



Local Agency Formation Commission
LAFCO of Napa County

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October 4, 2010
Agenda Item No. 5a (Action)

September 28, 2010

TO: Local Agency Formation Commission

FROM: Kathy Mabry, Commission Secretary

SUBJECT: Approval of Meeting Meetings

The Commission will consider approving draft minutes prepared by staff for the August 2, 2010 regular meeting.

A. Information/Discussion

Staff has prepared draft minutes for the Local Agency Formation Commission of Napa County's August 2, 2010 regular meeting. The draft minutes are in summary form and presented for approval by the Commission.

All eight Commissioners were present at the August 2, 2010 meeting.

B. Recommendation

It is recommended the Commission approve the draft minutes for the August 2, 2010 meeting with any clarifications or corrections noted.

Respectfully submitted,

Kathy Mabry
Commission Secretary

Attachment:

1) Draft Minutes for August 2, 2010 Meeting

Juliana Inman, Chair
Councilmember, City of Napa

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

Bill Dodd, Vice Chair
County of Napa Supervisor, 4th District

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

Mark Luce, Alternate Commissioner
County of Napa Supervisor, 2nd District

Brian J. Kelly, Commissioner
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

DRAFT SUMMARY MEETING MINUTES

AUGUST 2, 2010

1. CALL TO ORDER; ROLL CALL

Chair Inman called the regular meeting of August 2, 2010 to order at 4:01 P.M. At the time of roll call, the following Commissioners and staff were present:

| Regular Commissioners | Alternate Commissioners | Staff |
|-----------------------|-------------------------|----------------------------------|
| Juliana Inman, Chair | Joan Bennett | Keene Simonds, Executive Officer |
| Lewis Chilton | Mark Luce | Jackie Gong, Commission Counsel |
| Bill Dodd | Gregory Rodeno | Brendon Freeman, Analyst |
| Brian J. Kelly | | Kathy Mabry, Secretary |
| Brad Wagenknecht | | |

2. PLEDGE OF ALLEGIANCE

Tracy Schulze, Napa County Auditor-Controller led the Pledge of Allegiance.

3. APPROVAL OF MINUTES

The Commission was presented with draft minutes from the June 7, 2010 meeting for approval with a request from staff to provide clarification regarding the intent of an approval condition involving the update to the City of American Canyon's sphere of influence (Item No 6a). Upon discussion, Commissioners confirmed the addition of lands into the sphere of influence identified in the corresponding report as Study Area "A" were independently conditioned on each affected property having a recorded industrial easement by August 2, 2010 unless extended. Commissioner Kelly motioned and Commissioner Wagenknecht seconded adopting the draft summary minutes of June 7, 2010 with the preceding clarification noted. The motion was unanimously approved with Commissioner Dodd abstaining given his absence from the meeting.

4. PUBLIC COMMENT

Chair Inman invited members of the audience to provide public comment.

John Stewart, President of the Los Carneros Water District provided an update on the District's feasibility study currently being conducted by the Corps of Engineers. He said the District is into its third year of assessments with the intent to fund the study, and it is now almost complete. Mr. Stewart also commented on how the District is now using the services of Napa County, and very much appreciates the cooperation of staff, including LAFCO.

No other comments were received.

5. CONSENT ITEMS

a) Amendment to Support Services Agreement (SSA) with County of Napa

The Commission considered approving an amendment to its support services agreement with the County of Napa. The proposed amendment establishes the Commission's 2010-2011 annual charge for information technology services from the County in the amount of \$14,945.

b) Fourth Quarter Budget Report for 2009-2010

The Commission received a fourth quarter budget report for 2009-2010. The report compared adopted and actual expenses through the fourth and final quarter and confirms the Commission finished the fiscal year with \$122,820 in unexpended budgeted funds.

5. CONSENT ITEMS – continued:

c) 2010-2011 Budget Amendments

The Commission considered budget amendments for 2010-2011 to reflect revised agency contribution calculations that have been prepared in conjunction with the close of 2009-2010.

d) Request from the City of American Canyon for a Time Extension to Meet Approval Conditions in LAFCO Resolution No. 10-13

The Commission considered a written request from the City of American Canyon to receive an extension of time to complete conditions associated with the approval to add certain territory to the City's sphere of influence included in LAFCO Resolution No. 10-13. The request would extend the time to complete approval conditions from August 2, 2010 to August 4, 2010. This item was added to the agenda following the regular posting and was considered by the Commission upon a determination by a majority of members requiring immediate action as provided under Government Code Section 54954.2.

Upon motion by Commissioner Wagenknecht and second by Commissioner Lewis, the consent items were unanimously approved by the Commission as recommended.

6. PUBLIC HEARING ITEMS

a) Sphere of Influence Update on American Canyon Fire Protection District

The Commission received a final report on its scheduled sphere of influence update on the American Canyon Fire Protection District. The final report recommends adding four distinct areas to the sphere of influence totaling 402 acres. Staff provided a brief verbal review of the final report and highlighted key policy issues. The Chair opened the hearing to the public. No comments were received. Upon motion by Commissioner Dodd and second by Commissioner Kelly, the Commission unanimously adopted the sphere of influence update as recommended in the final report. (**Resolution No. 10-17**).

7. ACTION ITEMS

a) Devlin Road/South Kelly Road Annexation to the City of American Canyon

The Commission considered a proposal from the City of American Canyon to annex approximately 293 acres of unincorporated territory located near Devlin Road and South Kelly Road. The affected territory – as originally proposed – included one contiguous area comprising three distinct properties commonly referred to as Atkins, Headwaters, and Panattoni. Staff provided a brief verbal review of the proposal and its recommendation to approve the request with three modifications: 1) remove the Atkins property due to American Canyon not completing the necessary conditions of approval tied to adding the land to the sphere; 2) concurrently annex the affected territory to the American Canyon Fire Protection District; and 3) concurrently detach the affected territory from County Service Area No. 4. At Chair Inman's invitation, American Canyon's Community Development Director Brent Cooper addressed the Commission and clarified the reasons why American Canyon chose not to complete the terms associated with adding the Atkins property to the sphere. After a brief discussion, Commissioner Dodd motioned and Commissioner Kelly seconded approving the proposal with the modifications outlined by staff. The seconded motion was unanimously approved by the Commission. (**Resolution No. 10-18**).

7. ACTION ITEMS - continued:

b) California Association of Local Agency Formation Commissions: Annual Conference

The Commission considered appointing a delegate and alternate delegate for the California Association of Local Agency Formation Commission's annual conference scheduled for October 6-8, 2010 in Palm Springs. The Commission also considered submitting nominations for CALAFCO board vacancies and achievement awards. After a brief discussion by staff, Commissioner Chilton motioned and Commissioner Wagenknecht seconded appointing Chair Inman and Vice Chair Dodd as delegate and alternate delegate. The seconded motion was unanimously approved. Commissioner Chilton motioned and Commissioner Wagenknecht seconded nominating Chair Inman for the CALAFCO Board. The seconded motion was unanimously approved. Commissioner Chilton motioned and Commissioner Wagenknecht seconded nominating *Napa County Mosquito Abatement District: Municipal Service Review and Sphere of Influence Update* for CALAFCO's "Project of the Year" award. The seconded motion was unanimously approved.

c) Island Annexation Program

The Commission received a report summarizing staff's activities to date in developing an island annexation program aimed at eliminating unincorporated pockets within the City of Napa. The Commission made the following comments:

- Chair Inman said staff should continue to work on this program, also recommending a town-hall type meeting to provide more public outreach.
- Commissioner Kelly stated the program is outdated and staff should move on from this, especially in light of the current recession.
- Commissioner Wagenknecht agreed that community outreach would be the best way to promote the program, since some citizens still believe there are no benefits to annexing into the city limits.
- Commissioner Rodeno noted that citizens should be made aware that they would be able to vote and obtain other municipal services if they were in the city limits.
- Commissioner Chilton remarked that maybe a better option would be to allow a process where staff sends out a letter to the residents in the islands stating what the annexation would provide for them and how staff would shepherd them through the process, and should include waiving of the fees.
- Commissioner Dodd commented that no one has asked for LAFCO to do this program, not the cities or the County, and in these tight times it would require increased staff time to proceed.

Upon motion by Commissioner Chilton and second by Commissioner Wagenknecht, staff was directed to return with a second update in early 2011, which includes scheduling a third mailing to the West Pueblo Park area at the end of the calendar year. Commissioner Dodd voted no.

8. DISCUSSION ITEMS

a) Legislative Report

Staff provided the Commission with a status report on the second year of the 2009-2010 session of the California Legislature as it relates to bills directly or indirectly effecting Local Agency Formation Commissions, which summarized the bills under consideration in the current legislative session relevant to the Commission. Staff provided the Commission with a letter from Senator Patricia Wiggins on the passing of Senate Bill 1023 expediting the conversion of resort improvement districts (RIDs) and municipal improvement districts (MIDs) into community service districts (CSDs). No action was taken.

9. EXECUTIVE OFFICER REPORT

The Commission was provided with a verbal report from the Executive Officer regarding the following items:

- Ad Hoc Committee on Policies and Procedures – meets prior to each Commission meeting and is working on a policy for the Commission to weigh in on.
- Agency Correspondence – no report.

10. INFORMATION ITEMS

a) California Association of Local Agency Formation Commissions

The Commission received a report on the results of the California Association of Local Agency Formation Commissions' proposal to amend its bylaws to establish regions for purposes of electing board of directors. The proposal was approved by a vote of 51 to 2.

b) Request to Defer Scheduled Sphere of Influence Review and Update for County Service Area No. 3

The Commission received a written request from the County of Napa to defer the currently scheduled sphere of influence review and update on County Service Area No. 3 to January 2011. Staff informed the Commission that CSA #3 studies will be prepared next calendar year.

c) Current and Future Proposals

The Commission received a report summarizing current and future proposals. No new proposals have been submitted to LAFCO since the June 7, 2010 meeting.

d) Report on Website Visits

The Commission received a report from Brendon Freeman, Analyst, summarizing visitor traffic to the agency's new website since January 2010.

11. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

There was no discussion of this item.

12. ADJOURNMENT

The meeting was adjourned at 4:58 p.m. The next regular LAFCO meeting is scheduled for Monday, October 4, 2010 at 4:00 p.m.

Juliana Inman, Chair

ATTEST: Keene Simonds, Executive Officer

Prepared by:

Kathy Mabry, Commission Secretary