



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MEETING MINUTES OF AUGUST 6, 2018**

1. WELCOME AND CALL TO ORDER; ROLL CALL

Chair Mohler called the regular meeting of Monday, August 6, 2018, to order at 2:00 PM.
At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Margie Mohler, Chair	Kenneth Leary	Brendon Freeman, Executive Officer
Brad Wagenknecht, Vice Chair	Erik Lawrence	DeeAnne Gillick, Commission Counsel
Diane Dillon	Ryan Gregory – <i>Excused</i>	Kathy Mabry, Secretary
Scott Sedgley		
Gregory Rodeno		

2. PLEDGE OF ALLEGIANCE

Newly appointed Alternate Commissioner Erik Lawrence led the Pledge of Allegiance.

3. OATH OF OFFICE FOR COMMISSIONER WITH NEW TERM

Commission Counsel administered a new oath of office for Alternate Commissioner Erik Lawrence.

4. APPROVAL OF AGENDA

Chair Mohler asked if there were any requests to rearrange the agenda. There were no requests. Upon motion by Commissioner Sedgley and second by Commissioner Dillon, the Commission unanimously adopted the agenda as submitted:

VOTE:

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

5. PUBLIC COMMENTS

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

6. CONSENT ITEMS

- a) **Approval of Meeting Minutes: June 4, 2018, Regular Meeting**
- b) **Current and Future Proposals**
- c) **Fourth Quarter Budget Report for 2017-2018**
- d) **Budget Adjustment for 2018-2019**
- e) **Legislative Report**
- f) **Amendment No. 10 to LAFCO Agreement No. 03-02 (Resolution #2018-10)**
- g) **Work Program Progress Report**
- h) **Strategic Plan Progress Report**

6. CONSENT ITEMS – continued:

Upon motion by Commissioner Wagenknecht and second by Commissioner Sedgley, the consent items were approved:

VOTE:

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

7. ACTION ITEMS

a) Draft Request for Proposals for Countywide Water and Wastewater Municipal Service Review

The Commission received a draft request for proposals (RFP) prepared by staff for purposes of hiring a private consultant to prepare the scheduled Countywide Water and Wastewater Municipal Service Review (MSR).

Staff provided an overview, noting that a Focus Group was formed in March 2018 to develop the RFP. In May, the Focus Group reached preliminary consensus on the concepts, language, and scope of services to be included in the RFP. And, in June, the Commission received and discussed the draft RFP, and directed staff to continue working with the RFP Focus Group to further revise the report before it is released.

Chair Mohler opened the floor for public comments.

No public comments were received.

Commissioner Dillon asked about a sentence on page 4 of the RFP (top paragraph) regarding urban growth limitations, and requested the sentence be modified to include names of cities being referenced which would require voter approval to change its boundary lines.

Staff will return with a recommendation to formally enter into a contract with a private consultant at the Commission's October 1, 2018, meeting.

Upon motion by Commissioner Sedgley and second by Commissioner Rodeno, the Commission authorized staff to circulate the RFP to private consultants. Additionally, the Commission delegated to the members of the RFP Focus Group to evaluate the proposals, hold interviews and recommend a consultant:

VOTE:

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

7. ACTION ITEMS – continued:

b) Proposed Silverado Trail/Saratoga Drive No. 2 Reorganization and Associated CEQA Findings

The Commission considered a landowner petition for concurrent annexation to the City of Napa and detachment from County Service Area No. 4. The proposal involves approximately 4.2 acres of unincorporated territory located at 330, 332, 334, and 336 Silverado Trail within the City’s sphere of influence.

Staff provided an overview of this annexation, noting that a copy of the City of Napa’s resolution for this project was added to the Commission’s supplemental folder.

A representative of the property owner, Jack Burns, spoke to the Commission regarding the proposed annexation and current status of the property.

Upon motion by Commissioner Sedgley and second by Commissioner Rodeno, the Commission approved a resolution approving the proposal with standard terms and conditions (**Resolution #2018-08**):

VOTE:

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

c) Proposed Browns Valley Road No. 13 Annexation to the Napa Sanitation District and Associated CEQA Findings

The Commission considered a landowner petition to annex approximately 0.6 acres of incorporated territory to the Napa Sanitation District (NSD). The affected territory is located within the City of Napa at 4190 Browns Valley Road and is within NSD’s sphere of influence. Staff has modified the proposal to expand the affected territory to include the adjacent portion of public right-of-way on Browns Valley Road.

The recommended action was for the Commission to adopt a resolution approving the modified proposal with standard terms and conditions.

Upon motion by Commissioner Wagenknecht and second by Commissioner Rodeno, the Commission approved a resolution approving the modified proposal with standard terms and conditions (**Resolution #2018-09**):

VOTE:

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

8. DISCUSSION ITEMS

a) Revised Draft South County Region Municipal Service Review and Sphere of Influence Updates

The Commission received and discussed the revised draft South County Region Municipal Service Review and Sphere of Influence Updates, originally presented to the Commission in February 2018, however, it was continued, and staff was directed to return with a revised draft report that incorporates several corrections and clarifications.

Staff provided an overview noting that on July 31, 2018, the revised draft report was made available for public review and comment. Affected agencies and interested members of the public were invited to submit written comments on the revised draft report through September 7, 2018. Staff plans to review and respond to all comments received, and is seeking feedback from the Commission and analysis for any components of the report.

Chair Mohler opened the floor for public comments.

Public comments were received by Molly Rattigan, Deputy County Executive Officer, who reported that the County is satisfied with the outcome of the draft report and the SOI update.

Jason Holley, American Canyon City Manager, thanked staff and said he looks forward to the completion of the study. He later asked the Commission to consider separating out the City of American Canyon from the other districts in the study, if possible.

Glen Weeks, Chief, American Canyon Fire Protection District (ACFPD) stated he does not agree with all of Ms. Rattigan's comments, and would like to continue negotiations.

The Commission supported Mr. Week's comments and encourages ACFPD to engage in further discussions with County staff to negotiate the written response to jurisdictions.

Staff was directed to return with a revised draft report at the Commission's October 1, 2018, meeting, to include a summary of ISO ratings and financial information relevant to the SOI study areas, modify language regarding urban vs. rural level of providers, and include all public comments.

No formal action was taken by the Commission as part of this item.

b) Draft Policy on Spheres of Influence

The Commission received a draft Policy on Spheres of Influence that has been prepared by the Policy Committee (Chair Mohler and Commissioner Rodeno).

Staff provided an overview, and invited the Commission to discuss the draft policy and provide direction to the Policy Committee with respect to additional changes before the draft policy is circulated for public review and comment.

Commissioner Dillon requested clarification on the definition of 'zero' sphere. Staff provided the technical definition of this term, which is used within the report. As well, other policy language was discussed for clarification purposes.

Chair Mohler opened the floor for public comments.

Public comment was received from Molly Rattigan, Deputy County Executive Officer, who requested the Commission grant the County an extended public comment period.

Staff agreed to give the County 90 days to respond to comments.

Staff was directed to circulate the draft policy for public review and invite comments from any local agency or member of the public. It is anticipated the Committee will review all comments received, revise the draft Policy as appropriate in response to public comments, and return with a recommendation for formal action to adopt the Policy at a future meeting.

No formal action was taken by the Commission as part of this item.

8. DISCUSSION ITEMS – continued:

c) Draft Policy on Disadvantaged Unincorporated Communities

The Commission received a draft Policy on Disadvantaged Unincorporated Communities that has been prepared by the Policy Committee. The Commission was invited to discuss the draft policy and provide direction to the Policy Committee with respect to additional changes before the draft policy is circulated for public review and comment.

Staff provided an overview. There were no questions from the Commission, only comments that the draft policy is good and seems clear.

The Commission directed the Policy Committee to circulate the draft policy for public review and comment. The Committee will then review all comments received, revise the draft Policy as appropriate, and return with a final version at the October 2018 Commission meeting.

No formal action was taken by the Commission as part of this item.

d) Analysis of Staffing Alternatives

The Commission received a report on staffing alternatives as it relates to the vacant Analyst position. This item was continued from the Commission's June 4, 2018, meeting due to time constraints.

Staff provided an overview, which included factors to consider with respect to hiring an Analyst vs continuing to hire outside consultants to prepare studies.

The Commission was asked to provide feedback to the Executive Officer with respect to a preferred alternative.

Following discussion with staff, the Commission jointly showed its support for the hiring of an Analyst and directed staff to immediately initiate a recruitment for a full-time Analyst.

9. EXECUTIVE OFFICER REPORT

The Executive Officer provided a brief summary of the Executive Officer's recent activities as well as other miscellaneous items pertaining to LAFCO, for informational purposes only.

10. COMMISSIONER COMMENTS - There were no Commissioner comments.

11. CLOSED SESSION


a) Public Employee Performance Evaluation – (Government Code Section 54957(b)(1)) Employee: Executive Officer

b) Conference with Labor Negotiators – (Government Code Section 54957.6)
Agency Designated Representative: Commission Chair
Unrepresented Employee: Executive Officer

There was no reportable action on this item.

12. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 5:11 PM. The next regular LAFCO meeting is scheduled for Monday, October 1, 2018, at **2:00 PM**.



Margie Mohler, LAFCO Chair

ATTEST: Brendon Freeman, Executive Officer

Prepared by: 

Kathy Mabry, Commission Secretary