



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MEETING MINUTES OF JUNE 3, 2019**

1. WELCOME AND CALL TO ORDER; ROLL CALL

Vice Chair Leary called the regular meeting of Monday, June 3, 2019, to order at 2:05 PM. At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Kenneth Leary, Vice Chair (<i>Acting Chair</i>)	Scott Sedgley	Brendon Freeman, Executive Officer
Margie Mohler	Vacant, Public Member	DeeAnne Gillick, Commission Counsel
Brad Wagenknecht	Ryan Gregory - <i>Excused</i>	Kathy Mabry, Secretary
Gregory Rodeno, Chair - <i>Excused</i>		Dawn Mittleman Longoria, Analyst II
Diane Dillon - <i>Excused</i>		

2. PLEDGE OF ALLEGIANCE

Alternate Commissioner Sedgley led the Pledge of Allegiance.

3. APPROVAL OF AGENDA

Vice Chair Leary asked if there were any requests to rearrange the agenda. There were no requests.

4. PUBLIC COMMENTS

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

5. CONSENT ITEMS

- a) Approval of Meeting Minutes: April 4, 2019 Regular Meeting
- b) Current and Future Proposals
- c) Legislative Report
- d) Third Quarter Budget Report for 2018-2019
- e) Proposed Amendment to Legal Services Contract
- f) Countywide Update on Housing and General Plans
- g) Recruitment for Alternate Public Member
- h) Executive Officer Report

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

ROLL CALL VOTE:

AYES:	<u>MOHLER, WAGENKNECHT AND LEARY</u>
NOES:	<u>NONE</u>
ABSENT:	<u>DILLON, GREGORY AND RODENO</u>
ABSTAIN:	<u>NONE</u>

6. DISCUSSION ITEMS

a) Draft Municipal Service Review and Sphere of Influence Update for the Napa County Regional Park and Open Space District

The Commission received the draft Municipal Service Review and Sphere of Influence Update for the Napa County Regional Park and Open Space District. The draft report included written determinations making statements on the level and range of agency services and included a recommendation to affirm the current sphere of influence with no changes. The draft report is currently available for public review and comment through June 28, 2019. LAFCO Analyst, Dawn Mittleman Longoria, gave a Power Point presentation and verbal report on the draft report, and was pleased to share a new look with more visuals to the MSR/SOI report that was prepared in-house.

Staff commented on how well and efficient the district is being managed.

Public comment was received by Gary Margadant, a Mount Veeder Road resident, who expressed his appreciation for the district and has a lot of confidence in various projects they are currently working on, such as Amy's Grove, which had extensive damage from the 2017 Napa fire. He also stated he would like to see Skyline Park become part of this district.

Staff requested Commission feedback on the scope and contents of the draft report in anticipation of receiving a final report for formal adoption as part of a public hearing at a future meeting. Several Commissioners stated they were impressed with the current state of the district, and complimented staff on the new format of the report. The Commission received and filed the report.

Staff will return with a final report including any public comments received for consideration at the August 5, 2019, meeting.

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

b) Update on Draft Policy on Spheres of Influence

The Commission received an update on the draft Policy on Spheres of Influence and was asked to provide feedback or direction to staff and the Policy Committee as appropriate.

Staff provided a brief history on this revised draft policy, noting it had planned to present a proposed policy for formal adoption today, but the Policy Committee agreed to continue the SOI conversation and address some of the persistent issues through open dialogue.

Staff provided an overview of the 'big picture' comments received by general category, as part of a Power Point presentation, and noted that legal counsel has prepared a memo identifying the statutory definitions of terms such as Agricultural & Open Space, etc. The Commission was invited to discuss the comments received and provide direction with respect to next steps. Commissioners asked questions regarding specific definitions such as Prime Agriculture used in the policy and Counsel provided a legal response.

The Commission suggested to come back with a plan for a roundtable forum with Planners throughout Napa County and stakeholders to address the comments received and review of the policy.

Chair Leary opened public comments.

Comments were received from Napa residents Eve Kahn and Gary Margadant, and St. Helena Councilmembers Mary Koberstein and Geoff Ellsworth regarding the need for flexibility and consideration of local definitions (individual cities and county) in the policy.

Chair Leary closed public comments, and thanked the public and Commission for comments. Staff and the Policy Committee will return with an action plan at the August 5, 2019, meeting.

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

7. ACTION ITEMS

a) Ratification of an Outside Sewer Service Agreement Involving the Napa Sanitation District and 1027 McCormick Lane, Proposed McCormick Lane No. 4 Annexation to the Napa Sanitation District, and Associated CEQA Findings

The Commission considered taking two separate actions as part of this item.

The first action relates to a recommendation to ratify an outside service agreement approved by the Executive Officer authorizing the Napa Sanitation District (NSD) to provide new public sewer service to an incorporated property at 1027 McCormick Lane (APN 050-292-002) to address a public health threat. The County has confirmed a failed septic system.

The second action relates to a recommendation to approve a proposal submitted by landowner petition for annexation of 1027 McCormick Lane to NSD.

Chair Leary opened public comments.

Comments were received Gary Margadant who noted he had no objection to the NSD connection request, but did question the Commission's process for determining when a situation is considered an emergency.

Commissioner Wagenknecht requested staff prepare a brief summary of the outside service agreement process. The Executive Officer agreed to return with a report at a future meeting.

Chair Leary closed public comments.

Upon motion by Commissioner Wagenknecht and second by Commissioner Mohler, the Commission approved staff recommendations to authorize the ratification of the outside service agreement, which includes the resolution (**Resolution No. 2019-03**) and approved the annexation with standard terms and conditions, which includes the resolution (**Resolution No. 2019-04**):

ROLL CALL VOTE:

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

b) Ratification of an Outside Water Service Agreement Involving the City of Napa and 1087 La Grande Avenue and Associated CEQA Findings

The Commission considered a recommendation to ratify an outside service agreement approved by the Executive Officer authorizing the City of Napa to provide new public water service to an unincorporated property at 1087 La Grande Avenue (APN 049-061-002) to address a public health threat. The County has confirmed that the well is contaminated.

Staff provided an overview and Commissioners had comments in favor of the request.

Chair Leary opened public comments.

Comments were received from Eve Kahn, Gary Margadant, and Napa Deputy Utilities Director, Joy Eldredge.

Chair Leary closed public comments.

Upon motion by Commissioner Mohler and second by Commissioner Wagenknecht, the Commission approved staff recommendations to authorize the ratification of the outside service agreement, with standard terms and conditions, which includes the resolution (**Resolution No. 2019-05**):

ROLL CALL VOTE:

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

7. ACTION ITEMS – continued:

c) 2018-2019 Work Program Progress Report and Adoption of 2019-2020 Work Program

The Commission received a progress report on the 2018-2019 Work Program and consider adopting the proposed 2019-2020 Work Program that includes administrative, planning, and regulatory activities for the upcoming fiscal year.

Staff provided a brief overview of the report, noting a new format with additional categories. In reviewing the program, staff noted what is currently happening in the Napa Valley Unified School District (low admissions/possible school closures). Commissioner Mohler likes the suggestion of LAFCO preparing a school study, but said that LAFCO’s plate is currently full accordingly to the current work program, so should hold off on studying the school district. Staff noted a minor typo in the report and assured the Commission these will be corrected.

Upon motion by Commissioner Mohler and second by Commissioner Wagenknecht, the proposed 2019-2020 Work Program was adopted by the Commission:

ROLL CALL VOTE:

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

8. PUBLIC HEARING ITEMS

a) Final Budget for Fiscal Year 2019-2020 and Proposed Amendment to Fee Schedule

The Commission considered adopting a resolution to approve a final budget for 2019-2020. Proposed operating expenses total \$557,376 and proposed operating revenues total \$503,761 with the remaining shortfall of \$53,615 to be covered by drawing from agency reserves. The Commission also considered adopting a resolution to approve an amendment to the Fee Schedule.

Staff provided a brief overview of the budget prepared by the Budget Committee.

No Commissioner comments were received.

Chair Leary opened the public hearing. No public comments were received.

Chair Leary closed the public hearing.

Upon motion by Commissioner Wagenknecht and second by Commissioner Mohler, the final budget for the 2019-2020 fiscal year and resolution were approved (**Resolution No. 2019-06**):

ROLL CALL VOTE:

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

The Commission adopted a resolution to approve an amendment to the Fee Schedule.

Upon motion by Commissioner Wagenknecht and second by Commissioner Mohler, the amendment to the fee schedule and resolution were approved (**Resolution No. 2019-06A**):

ROLL CALL VOTE:

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

9. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

There was no discussion of this item.

10. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 4:12 PM. The next regular LAFCO meeting is scheduled for Monday, August 5, 2019, at 2:00 PM at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.

Kenneth Leary, Acting LAFCO Chair

ATTEST:

Brendon Freeman, Executive Officer

Prepared by:

Kathy Mabry, Commission Secretary