



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

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

December 2, 2013
Agenda Item No. 5c (Consent/Action)

November 25, 2013

TO: Local Agency Formation Commission

FROM: Kathy Mabry, Commission Secretary

SUBJECT: Approval of Meeting Minutes
The Commission will consider approving summary minutes prepared by staff for the October 7, 2013 regular meeting.

A. Discussion and Recommendation

Attached are summary minutes prepared for the Commission's October 7, 2013 regular meeting. Staff recommends approval.

Respectfully submitted,

Kathy Mabry
Commission Secretary

Attachments: as stated

Joan Bennett, Commissioner
Councilmember, City of American Canyon

Gregory Pitts, Commissioner
Councilmember, City of St. Helena

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

Brad Wagenknecht, Chair
County of Napa Supervisor, 1st District

Bill Dodd, Commissioner
County of Napa Supervisor, 4th District

Mark Luce, 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

Peter Banning
Acting Executive Officer



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MEETING MINUTES OF OCTOBER 7, 2013**

1. CALL TO ORDER BY CHAIR; ROLL CALL: 4:00 P.M.

Chair Wagenknecht called the regular meeting of October 7, 2013 to order at 4:00 pm.

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

Regular Commissioners	Alternate Commissioners	Staff
Brad Wagenknecht, Chair	Juliana Inman (<i>arrived 4:03</i>)	Peter Banning, Acting Executive Officer
Brian J. Kelly, Vice-Chair	Gregory Rodeno	Jackie Gong, Commission Counsel
Joan Bennett	<i>Excused:</i> Mark Luce	Brendon Freeman, Analyst
Bill Dodd (<i>arrived 4:02</i>)		Kathy Mabry, Secretary
Greg Pitts		

2. PLEDGE OF ALLEGIANCE

Heather Ruiz, Deputy Director of Napa County Human Resources led the Pledge of Allegiance.

3. APPROVAL OF AGENDA

The Chair considered a request to rearrange the agenda by hearing agenda item #8c after item #5.

Upon motion by Commissioner Bennett and second by Commissioner Dodd, the Commission unanimously agreed to **move agenda item #8c to after item #5.**

4. PUBLIC COMMENTS

At this time, Chair Wagenknecht asked Heather Ruiz, Deputy Director of Napa County Human Resources to provide the Commission with an update on the Executive Officer recruitment.

Ms. Ruiz reported the recruitment is on schedule at this time, and that she will provide another update to the Commission at its December 2nd meeting.

There were no other public comments received.

5. CONSENT ITEMS

a) Cancellation of November Meeting – ITEM REMOVED FROM THE AGENDA –

The intent of the November 4th meeting was to accommodate a potential sphere of influence discussion for the City of Napa, however, since this expectation has not been realized, the November 4th meeting will be cancelled.

b) Approval of Meeting Minutes

The Commission considered the minutes prepared by staff for the regular meeting of August 5, 2013; and for the special meetings of August 26, 2013 and September 23, 2013.

c) Current and Future Proposals

The Commission received a written report summarizing current and future proposals. The report was presented for information. No new proposals not scheduled for action as part of this regular meeting have been submitted since the August 5, 2013 meeting.

Upon motion by Commissioner Dodd and second by Commissioner Bennett, the Commission unanimously agreed to remove item #5a from the agenda, and agenda items #5b and #5c were approved (Commissioner Pitts recused himself from voting on item #5b since he was not at the August 5, 2013 meeting).

***8c) PRESENTATION FROM THE COUNTY AUDITOR-CONTROLLER ON TAXABILITY OF COMMISSIONER STIPENDS**

The Commission received a verbal report from Bob Minahen of the Napa County Auditor Controller's office relating to the taxability of Commissioner stipends beginning January 1, 2014. The Commission was briefed on the new reporting process and provided with the required stipend forms for Commissioners to complete and return to the Auditor's office (County members were excluded as their stipends are incorporated into their payroll).

6. PUBLIC HEARING ITEMS

a) Adoption of a Negative Declaration and Consideration of the Proposed Annexation of 3174 Valley Green Lane to Napa Sanitation District

The Commission considered two separate and related actions involving a proposal from a landowner to annex approximately 2.2 acres of incorporated territory to Napa Sanitation District (NSD). The affected territory is located at 3174 Valley Green Lane in the City of Napa and the purpose of annexation is to establish permanent public sewer service to an existing single-family residence; a residence currently receiving public sewer from NSD through a temporary outside service extension approved by the Commission at a public hearing held on August 5, 2013 (**Resolution No. 2013-09**).

Pursuant to the California Environmental Quality Act (CEQA), as Lead Agency, the Commission prepared an Initial Study contemplating the impact of the proposed annexation. The first recommended action was for the Commission to adopt a Negative Declaration resolution consistent with the findings of the Initial Study concluding the proposed annexation will not have any significant impacts on the environment. The second recommended action was for the Commission to continue the proposal to the December meeting.

Acting Executive Officer, Peter Banning provided a brief overview of the proposal to the Commission, noting that the Commission previously ratified the Chair's outside service agreement. Staff recommended adoption of the environmental determination (Option 1A of staff report) and continuance of the proposal to the next regular Commission meeting (Option 2A). The recommended continuance was based on the Commission's practice to *first allow NSD to adopt a resolution that specifies terms and conditions applicable to the proposed annexation*. It is anticipated NSD will adopt terms and conditions specific to this proposal at the District's October 16, 2013 meeting.

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

Chair Wagenknecht closed the public hearing.

Upon motion by Commissioner Dodd and second by Commissioner Bennett, the Negative Declaration resolution was approved (**Resolution No. 2013-10**), and a continuance was approved for the annexation proposal until the next regular meeting on December 2, 2013 in order to allow NSD to adopt terms and conditions to be included in this proposal.

7. ACTION ITEMS

a) Proposed Annexation of 820 Levitin Way to the City of Napa

The Commission considered a proposal filed by the City of Napa to annex approximately 19.0 unincorporated acres comprising of six municipally owned lots (057-110-049, 057-110-052, 057-110-065, 057-110-066, 057-110-067, and 057-110-068) and a private driveway located at 820 Levitin Way. Pursuant to CEQA, as a Responsible Agency, the Commission also reviewed and considered the Negative Declaration resolution prepared by the City of Napa, as Lead Agency, consistent with the findings of the Initial Study concluding the proposed annexation will not have any significant impacts on the environment. Staff recommended adoption of a resolution to approve the proposal with an amendment to concurrently detach the affected territory from County Service Area No. 4 (CSA).

The property, located outside of the City's sphere of influence, is known as the Materials Diversion Facility, is owned by the City of Napa and used for municipal purposes. The stated purpose for this annexation is to eliminate a \$50,000 annual property tax obligation for the City of Napa. An additional purpose is to obtain grant funding for improvements, which qualifies only if the property is located within the City limits.

Larry Florin, County Administration Office, spoke to the Commission clarifying that CSA #4 property must contain plantable acres, and there are none on this property.

Steve Lederer, Public Works Director, spoke to the Commission and clarified for the Commission the difference between the City's Recycling Center and the Materials Diversion Facility. Mr. Lederer also thanked the Commission for its consideration of the annexation to the City of Napa.

Upon motion by Commissioner Pitts and second by Commissioner Bennett, the Negative Declaration resolution was approved (**Resolution No. 2013-12**), as well as the annexation proposal (**Resolution No. 2013-11**).

b) Approval of Budget Amendment for Executive Officer Recruitment

The Commission considered an amendment to the current fiscal year budget to increase appropriations for the Special Departmental Expense Account (Account No. 56300) by \$14,000 using available fund balance monies from prior years to cover the recruitment costs for the agency's Executive Officer position.

Commission Counsel, Jackie Gong provided a summary of the agenda item.

Upon motion by Commissioner Bennett and second by Commissioner Pitts, the budget amendment to increase funds for recruitment of the agency's Executive Officer position was approved by the Commission.

c) Approval of Budget Amendment for a Contract for Interim Executive Officer Services

The Commission considered reallocating appropriations in the amount of \$48,000 from the Salaries and Wages Account (Account No. 51100) to the Consulting Services Account (Account No. 52310) for the purpose of contracting with Peter Banning to provide interim Executive Officer services.

Commission Counsel, Jackie Gong provided a summary of the agenda item.

Upon motion by Commissioner Kelly and second by Commissioner Dodd, the budget amendment to reallocate funds for the Interim Executive Officer contract was approved by the Commission.

8. DISCUSSION ITEMS

a) Municipal Service Review on Central County Region: Draft Section on City of Napa

The Commission reviewed a draft section of its scheduled municipal service review (MSR) on the central county region specific to the City of Napa. The draft section examines the availability and adequacy of municipal services provided by Napa relative to the Commission's mandates to facilitate orderly growth and development and will serve as the source document to inform a pending sphere of influence update.

Staff provided an overview of the draft for discussion and feedback in anticipation of preparing a final version for future action.

Commissioner Kelly recommended adding a section to the MSR report regarding the long-term sustainability of the entity, its economics and possible consolidation or shared services.

Commissioner Inman, also a City of Napa Councilmember, also recommended looking at the various special districts and potential consolidations which have been mentioned in recent grand jury reports.

Commissioner Bennett commented that she appreciates the work staff is doing on the reports.

Commissioner Pitts complimented staff by saying he thinks the report is a well-crafted document and very informative.

No action was taken.

b) Legislative Report

Staff provided the Commission with a written report on California Legislature updates relating to items directly or indirectly affecting Local Agency Formation Commissions. A current CALAFCO newsletter was also provided to the Commission for information only.

***8c was moved and heard after agenda item #5.**

9. EXECUTIVE OFFICER REPORT

The Acting Executive Officer provided a brief report on his recent arrival at Napa LAFCO and stated he is just getting oriented to the office.

Discussion was also held regarding the 2013 CALAFCO Annual Conference held in October in Squaw Creek. Several commissioners who were present at the conference commented on how informative and interesting some of the sessions/presentations were.

Counsel Gong recommended considering adoption of Rosenberg's Rules of Order instead of Sturgis, as the Commission's rules of procedure for meetings. This would require an amendment to the Commission's policy on conducting meetings and business.

10. CLOSED SESSION - There was no closed session.

11. COMMISSIONER COMMENTS - There were no commissioner comments.

12. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 5:51 p.m. The next regular meeting is scheduled for Monday, December 2, 2013 at 4:00 p.m.

Brad Wagenknecht, Chair

ATTEST: Jackie Gong, Commission Counsel

Prepared by: _____
Kathy Mabry, Commission Secretary