



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MEETING MINUTES OF DECEMBER 6, 2021**

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

Chair Dillon called the regular meeting of Monday, December 6, 2021 to order at 2:00 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	Dawn Mittleman Longoria, Analyst II
Mariam Aboudamous		Kathy Mabry, Secretary
Kenneth Leary		

2. PLEDGE OF ALLEGIANCE

Executive Officer Brendon Freeman led the Pledge of Allegiance.

3. AB 361 REMOTE TELECONFERENCING ACTION

Commission Counsel, DeeAnne Gillick provided an overview of this item.

Pursuant to AB 361, the Commission considered the status of the ongoing public emergency and facts related to health and safety of meeting attendees due to COVID-19 and considered further findings related to holding this Commission meeting by teleconference pursuant to the provisions of subdivision (e) of Government Code Section 54953.

The Commission discussed the state of emergency and the current circumstances and agreed that those conditions warrant continued teleconference meetings.

Note: This issue was also discussed in agenda item #9b Direction of Future Commission Meetings. Upon motion by Commissioner Mohler and second by Commissioner Aboudamous, the Commission agreed to continue holding Commission meetings by teleconference:

VOTE:

AYES: MOHLER, ABOUDAMOUS, DILLON, LEARY AND WAGENKNECHT

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

4. APPROVAL OF AGENDA

Chair Dillon asked if there were any requests to rearrange the agenda.

The Executive Officer announced that the applicant for agenda item #8a has requested a continuance of that agenda item until the Commission's April 4, 2022 meeting.

Upon motion by Commissioner Wagenknecht and second by Commissioner Mohler, the Commission adopted the agenda, with one amendment:

VOTE:

AYES: WAGENKNECHT, MOHLER, ABOUDAMOUS, DILLON AND LEARY

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

NOTE: At this time, agenda item #6 was presented with two special guests attending via Zoom:

6. SPECIAL PRESENTATION: CALAFCO Achievement Award Presentation, Proclamation for CALAFCO Executive

Director Pamela Miller, and Other CALAFCO Announcements

Staff arranged a special presentation involving several notable items related to the California Association of Local Agency Formation Commissions (CALAFCO):

❖ The Commission recently received a CALAFCO Achievement Award called the “Mike Gotch Excellence in Public Service Award” for its role in advancing the Napa Pipe project. The award honors Napa LAFCO, with special recognition for Commissioners Dillon and Wagenknecht, Senator Dodd, City of Napa, and Napa County.

This award was named for Mike Gotch who was a former Assembly Member, a LAFCO Commissioner, a LAFCO Executive Officer, and a CALAFCO Executive Director responsible for much of the foundations of LAFCO law and CALAFCO.

❖ LAFCO Vice Chair Mohler was re-elected to a third consecutive term on the CALAFCO Board of Directors as the Coastal Region City Member. Vice Chair Mohler’s current term on the CALAFCO Board expires in October 2023.

❖ LAFCO Analyst, Dawn Mittleman Longoria was appointed to the position of CALAFCO Coastal Region Deputy Executive Officer. The position includes a budget contribution of \$4,000 per year to offset staff time dedicated to CALAFCO business during this two-year assignment. Dawn thanked CALAFCO and said she appreciates their work for all LAFCOs. Senator Dodd thanked the Commission for this award and congratulated the other recipients. Mr. Dodd said he was honored to receive the Mike Gotch award, mentioning all who worked together on the Napa Pipe Project over the years.

Chair Dillon noted that it is very nice to be recognized for this work and for the special award.

Commissioner Wagenknecht commented it was not easy to get everybody together for this project and appreciates where we are today with the Napa Pipe Project.

At this time (3:00), CALAFCO Executive Director Pamela Miller joined the meeting:

❖ A proclamation was presented to CALAFCO Executive Director Pamela Miller and read aloud honoring her upon retirement as Executive Director. **(RESOLUTION #2021-23)**. Pamela Miller spoke to the Commission and thanked them for honoring her service.

Congratulations to the Commission, City of Napa and County of Napa, Senator Dodd, Pamela Miller, Commissioners Dillon, Wagenknecht and Mohler, as well as Dawn Mittleman Longoria on these outstanding accomplishments and appointments.

5. PUBLIC COMMENTS

Chair Dillon opened the public comment period.

Geoff Ellsworth provided public comment about Napa County water & wastewater and he advocated for providing presentations to the City Councils within Napa County.

A current municipal service review is available on LAFCO of Napa County’s website:

https://www.napa.lafco.ca.gov/uploads/documents/NapaCountywideWaterWastewaterMSR_Updated_10-4-21.pdf

Chair Dillon closed the public comment period.

7. CONSENT ITEMS

Action Items:

- a) **Approval of Meeting Minutes: October 4, 2021 Regular Meeting**
- b) **Contract Extension with Brown Armstrong for Audit Services**
- c) **Meeting Calendar for 2022**

Information Items:

- a) **First Quarter Budget Report for Fiscal Year 2021-22**
- b) **Legislative Report**
- c) **Outreach Committee Update**
- d) **Current and Future Proposals**
- e) **Expiring Commissioner Terms in 2022**

Upon motion by Commissioner Wagenknecht and second by Commissioner Leary, the action items were approved:

VOTE:

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

8. PUBLIC HEARING ITEM

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

This item was continued until April 4, 2022.

9. DISCUSSION ITEMS

- a) **CALAFCO U Course: Fire and Emergency Medical Services**

The Commission received an informative presentation by Analyst Dawn Mittleman Longoria on a recent four-part CALAFCO session titled *Fire and Emergency Medical Services Basics, Challenges and LAFCOs' Role and Responsibility*.

Following the presentation, the Commission conversed about existing services provided by CALFIRE, FireWise, etc., and suggested this matter be a topic for strategic planning sometime in 2022 or 2023, with respect to scheduling a future study related to countywide fire protection and emergency medical services.

The Commission thanked Dawn for the great presentation on this CALAFCO U Course.

- b) **Direction on Future Commission Meetings**

The Commission considered alternatives for holding future Commission meetings in person, remotely, or as a hybrid.

During today's agenda item #4, the Commission also discussed this matter.

The Commission reviewed the pros and cons of having in-person vs hybrid meetings, as well as what is best for the community during the on-going pandemic.

The Commission's preference will be discussed again at the February Commission meeting.

10. ACTION ITEMS

a) Appointments to the Fiscal Year 2022-23 Budget Committee

The Commission considered appointing two members to advise the Executive Officer on the fiscal year 2022-23 Budget Committee.

The Executive Officer stated that 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 Commission also considered providing direction to the Budget Committee with respect to including appropriations in the budget for strategic planning.

Staff recommended the Commission appoint two members to the 2022-2023 Budget Committee.

Commissioners Mohler and Leary volunteered for the appointments.

Upon motion by Commissioner Aboudamous and second by Commissioner Gregory, the Commission agreed to appoint Commissioners Mohler and Leary to the FY 2022-2023 Budget Committee, and to include appropriations in the budget for strategic planning:

VOTE:

AYES: ABOUDAMOUS, GREGORY, DILLON, LEARY AND MOHLER

NOES: NONE

ABSENT: WAGENKNECHT

ABSTAIN: NONE

b) Consideration of Legal Counsel Contract

The Commission considered its options related to contracted legal services prior to the expiration of the contract term on June 30, 2022. The recommended action is for the Commission to provide direction to the Executive Officer with respect to contracted legal services.

The Executive Officer provided an overview of this item.

Chair Dillon stated it would be close to 7 years by the time the current contract with counsel expires, therefore, it would be good business practice to establish a committee and send out a Request For Proposal (RFP).

Commissioner Mohler agreed it is good government to periodically change legal counsel, and noted that current counsel can also apply, if an RFP goes out again.

Commissioner Leary agreed with Chair Dillon and Vice Chair Mohler to send out an RFP.

Commissioners Dillon and Aboudamous both volunteered to serve on the Legal Services RFP Committee.

No public comments were received.

Upon motion by Commissioner Gregory and second by Commissioner Mohler, the Commission gave direction to the Executive Officer to issue a Legal Services RFP, and appointed Commissioners Mohler and Aboudamous to serve on the committee to work with the Executive Officer:

VOTE:

AYES: GREGORY, MOHLER, ABOUDAMOUS, DILLON AND LEARY

NOES: NONE

ABSENT: WAGENKNECHT

ABSTAIN: NONE

10. ACTION ITEMS – continued:

c) Financial Audit for Fiscal Year Ending June 30, 2021

The Commission received a financial audit prepared by Brown Armstrong for the fiscal year ending June 30, 2021.

The recommended action was for the Commission to receive and file the audit.

Tracy Schulze, Napa County Auditor-Controller, provided the Commission with a detailed overview of the written audit report, prepared by Brown Armstrong, CPA, showing the Commission is currently in a strong financial position.

Ms. Schulze commended LAFCO staff for the great work relating to a successful and clean audit again this year.

No public comments were received.

Upon motion by Commissioner Leary and second by Commissioner Gregory, the Commission unanimously agreed to accept and file the audit report:

VOTE:

AYES: LEARY, GREGORY, ABOUDAMOUS, DILLON AND MOHLER

NOES: NONE

ABSENT: WAGENKNECHT

ABSTAIN: NONE

d) Consideration of Appointment Procedure for Public Member

The Commission considered providing direction to staff with respect to appointment procedures for the Public Member. The term of the Public Member expires on May 2, 2022.

Commissioner Leary currently serves as the Public Member and is eligible to seek reappointment to a new four-year term. He is also eligible for an expedited re-appointment consistent with local policy.

The city and county commission members provided direction to the Executive Officer with respect to the appointment procedure for the Public Member position currently held by Kenneth Leary.

Commission Mohler made a motion to reappoint Commissioner Leary to a new four-year term, and recommended a public hearing date be scheduled before May 2, 2022 to re-appoint him to the Commission.

Upon motion by Commissioner Mohler and second by Commissioner Aboudamous, the Commission recommended the re-appointment of Commissioner Leary to the Public Member position:

VOTE:

AYES: MOHLER, ABOUDAMOUS, DILLON AND GREGORY

NOES: NONE

ABSENT: WAGENKNECHT

ABSTAIN: LEARY

11. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

There were no Commissioner comments.

12. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 3:45 PM. The next regular LAFCO meeting is scheduled for Monday, February 7, 2022, at 2:00 PM.

It is anticipated the meeting will be conducted by teleconference due to COVID-19 in compliance with Executive Order N-29-20.

Diane Dillon

Diane Dillon (Feb 14, 2022 12:23 EST)

Diane Dillon, LAFCO Chair

ATTEST:

Dawn Mittleman Longoria, Analyst II

Prepared by:



for

Kathy Mabry, Commission Secretary



LAFCO Minutes 12-06-2021

Final Audit Report

2022-02-14

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