



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
SPECIAL MEETING MINUTES OF NOVEMBER 18, 2019**

1. WELCOME AND CALL TO ORDER; ROLL CALL

Chair Rodeno called the special meeting of November 18, 2019, to order at 2:00 PM.

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

Regular Commissioners	Alternate Commissioners	Staff
Gregory Rodeno, Chair	Ryan Gregory	Brendon Freeman, Executive Officer
Kenneth Leary, Vice Chair	Eve Kahn	Madeline Miller, Commission Counsel
Margie Mohler	Scott Sedgley	Dawn Mittleman Longoria, Analyst II
Diane Dillon		Kathy Mabry, Secretary
Brad Wagenknecht		

2. PLEDGE OF ALLEGIANCE

Alternate Commissioner Ryan Gregory led the Pledge of Allegiance.

3. APPROVAL OF AGENDA

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

4. PUBLIC COMMENTS

Chair Rodeno invited members of the audience to provide public comment. There were no public comments received.

5. CONSENT ITEMS

- a) **Approval of Meeting Minutes: October 7, 2019 Regular Meeting**
- b) **Current and Future Proposals**
- c) **First Quarter Budget Report for Fiscal Year 2019-2020**
- d) **Budget Adjustment No. 2 for Fiscal Year 2019-2020**
- e) **Work Program Progress Report**
- f) **Report on the 2019 CALAFCO Conference**
- g) **Cancellation of December 2, 2019 Regular Meeting**
- h) **Expiring Commissioner Terms in 2020**
- i) **Legislative Report**
- j) **Executive Officer Report**

Upon motion by Commissioner Mohler and second by Vice Chair Leary, the consent items were approved:

VOTE:

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

6. PUBLIC HEARING ITEMS

a) Napa Pipe No. 2 Reorganization and Associated CEQA Findings

This item was continued from the Commission's October 7, 2019, regular meeting. The County requested continuance on this item, given that Senate Bill (SB) 235 was the Governor's desk for signature at the time of the public hearing on October 7, 2019, and was signed into law on October 12, 2019.. SB 235 allows the City of Napa to speed up its acquisition of land it was not scheduled to annex until the end of 2022, and allows Napa County to claim credit for affordable housing built at Napa Pipe toward its state commitments. The purpose of this proposal is to facilitate the Napa Pipe mixed-use development project. The Commission considered approving a proposal submitted by landowner petition for annexation of unincorporated territory totaling approximately 45.9 acres in size to the City of Napa along with concurrent detachment from County Service Area No. 4. The affected territory comprises two parcels identified by the County Assessor as 046-412-006 (located at 1025 Kaiser Road) and 046-400-029 (no situs address). The recommended action was for the Commission to adopt a resolution approving the proposal with standard terms and conditions, including a special condition jointly requested by the City of Napa and County of Napa (official agreements identified in the staff report). Chair Rodeno opened the public hearing. No public comments were received. Chair Rodeno closed the public hearing. The Commission requested information from staff and engaged in discussion. Upon motion by Commissioner Wagenknecht and second by Commissioner Mohler, the Commission approved the staff recommendations regarding the annexation of the remaining acres needed for the reorganization (**Resolution No. 2019-16**):

VOTE:

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

7. ACTION ITEMS

a) Audit Report for Fiscal Year Ending June 30, 2019

The Commission received a financial audit prepared by Brown Armstrong for the 2018-2019 fiscal year. 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 commended Executive Officer Freeman and Secretary Mabry for the great work relating to a successful and clean audit again this year. The Commission requested information from staff and engaged in discussion. Upon motion by Commissioner Mohler and second by Vice Chair Leary, the Commission unanimously agreed to accept and file the 2018-2019 audit report:

VOTE:

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

7. **ACTION ITEMS – continued:**

b) California Government Code Section 56133.5 Pilot Program Report to Legislature

The Commission considered providing formal direction to the Executive Officer to submit a report to the Legislature consistent with the California Government Code Section 56133.5 pilot program (draft report included as Attachment One of staff report). G.C. 56133.5(d) requires Napa and San Bernardino Commissions to submit a report to the Legislature before January 1, 2020, describing their participation in the pilot program (this statute allows Napa and San Bernardino LAFCOs to authorize cities and special districts to provide municipal services outside both their jurisdictional boundaries and spheres of influence under unique circumstances. G.C. Section 56133.5 is scheduled to be repealed on January 1, 2021).

It should be noted the County of Napa’s 2019 State Legislative & Policy Platform includes support for legislation that extends the pilot program for an additional five years while the legislature studies the impact of the program. The deadline to submit letters to the County’s Legislative Subcommittee with recommendations is Friday, November 22, 2019.

Staff recommends the Commission submit a report to the Legislature consistent with the California Government Code Section 56133.5 pilot program; and submit a letter to the County’s Legislative Subcommittee, no later than November 22, 2019, recommending the County’s 2020 State Legislation & Policy Platform include support for legislation that extends the pilot program beyond its scheduled repeal date of January 1, 2021.

The Commission requested information from staff and engaged in discussion.

Upon motion by Commissioner Dillon and second by Commissioner Wagenknecht, the Commission authorized the Executive Officer to submit a report directly to the Legislature and continue discussions with Commission on this topic:

VOTE:

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

c) Proposed Policy Amendments

The Commission considered approving amendments to the following seven policies recently reviewed by the Policy Committee, consisting of Commissioners Mohler and Rodeno:

Policy on Appointment of Chair and Vice Chair; Policy on the Appointment of a Public Member and Alternate Public Member; Policy Establishing the Officers of the Commission; Budget Policy; Policy for Budget Contributions and Collection of Funds; Policy on Executive Officer Purchasing Authority; and Policy on Telecommuting.

Staff provided an overview of the proposed policies and the amendments. The majority of the proposed amendments were non-substantive and involved clarification of existing language, enhanced consistency of formatting, and adding hyperlinks to cited statutes and policies. A summary of proposed amendments are defined in the staff report.

Following discussion, the Commission approved the following staff recommendations:

- 1) Adopt the Resolution of the Local Agency Formation Commission of Napa County Amending and Combining the Policy for Budget Contributions and Collection of Funds, Budget Policy, and Policy on Executive Officer Purchasing Authority (**Resolution No. 2019-15**);
- 2) Adopt the Resolution of the Local Agency Formation Commission of Napa County Amending and Combining the Policy on Establishing the Officers of the Commission and Policy on Appointment of Chair and Vice Chair (**Resolution No. 2019-17**);

7. **ACTION ITEMS – continued:**

c) **Proposed Policy Amendments:**

3) Adopt the Resolution of the Local Agency Formation Commission of Napa County Amending the Policy on the Appointment of a Public Member and Alternate Public Member (**Resolution No. 2019-18**);

4) Adopt the Resolution of the Local Agency Formation Commission of Napa County Amending the Policy on Telecommuting (**Resolution No. 2019-19**);

Several Commissioners expressed appreciation for the work done by the Policy Committee. Upon motion by Commissioner Wagenknecht and second by Commissioner Dillon, the policy amendments were approved, with technical modifications to three of the policies at the request of the Commission:

VOTE:

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

d) **Consideration of Appointment Procedure for Alternate Public Member**

Alternate Commissioner Kahn asked if she should recuse herself. Legal Counsel advised that it would not be necessary. The Commission's city and county members considered providing direction to staff with respect to appointment procedures for the Alternate Public Member position. The term of the Alternate Public Member expires on Monday, May 4, 2020.

Alternate Commissioner Eve Kahn's term as Alternate Public Member expires on, May 4, 2020.

The Commission originally appointed Alternate Commissioner Kahn as Alternate Public Member beginning in August 2019 to fill an unexpired term. Ms. Kahn is eligible to seek reappointment under the Policy, and is eligible for an expedited reappointment consistent with the Policy.

The Commission requested information from staff and engaged in discussion.

Upon motion by Vice Chair Leary and second by Commissioner Mohler, the Commission approved to schedule a future public hearing date to reappoint Alternate Commissioner Kahn to a new four-year term as Alternate Public Member consistent with the expedited reappointment procedures identified in the Policy:

VOTE:

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

7. **ACTION ITEMS – continued:**

e) Subcommittee Appointments

The Commission considered appointing two members to serve with the Executive Officer on the 2020-2021 Budget Committee and to the Policy 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.

The Commission established an ad hoc Policy Committee for purposes of reviewing all existing local policies and recommending amendments, as appropriate, to the full Commission. A comprehensive policy review schedule is included as part of the Commission's adopted Strategic Plan for 2018-2022.

Upon motion by Commissioner Dillon and second by Commissioner Wagenknecht, Vice Chair Leary and Commissioner Mohler were appointed to serve on the Budget Committee for fiscal year 2020-2021, and Chair Rodeno and Commissioner Mohler were appointed to serve on the Policy Committee:

VOTE:

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

f) Approval of Meeting Calendar for 2020

The Commission considered approving a meeting calendar for 2020 consistent of the following dates: February 3; April 6; May 4 (Special Meeting); June 1; August 3; October 5; and December 7.

Upon motion by Commissioner Mohler and second by Vice Chair Leary, the Commission unanimously approved the 2020 meeting calendar as stated:

VOTE:

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

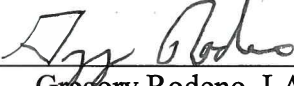
8. **COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS**

Vice Chair Leary suggested staff look into State legislation for funding for MSR studies

The Commission discussed the matter and requested that it be placed on a future agenda for Commission discussion.

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

The meeting was adjourned at 3:42 PM. (**The Monday, December 2, 2019 meeting has been cancelled**). The next regular LAFCO meeting is scheduled for Monday, February 3, 2020 at 2:00 PM at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.



Gregory Rodeno, LAFCO Chair

ATTEST: Brendon Freeman, Executive Officer

Prepared by: Kathy Mabry
Kathy Mabry, Commission Secretary