



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

MEETING MINUTES OF FEBRUARY 6, 2012

1. CALL TO ORDER; ROLL CALL

Chair Chilton called the regular meeting of February 6, 2012 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 |
|-----------------------|-------------------------|----------------------------------|
| Lewis Chilton, Chair | Juliana Inman | Keene Simonds, Executive Officer |
| Bill Dodd, Vice Chair | Mark Luce | Jackie Gong, Commission Counsel |
| Joan Bennett | Gregory Rodeno | Brendon Freeman, Analyst |
| Brian J. Kelly | | Kathy Mabry, Secretary |
| Brad Wagenknecht | | |

2. PLEDGE OF ALLEGIANCE

Chair Chilton led the Pledge of Allegiance.

3. AGENDA REVIEW

There were no requests to rearrange the agenda.

4. PUBLIC COMMENT

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

5. CONSENT ITEMS

a) Second Quarter Budget Report for 2011-2012

The Commission received a second quarter budget report for 2011-2012. The report compared budgeted versus actual revenues and expenses through the first half of the fiscal year, and projected the Commission is on pace to measurably improve its budgeted operating funding gap from (\$32,829) to approximately (\$13,900).

b) Amendments to Adopted Fee Schedule

The Commission considered a minor amendment to its adopted fee schedule to reflect the 2.8% increase in California Department of Fish and Game's filing fees for lead agencies under the California Environmental Quality Act.

c) Approval of Meeting Minutes

The Commission approved minutes for the November 21, 2011 special meeting and for the December 5, 2011 regular meeting.

d) Correction on Previous Notice of Expiring Commissioner Terms in 2012

The Commission received an updated report on expiring commissioner terms in May 2012. The updated report corrects an earlier notice and confirms the term of the alternate city member position currently assigned to Commissioner Inman does not expire until May 2013. Terms for Commissioners Wagenknecht (Regular County) and Rodeno (Alternate Public), however, will expire in May 2012.

5. CONSENT ITEMS – continued:

e) New Legislation for 2012

The Commission received a report from staff summarizing pertinent new legislation affecting LAFCOs that becomes effective in 2012, including Senate Bill 244, Assembly Bill 54, and Assembly Bill 912.

f) Sustainable Communities Strategy for Bay Area Region

The Commission received a report on the progress of the Metropolitan Transportation Commission in developing a 25-year transportation/land use plan for the Bay Area as required under Senate Bill 375.

g) Current and Future Proposals

Staff provided an overview regarding the status of three active proposals on file with LAFCO:

- Rosewood Lane Annexation to the Napa Sanitation District
- Silverado Trail/Zinfandel Lane Annexation to the City of St. Helena
- Formation of the Villa Berryessa Water District

Four new proposals are expected to be submitted to the Commission in the near future:

- Matt Drive/Easum Drive Annexation to the City of Napa
- Imola Avenue/Tejas Drive Annexation to the City of Napa
- Formation of a Community Services District at Capell Valley
- Devlin Road/South Kelly Road No. 2 Annexation to the City of American Canyon

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

6. PUBLIC HEARING ITEMS

No public hearing items were scheduled.

7. ACTION ITEMS

a) Draft Proposed Budget for Fiscal Year 2012-2013

The Commission reviewed a draft proposed budget for 2012-2013 for approval and circulation to local funding agencies. The draft's operating expenses total \$431,251; an amount which represents a 0.7% increase over the current fiscal year. The draft's operating revenues total \$422,629 with the remaining shortfall (\$8,623) to be covered by drawing down on agency reserves. The Commission was provided with a summary of the draft budget, noting a \$2,500 increase in the special department expense account for a one-time purchase of software and training with Granicus to begin live-streaming Commission meetings on the web. Staff also noted that the draft includes a recommendation to authorize the Executive Officer and Chair to negotiate and sign a 5-year lease for office space at 1030 Seminary Street, Suite B, in Napa. Chair Chilton invited the public to comment. No comments were received. Chair Chilton closed the comment period.

Upon motion by Commissioner Kelly and second by Commissioner Wagenknecht, the Commission unanimously approved the following three actions:

- (a) Approve the draft proposed budget for 2012-2013 as provided in Attachment One of the staff report.
- (b) Direct the Executive Officer to circulate the approved draft proposed budget to funding agencies for review and schedule a public hearing on April 2, 2012 for consideration of adoption.
- (c) Authorize the Executive Officer and Chair to negotiate and sign a 5-year lease agreement for office space at 1030 Seminary Street, Suite B in Napa.

7. **ACTION ITEMS – continued:**

b) Legislative Analyst’s Office: Report on the Accountability of Special Districts and Effectiveness of Local Agency Formation Commissions

The Commission received a report prepared by the Legislative Analyst’s Office assessing, among other matters, the effectiveness of LAFCOs. Napa LAFCO is specifically reviewed as one of three case studies. The report was presented for discussion and possible action with respect to directing staff to provide comments. Clarification on the issue of LAFCO’s possibly reviewing Joint Powers of Authority (JPA’s) in the future was discussed with the Commission. Chair Chilton invited the public to comment. No comments were received. Chair Chilton closed the comment period.

Upon motion by Commissioner Dodd and second by Commissioner Kelly, the Commission directed staff to prepare formal comments consistent with the analysis provided in the staff report and forward to the Legislative Analyst’s Office.

c) Termination of Agreement Involving Oat Hill Subdivision, Unit No. 2

The Commission considered termination of its agreement signed and recorded in 1984 involving the Oat Hill Subdivision, Unit No. 2. This agreement represented a covenant tied to approximately 10 acres of now incorporated territory located in the City of American Canyon committing the owner to support the formation of and/or annexation to a special district to provide street sweeping and/or street lighting services.

Commission Counsel Jackie Gong provided the Commission with a history of this matter, and affirmed that the City of American Canyon and the County have no objections to the termination, which will allow the current landowner to be able to sell the property.

Brent Cooper, Community Development Director, City of American Canyon spoke to the Commission, thanking the Commission and staff for taking this matter under consideration.

Upon motion by Commissioner Bennett second by Commissioner Kelly, the Commission adopted the resolution determining the formation of and/or annexation of a district or service area is no longer necessitated and terminating the Oat Hill Agreement (**Resolution #2012-01**).

8. **DISCUSSION ITEMS**

a) Report on the Strategic Planning Workshop

The Commission received a report from staff summarizing central discussion points from the recent strategic planning workshop, which includes participant comments on the Commission’s (a) core objectives, (b) key challenges, and (c) near-term goals. The report was presented for discussion and feedback. The Committee on Policies and Procedures will utilize the report in preparing a strategic plan for future consideration by Commission.

b) Update on Countywide Law Enforcement Municipal Service Review

The Commission received an update from Brendon Freeman, Analyst, on the status of LAFCO’s scheduled municipal service review on countywide law enforcement services. The update includes feedback provided by the Commission at the December meeting, including adding a sixth agency, the Town of Yountville, to the report and meeting with the new City Manager of St. Helena to discuss finding of the preliminary draft presented in December. Staff anticipates presenting a complete draft report – with determinative statements – drafted in consultation with the Chair and Vice Chair at the next regular meeting in April.

8. DISCUSSION ITEMS – continued:

c) Legislative Report

Staff provided the Commission with a report summarizing the California Legislature items under discussion for the second year of the 2011-2012 session affecting Local Agency Formation Commissions. The report was presented for discussion with possible direction for staff with respect to issuing comments. Staff informed the Commission about the legislative proposal drafted by the Napa County Farm Bureau to rewrite LAFCO law as part to the “Napa County Farmland Protection Act”. Their draft proposal, as it currently is written, would effectively prohibit LAFCO of Napa County from adding any lands designated “Agriculture Watershed Open Space” or “Agriculture Resource” under the County General Plan to a city or special district’s (a) sphere of influence or (b) jurisdictional boundary through 2059; a timeline intentionally corresponding with Measure J/P. Staff outlined several concerns with the proposal.

Upon motion by Commissioner Kelly and second by Commissioner Bennett, the Commission unanimously directed staff to prepare a letter to the County and cities formalizing the concerns as discussed.

9. EXECUTIVE OFFICER REPORT

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

- The public notice has gone out for the current Alternate Public Member position, and recruitment closes March 5th, 2012.

10. CLOSED SESSION

There was no closed session.

11. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

There were no Commissioner comments or requests for future agenda items.

12. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 4:54 p.m. The next regular LAFCO meeting is scheduled for Monday, April 2, 2012 at 4:00 p.m.

Lewis Chilton, Chair

ATTEST: Keene Simonds
Executive Officer

Prepared by:



Kathy Mabry
Commission Secretary