



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
SPECIAL MEETING MINUTES OF DECEMBER 5, 2016**

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

Chair Dillon called the special meeting of December 5, 2016 to order at 1:00 PM.

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

Regular Commissioners	Alternate Commissioners	Staff
Diane Dillon, Chair	Joan Bennett ( <i>Voting for Pitts</i> )	Brendon Freeman, Executive Officer
Juliana Inman	Keith Caldwell	Jennifer Gore, Commission Counsel
Brad Wagenknecht	Gregory Rodeno	Kathy Mabry, Secretary
Brian Kelly		
Greg Pitts, Vice-Chair ( <i>Excused</i> )		

**2. PLEDGE OF ALLEGIANCE**

Yountville Councilmember, Marjorie Mohler 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 Commissioner Wagenknecht and second by Commissioner Inman, the Commission unanimously adopted the agenda as submitted.

**4. PUBLIC COMMENTS**

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

**5. CONSENT ITEMS**

At the request of Chair Dillon, the following items were pulled from the agenda to allow for further clarification:

- a) **Approval of Meeting Minutes: October 3, 2016 Regular Meeting**
- d) **Notice of Expiring Commissioner Terms in 2017**

Upon motion by Commissioner Kelly and second by Commissioner Bennett, the Commission agreed to continue consent items a and d until the next meeting:

**VOTE:**

**AYES: KELLY, BENNETT, WAGENKNECHT, INMAN AND DILLON**  
**NOES: NONE**  
**ABSENT: PITTS**  
**ABSTAIN: NONE**

**5. CONSENT ITEMS – continued:**

**b) Current and Future Proposals**

**c) First Quarter Budget Report for 2016-2017**

**e) Establishing a Matching Retirement Savings Contribution for the Executive Officer in 2017 (Resolution #2016-12)**

**f) Time Extension Request: Big Ranch Road No. 6 Annexation to the Napa Sanitation District**

**g) Letter to Local Agencies: New Filing Requirements for Joint Powers Authorities**

(Note: This item was initially pulled from the agenda, however, after approving a non-substantive change to the letter (Attachment One), the Commission unanimously agreed to authorize the Executive Officer to amend the letter and transmit it to the County, each local city/town, and each local special district describing the new JPA filing requirements).

Upon motion by Commissioner Wagenknecht and second by Commissioner Inman, the Commission unanimously approved consent items **b, c, e, f and g:**

**VOTE:**

**AYES: WAGENKNECHT, INMAN, BENNETT, DILLON AND KELLY**  
**NOES: NONE**  
**ABSENT: PITTS**  
**ABSTAIN: NONE**

**6. PUBLIC HEARING ITEMS**

**a) Authorization for the City of Napa to Provide New Water Service to the County Jail Property**

The Commission considered adopting a resolution authorizing the City of Napa to provide a new permanent public water service to the new County Jail property. The property comprises one entire approximate 27.1 acre parcel located at 2300 Napa Vallejo Highway. The subject property is within the City's sphere of influence and outside of the City's jurisdictional boundary.

The County, as the landowner, requested a waiver of the Commission's outside service agreement application fee. Approval includes a condition requiring the City to propose annexation of the subject parcel within one year of its inclusion within the City's RUL. The Executive Officer provided a verbal report on this item.

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

Chair Dillon closed the public hearing.

Upon motion by Commissioner Inman and second by Commissioner Bennett, the Commission unanimously approved the County of Napa's request for a fee waiver and adopted the resolution authorizing the City of Napa to provide new water service to the County Jail property located at 2300 Napa-Vallejo Highway with the condition specified in the report (**Resolution #2016-13**):

**VOTE:**

**AYES: INMAN, BENNETT, DILLON, KELLY AND WAGENKNECHT**  
**NOES: NONE**  
**ABSENT: PITTS**  
**ABSTAIN: NONE**

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

**b) Municipal Service Review and Sphere of Influence Update for the City of Calistoga**

The Commission reviewed a final Municipal Service Review and Sphere of Influence Update for the City of Calistoga. This item was continued from the Commission's October 3, 2016 regular meeting. The final report examined the availability and adequacy of municipal services provided by Calistoga relative to the Commission's mandates to facilitate orderly growth and development. The recommended action was for the Commission to adopt a resolution confirming the determinative statements in the report and affirming the existing sphere of influence with no changes.

Staff noted revisions will be made to this report and a revised resolution will be prepared due to late comments received from the City of Calistoga. Staff also noted that the report was prepared by Swale Consulting, Inc.

Kateri Harrison provided an overview for the Commission.

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

Chair Dillon closed the public hearing.

Upon motion by Commissioner Inman and second by Commissioner Bennett, the final report was approved affirming the existing sphere of influence for the City of Calistoga with no changes at this time, and adopting the resolution as amended (**Resolution #2016-14**):

**VOTE:**

**AYES: INMAN, BENNETT, DILLON, KELLY AND WAGENKNECHT**

**NOES: NONE**

**ABSENT: PITTS**

**ABSTAIN: NONE**

**c) Municipal Service Review and Sphere of Influence Update for the Napa River Reclamation District No. 2109**

The Commission reviewed a final Municipal Service Review and Sphere of Influence Update for the Napa River Reclamation District No. 2109. The final report examined the availability and adequacy of municipal services provided by the District relative to the Commission's mandates to facilitate orderly growth and development.

The recommended action was for the Commission to adopt a resolution confirming the determinative statements in the report and updating the District's sphere of influence to include approximately 0.4 acres of additional territory. The Municipal Service Review and recommended sphere update are exempt from further review under the California Environmental Quality Act pursuant to California Code of Regulations Sections 15306 and 15061(b)(3), respectively.

The Executive Officer provided a verbal report on this item.

Chair Dillon opened the public hearing.

Comments were received from Kerri Dorman, Yountville new Town Councilmember and former Grand Jury member commending LAFCO staff and Commission on their work done on the Grand Jury report.

Comments were also received from Steve Lederer, Napa County Flood Control District, regarding a recent effort with the County to procure an RFP Consultant for a study in this district, noting that two proposals from applicants were received, and one will be chosen soon to prepare a study.

Chair Dillon closed the public hearing.

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

Upon motion by Commissioner Bennett and second by Commissioner Wagenknecht, the Commission unanimously approved the final report for the Napa River Reclamation District and adopted the resolution confirming the determinative statements contained therein, expanding the Napa River Reclamation District No. 2109's SOI to include the District's administrative office, and finding these actions are exempt from CEQA (**Resolution #2016-15**):

**VOTE:**

**AYES:** **BENNETT, WAGENKNECHT, DILLON, INMAN AND KELLY**  
**NOES:** **NONE**  
**ABSENT:** **PITTS**  
**ABSTAIN:** **NONE**

**d) Sphere of Influence Update for the Congress Valley Water District**

The Commission reviewed a Sphere of Influence Update for the Congress Valley Water District (CVWD).

The recommended action was for the Commission to continue the item to the February meeting.

Staff provided an overview, stating the CVWD's existing water supply agreement will expire on July 1, 2017 and the District would voluntarily dissolve, including turning over all assets and services to the City of Napa. The CVWD and the City of Napa are currently negotiating an amended agreement that is expected to extend the sunset date of the water supply agreement, and a proposal should go to the Napa City Council in late April or May.

Chair Dillon opened the public hearing.

A supplemental letter from CVWD Manager, John Stewart was provided to the Commission. Comments were received from John Stewart, Scott Sedgley, City of Napa, and Barry Murphy, a local resident regarding the water issues currently occurring at the Carneros Inn.

Chair Dillon closed the public hearing.

Upon motion by Commissioner Kelly and second by Commissioner Inman, the Commission directed staff to continue this matter to the February 6, 2017 meeting:

**VOTE:**

**AYES:** **KELLY, INMAN, BENNETT, DILLON AND WAGENKNECHT**  
**NOES:** **NONE**  
**ABSENT:** **PITTS**  
**ABSTAIN:** **NONE**

**7. DISCUSSION ITEMS**

**a) Draft Municipal Service Review and Sphere of Influence Update for the Town of Yountville**

The Commission reviewed a draft Municipal Service Review and Sphere of Influence Update for the Town of Yountville. The draft report examined the availability and adequacy of municipal services provided by Yountville relative to the Commission's mandates to facilitate orderly growth and development.

**7. DISCUSSION ITEMS – continued:**

The draft report contemplated alternative options for potential changes to Yountville’s sphere of influence. The Commission was invited to discuss the draft report and provide feedback to staff in anticipation of receiving a final Municipal Service Review and Sphere of Influence Update for formal action as part of a public hearing at a future meeting.

Staff provided an overview of this item, and recommended an option to add the lone study area to the SOI.

Kateri Harrison, Swale Consultant provided a presentation of this report.

Steve Rogers, Yountville Town Manager spoke to the Commission regarding dissatisfaction with the draft report.

John Dunbar, Yountville Mayor, spoke to the Commission, commending LAFCO staff, and agreeing with Steve Rogers’ points about the draft report.

Molly Rattigan, Napa County Deputy Executive Officer spoke to the Commission.

Counsel Gore suggested a new draft of the report be prepared and circulated again to the affected agencies.

Upon motion by Commissioner Kelly and second by Commissioner Inman, the Commission directed staff to return with a revised draft report at the February 6, 2017 meeting:

**VOTE:**

**AYES:** KELLY, INMAN, BENNETT, DILLON AND WAGENKNECHT  
**NOES:** NONE  
**ABSENT:** PITTS  
**ABSTAIN:** NONE

**8. ACTION ITEMS**

**a) Audit Report for Fiscal Year Ending June 30, 2016**

The Commission received and filed a financial audit prepared by for the 2015-2016 fiscal year. The report was presented to the Commission to receive and file.

Napa County Auditor-Controller, Tracy Schulze provided the Commission with a detailed overview of the written audit report, prepared this year by Brown Armstrong, CPA. Ms. Schulze commended Secretary Mabry for the great work relating to a successful and clean audit again this year.

Upon motion by Commissioner Kelly and second by Commissioner Wagenknecht, the Commission unanimously agreed to accept and file the 2015-2016 audit report:

**VOTE:**

**AYES:** KELLY, WAGENKNECHT, BENNETT, DILLON AND INMAN  
**NOES:** NONE  
**ABSENT:** PITTS  
**ABSTAIN:** NONE

**8. ACTION ITEMS – continued:**

**b) Proposed County Jail Annexation to the Napa Sanitation District**

The Commission considered a resolution of application submitted by the County of Napa Board of Supervisors to annex approximately 27.1 acres of unincorporated territory to the Napa Sanitation District (NSD). The affected territory is located at 2300 Napa Vallejo Highway and is within NSD's sphere of influence. The purpose of the proposed annexation is to allow the future County Jail to connect to NSD's public sewer infrastructure.

The County has also requested a waiver of the Commission's proposal processing fees based on the community-serving elements of the County Jail project.

Staff provided an overview of this report.

Upon motion by Commissioner Inman and second by Commissioner Bennett, the Commission approved the proposed annexation to NSD with standard terms and conditions, as well as the County of Napa's fee waiver request (**Resolution #2016-16**):

**VOTE:**

**AYES:** INMAN, BENNETT, DILLON, KELLY AND WAGENKNECHT  
**NOES:** NONE  
**ABSENT:** PITTS  
**ABSTAIN:** NONE

**c) Appointments to the 2017-2018 Budget Committee**

The Commission considered appointing two members to serve with the Executive Officer on the 2017-2018 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.

Upon motion by Commissioner Inman and second by Commissioner Wagenknecht, the Commission appointed Commissioners Rodeno and Wagenknecht to serve on the Budget Committee for fiscal year 2017-2018:

**VOTE:**

**AYES:** INMAN, WAGENKNECHT, BENNETT, DILLON AND KELLY  
**NOES:** NONE  
**ABSENT:** PITTS  
**ABSTAIN:** NONE

**d) Strategic Planning Committee**

The Commission considered appointing two members to serve with the Executive Officer on an ad hoc subcommittee to prepare for a strategic planning workshop.

Upon motion by Commissioner Inman and second by Commissioner Wagenknecht, the Commission appointed Commissioners Dillon and Inman to serve on the 2017 committee:

**VOTE:**

**AYES:** INMAN, WAGENKNECHT, BENNETT, DILLON AND KELLY  
**NOES:** NONE  
**ABSENT:** PITTS  
**ABSTAIN:** NONE

**8. ACTION ITEMS – continued:**

**e) Request for Proposals Committee**

The Commission received a report that summarizes previous actions taken by the 2015 Request for Proposals (RFP) Committee. The Commission considered appointing two members to serve with the Executive Officer on a new RFP Committee to help select the next consultant(s) and assist in addressing issues regarding the schedule of studies currently being prepared by the existing consultant. Staff recommended the Commission authorize the Executive Officer to distribute a Request for Proposals for Study Services. The RFP would allow the Commission to enter into one or more contracts that could be extended annually for up to a total of three years. It also includes the ability for the Commission to enter into an on-call contract for MSR and SOI update services in addition to reports for the City of American Canyon, American Canyon Fire Protection District and County Service Area #3.

Staff provided an overview of this item.

Steve Rogers, Yountville Town Manager, spoke to the Commission about his concerns with the process used to select consultants to prepare these studies and offered to be on the ad hoc committee, if need be.

Bruce Ketron, local resident, spoke to the Commission about the perception of the public regarding studies and use of consultants.

Upon motion by Commissioner Inman and second by Commissioner Kelly, the Commission appointed Commissioners Dillon and Kelly and Town Manager Steve Rogers to serve on the RFP ad hoc committee along with the Executive Officer, and delegated authority to the Committee to release a Request for Proposals (RFP). The Committee is expected to meet in January to review proposals from consultants in response to the new RFP, and bring back a recommendation to the Commission at a future meeting:

**VOTE:**

**AYES:** INMAN, KELLY, BENNETT, DILLON AND WAGENKNECHT  
**NOES:** NONE  
**ABSENT:** PITTS  
**ABSTAIN:** NONE

**9. EXECUTIVE OFFICER REPORT**

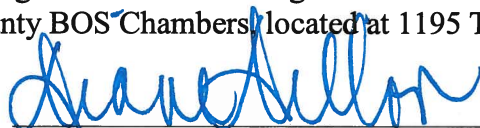
The Executive Officer provided a brief report on the agency's work program, and other current staff activities.

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

Chair Dillon commented on the departure of three Commissioners who are leaving LAFCO, Commissioners Greg Pitts, Joan Bennett and Keith Caldwell and thanked them for their service.

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

The meeting was adjourned at 3:21 PM. The next regular LAFCO meeting is scheduled for Monday, February 6, 2017 at 2:00 PM at Napa County BOS Chambers located at 1195 Third Street, 3<sup>rd</sup> floor, Napa, CA 94559.



Diane Dillon, LAFCO Chair

ATTEST: Brendon Freeman, Executive Officer

Prepared by: Kathy Mabry  
Kathy Mabry, Commission Secretary