Member.

The Commission thanked Commissioner Leary for his service.

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

Chair Dillon closed the public hearing.

Upon motion by Commissioner Wagenknecht and second by Vice Chair Mohler, the Commission unanimously approved the reappointment of Kenneth Leary as Public Member for a new four-year term.

VOTE:**AYES: WAGENKNECHT, MOHLER, DILLON, AND PAINTER****NOES: NONE****ABSENT: ABOUDAMOUS****ABSTAIN: NONE****7. ACTION ITEMS****a) Legislative Report**

The Commission received a report on legislative items directly or indirectly affecting LAFCOs. The recommended actions were for the Commission to do the following: (1) approve an amendment to the adopted Legislative Policy; (2) approve an amendment to the adopted Legislative Platform; (3) authorize the Executive Officer to submit a letter to the Legislature in support of Assembly Bill 2957; (4) authorize the Executive Officer to submit a letter to the Legislature in support of Assembly Bill 1773; and (5) discuss Senate Bill 938 and consider directing the Executive Officer to submit a position letter to the Legislature if appropriate.

The Commission's Analyst II presented an overview of the Legislative Committee's recommendations and urged Committee members (Dillon and Painter) to provide any additional comments. She explained her involvement in the original legislation that established some of the protest provisions. The legislation gave LAFCO the authority to initiate actions and the protest provisions were included at the request of state special district associations. This CALAFCO sponsored bill is the result of three years of work including representatives of the California Special Districts Association.

Chair Dillon requested comments from the Commission.

Vice Chair Mohler provided comments from her perspective as a member of both the CALAFCO Board of Directors and Legislative Committee. She emphasized that SB 938 had the support of the California Special Districts Association.

Commissioner Painter complimented the Commission's Analyst II for her thorough knowledge of the background of SB 938. She added that the Legislative Committee felt the bill warranted full discussion and input from the Commission.

Chair Dillon asked if there were comments from the public. No public comments were received. Upon motion by Vice Chair Mohler and second by Commissioner Wagenknecht, the Commission unanimously approved the following Legislative Committee recommendations:

- 1) approve an amendment to the adopted Legislative Policy;
- 2) approve an amendment to the adopted Legislative Platform;
- 3) authorize the Executive Officer to submit letters to the Legislature in support of Assembly Bills 2957 and 1773 as well as Senate Bill 938.

VOTE:

AYES: MOHLER, WAGENKNECHT, DILLON, PAINTER AND LEARY

NOES: NONE

ABSENT: ABOUDAMOUS

ABSTAIN: NONE

8. DISCUSSION ITEMS

a) New Commissioner Orientation Process

The Commission received a report on the standard orientation process for new Commissioners. The Commission was invited to provide direction to staff with respect to any changes to the process or providing additional information at a future meeting.

The Commission's Analyst II presented Napa's process for welcoming new Commissioners. She provided a sample Commissioner Handbook provided by Santa Barbara LAFCO. She further emphasized that LAFCO Commissioners arrive with extensive experience and serve on numerous other commissions and boards. The Napa LAFCO Executive Officer meets with new Commissioners and tailors the information according to the experience level of the individual. She requested feedback from the Commission.

Chair Dillon and Wagenknecht both complimented staff on an excellent job of welcoming new Commissioners and felt there was no need to make changes in the process.

Chair Dillon asked if there were comments from the public. No public comments were received.

b) Direction on Future Commission Meetings

The Commission considered alternatives for holding future Commission meetings in person, remotely, or as a hybrid. The Commission was invited to provide direction to staff with respect to its preference for future Commission meetings.

The Commission discussed future meetings, with the majority stating a preference for hybrid meetings. Commissioner Mohler expressed concerns about the volatility of the COVID situation.

The Commission directed staff to make arrangements for a hybrid Commission meeting.

9. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

There was no discussion of this item.

Local Agency Formation Commission of Napa County

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10. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

Vice Chair Mohler expressed her appreciation for Commissioner Dillon's service as Chair. The meeting was adjourned at 3:31PM. The next regular LAFCO meeting is scheduled for Monday, June 6, 2022 at 2:00 PM.

It is anticipated the meeting will be conducted as a hybrid meeting at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA, 94559.

marjorie mohler

marjorie mohler (Jun 28, 2022 07:10 PDT)

Margie Mohler, LAFCO Chair

ATTEST:

Brendon Freeman, Executive Officer

Prepared by:

Dawn Mittleman Longoria

Dawn Mittleman Longoria / Interim Commission Clerk







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Final Audit Report

2022-06-28

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