



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

MEETING MINUTES OF AUGUST 6, 2007

1. CALL TO ORDER; ROLL CALL

Chair Gingles called the meeting to order at 4:03 p.m.

Roll was called with regular Commissioners Dodd, Inman, Kelly, Wagenknecht and Chair Gingles present. Alternate Commissioners Coffey (*arrived at 4:18 pm*), Luce and Rodeno were also present at roll call.

Staff present: Keene Simonds, Executive Officer; Jackie Gong, Commission Counsel; and Kathy Mabry, Commission Secretary.

2. PLEDGE OF ALLEGIANCE

Chair Gingles led the salute to the flag.

3. APPROVAL OF MINUTES: Minutes of June 4, 2007 Meeting

The Commission was presented with minutes from the June 4, 2007 meeting. Upon motion by Commissioner Dodd and second by Wagenknecht, the minutes were approved.

4. PUBLIC COMMENT

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

5. CONSENT CALENDAR

a) Authorization to Approve Audit Expenditure

The Commission authorized the Executive Officer to enter into an agreement with a public accounting firm for the preparation of an independent audit for the 2006-2007 fiscal year.

b) Fourth Quarter Budget Report for Fiscal Year 2006-2007

The Commission received a fourth quarter budget report for the 2006-2007 fiscal year.

c) Close of Accounting Records for Fiscal Year 2006-2007

The Commission received a staff report on the close of the accounting records for the 2006-2007 fiscal year.

Upon motion by Commissioner Wagenknecht and second by Dodd, the consent calendar was approved.

6. PUBLIC HEARING ITEMS

a) Browns Valley Road No. 11 District Annexation to Napa Sanitation District

The Commission considered a proposal for the annexation of approximately 0.77 acres of incorporated territory to the Napa Sanitation District to facilitate the extension of sewer to a single-family residence (APN: 050-180-008). The Commission also considered a negative declaration confirming the findings of an initial study prepared by staff that the annexation will not have a significant effect on the environment. Chair Gingles opened the public hearing. No public comments were received. Chair Gingles closed the public hearing.

Upon motion by Commissioner Dodd and second by Inman, the resolutions were approved (LAFCO Resolutions #07-20 and #07-21).

7. COMMISSION ACTION ITEMS

a) ***El Centro Avenue No. 9 Reorganization***

The Commission considered an application by the City of Napa to annex approximately 6.74 acres of unincorporated territory. The proposal has been reclassified as a reorganization because the affected territory is in County Service Area No. 4 and subject to automatic detachment proceedings. As part of the proposal, the Commission waived detachment proceedings for one of the two affected parcels (APNs: 038-361-009 and 038-091-013).

Commissioner Inman noted an error on page 5 of the staff report in the following sentence:

As documented in LAFCO's *Comprehensive Study of Fire Protection Services* (2006), the average response time for the City for all calls is less than five minutes, which exceeds the six minute standard recommended by the National Fire Protection Association.

Executive Officer Keene Simonds confirmed Commissioner Inman's comment and stated that the sentence should read:

As documented in LAFCO's *Comprehensive Study of Fire Protection Services* (2006), the average response time for the City for all calls is less than five minutes, which does not exceed the six minute standard recommended by the National Fire Protection Association.

Upon motion by Commissioner Kelly and second by Dodd, the resolution was approved (LAFCO Resolution #07-22).

b) **Town of Yountville: Municipal Service Review and Sphere of Influence Review**

Staff provided an overview of the two reports prepared as part of the scheduled municipal service review and sphere of influence review for the Town of Yountville.

Upon motion by Commissioner Wagenknecht and second by Dodd, the Commission approved the service review determinations and affirmed the existing sphere of influence.

(LAFCO Resolutions #07-23 and #07-24).

c) **2007 CALAFCO Business Meeting**

Staff provided an overview regarding the appointment of a delegate and alternate delegate who will vote on behalf of Napa LAFCO at the 2007 CALAFCO Business Meeting on Thursday, August 30, 2007 in Sacramento.

Upon motion by Commissioner Dodd and second by Kelly, Commissioners Wagenknecht and Kelly were nominated as the delegate and the alternate delegate, respectively.

d) **Authorization to Negotiate Contract for Consultant Services**

Staff provided an overview of this item and recommended that the Commission take the following action:

- 1) Authorize the Executive Officer to negotiate a contract for consultant services to prepare municipal service reviews for the Cities of Calistoga and St. Helena and Public Cemeteries for an amount not to exceed \$30,000, subject to the approval of legal counsel; and
- 2) Authorize the Chair to execute the contract upon legal counsel approval.

Upon motion by Commissioner Dodd and second by Kelly, the Commission approved the staff recommendations.

8. COMMISSION DISCUSSION ITEMS

a) American Canyon Fire Protection District – Sphere of Influence Review

Staff provided an update on the scheduled sphere of influence review for the American Canyon Fire Protection District, which identifies the final study categories and evaluation criteria. Staff stated that it would be appropriate for LAFCO to limit its analysis and consider only modifications to ACFPD's sphere involving Study Categories A, B, and D at this time. The report was presented to the Commission for discussion. No action was taken.

Comments were received from Keith Caldwell, former Chief of ACFPD, who clarified the District's boundaries on the maps presented with the report. In addition, a letter regarding this matter was presented to the Commission by William Ross, Attorney for the City of American Canyon.

Staff anticipates presenting a report on the sphere review with recommendations at the Commission's October 1, 2007 meeting.

b) Legislative Report

Staff provided an overview of the 2007-2008 session of the California Legislature, and discussed CALAFCO's adopted "support" positions for five bills. There are several bills CALAFCO is currently watching; however CALAFCO does not oppose any bills at this time. The status of CALAFCO's positions will be discussed at the annual meeting in Sacramento.

9. EXECUTIVE OFFICER REPORT

The Commission received a verbal report from the Executive Officer regarding current staff activities, communication, studies, and special projects, which included:

- California Government Code §56133 – a definition of the subject code was presented. Staff will come back to the Commission in October with more information on this matter. Staff presented a letter to the Commission from outside counsel, Alan Lilly, representing the County of Napa.
- United States Bureau of Reclamation – staff currently working with representatives from the Bureau regarding its redevelopment activities at Lake Berryessa and potential need for public water and sewer service provisions.
- Commission Workshop (August 20, 2007) – to be held Yountville's Community Hall. Workshop to include a LAFCO 101 session, among other agenda items. Lunch will be provided.
- CALAFCO Annual Conference – set for August 28-31 in Sacramento. The Commission was reminded of the conference, and asked to contact Secretary Mabry if they require assistance with registration.

10. INFORMATION ITEMS

a) Active Proposals

The Commission reviewed a report from staff regarding the current status of the following proposals on file with LAFCO:

- *Wilkins Avenue City Annexation to the City of Napa*
- *Golden Gate Avenue/Foster Road City Annexation to the City of Napa*

11. CLOSED SESSION

There was no closed session.

12. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

There was no discussion of this item.

13. ADJOURNMENT

The meeting was adjourned at 4:50 p.m. The Commission Workshop is scheduled for Monday, August 20, 2007 at 11:00 a.m. at the Yountville Community Hall. The next regular Commission meeting is scheduled for October 1, 2007 at 4:00 p.m. in the Board of Supervisors Chambers at the Napa County Administration Building, located at 1195 Third Street, Napa, CA.
(There is no meeting scheduled for September).

Jack Gingles, Chair
LAFCO of Napa County

ATTEST:
Keene Simonds, Executive Officer
LAFCO of Napa County

Prepared by:

Kathy Mabry, Commission Secretary
LAFCO of Napa County