



Local Agency Formation Commission of Napa County
Subdivision of the State of California

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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

Agenda Item 5a (Consent/Action)

TO: Local Agency Formation Commission

PREPARED BY: Kathy Mabry, Commission Clerk *KM*

MEETING DATE: October 4, 2021

SUBJECT: Approval of Meeting Minutes:
August 2, 2021 Regular Meeting

DISCUSSION AND RECOMMENDATION

The Commission will consider approving the draft meeting minutes prepared by staff for the August 2, 2021 Regular Meeting, included as Attachment One.

Staff recommends approval.

ATTACHMENT

- 1) Draft Minutes for August 2, 2021 Regular Meeting

Margie Mohler, Vice Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

Diane Dillon, Chair
County of Napa Supervisor, 3rd District

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

Ryan Gregory, Alternate Commissioner
County of Napa Supervisor, 2nd District

Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MEETING MINUTES OF AUGUST 2, 2021**

1. WELCOME AND CALL TO ORDER; ROLL CALL

Chair Dillon called the regular meeting of August 2, 2021 to order at 2:00 PM.

At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Diane Dillon, Chair	Ryan Gregory – <i>Voting*</i>	Brendon Freeman, Executive Officer
Margie Mohler, Vice Chair	Eve Kahn	DeeAnne Gillick, Commission Counsel
Brad Wagenknecht – <i>Absent*</i>	Beth Painter	Dawn Mittleman Longoria, Analyst II
Mariam Aboudamous		Kathy Mabry, Secretary
Kenneth Leary		

2. PLEDGE OF ALLEGIANCE

Chair Dillon led the Pledge of Allegiance.

3. APPROVAL OF AGENDA

Chair Dillon asked if there were any requests to rearrange the agenda.

The Executive Officer announced that CALAFCO currently has a vacancy for the Board of Director's Coastal Region Public Member seat, and is seeking a nomination. Since agenda item #7d relates to CALAFCO, the Executive Officer recommended the Commission vote to add a nomination for a potential Public Member to #7d as an action item.

Upon motion by Commissioner Mohler and second by Commissioner Aboudamous, the Commission adopted the agenda, along with the stated addition to item #7d:

VOTE:

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

4. PUBLIC COMMENTS

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

Public comment was received by St. Helena Mayor, Geoff Ellsworth who encouraged the Commission to continue to advocate for regional or cross-jurisdictional water management and distribution in Napa County. He stated water availability to all is key to County-wide economic balance and the economies of scale that might be realized with a regional approach might help better sustain those economic and resource balances, and in balancing water rates and distributing volumes of our overall water resources.

5. CONSENT ITEMS

Action Item:

a) Approval of Meeting Minutes: June 7, 2021 Regular Meeting

Upon motion by Commissioner Mohler and second by Commissioner Leary, the action item was approved:

VOTE:

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

Information Items:

b) Draft Fiscal Year 2020-21 Budget to Actual Report

c) Legislative Report

d) Current and Future Proposals

Upon motion by Commissioner Mohler and second by Commissioner Leary, the information items were accepted:

VOTE:

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

6. PUBLIC HEARING ITEM

a) Sphere of Influence Reviews and Updates for Lake Berryessa Resort Improvement District, Napa Berryessa Resort Improvement District, and Spanish Flat Water District

The Commission considered reviewing and updating the spheres of influence (SOI) for Lake Berryessa Resort Improvement District (LBRID), Napa Berryessa Resort Improvement District (NBRID), and Spanish Flat Water District (SFWD) based on information in the adopted *Napa Countywide Water and Wastewater Municipal Service Review (2020)*.

The recommended actions were to adopt three resolutions that do the following:

(1) Affirm LBRID's sphere with no changes; (2) Expand NBRID's sphere to include two parcels identified as APNs 019-220-028 and 019-220-038; (3) Expand SFWD's sphere to include one entire parcel identified as APNs 019-280-004 and the portion designated as *Marine Commercial* of parcel APN 019-280-006; and (4) Find the sphere updates are exempt from further review under the California Environmental Quality Act.

Staff Analyst Dawn Mittleman Longoria provided a detailed presentation of the SOI review and update, conclusions, staff recommendations, as well as answered Commissioners questions.

Chair Dillon opened the public hearing.

The LAFCO Clerk read a submitted letter from Mr. Tom Aswald requesting to have SFWD service at his parcel ending in 004 (letter was presented to the Commission via email).

Public comment was received by Napa County Planning John McDowell regarding the County's Planning map and reviewed the zoning perspective. Mr. McDowell also thanked LAFCO staff for including the Planning staff early on in this SOI update process.

Chair Dillon closed the public hearing.

6. **PUBLIC HEARING ITEM – *continued*:**

b) Sphere of Influence Reviews and Updates for Lake Berryessa Resort Improvement District, Napa Berryessa Resort Improvement District, and Spanish Flat Water District

Upon motion by Commissioner Mohler and second by Commissioner Aboudamous, the Commission accepted the staff recommendations to receive and file the SOI Review and Update of the Lake Berryessa Region:

VOTE:

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

Upon motion by Commissioner Mohler and second by Commissioner Leary, the Commission adopted **Resolution No. 2021-15** to affirm LBRID’s sphere with no changes:

VOTE:

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

Upon motion by Commissioner Mohler and second by Commissioner Leary, the Commission adopted **Resolution No. 2021-16** to expand NBRID’s sphere to include APNs 019-220-028 and 019-220-038:

VOTE:

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

Upon motion by Commissioner Mohler and second by Commissioner Leary, the Commission adopted **Resolution No. 2021-17** to expand SFWD’s sphere to include APN 019-280-004 and the portion designated as *Marine Commercial* of parcel APN 019-280-006:

VOTE:

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

7. ACTION ITEMS

a) Strategic Plan and Work Program Progress Report

The Commission received a report on its adopted *Strategic Plan 2018-2022* and *Work Program for Fiscal Year 2021-2022*. Updated schedules for municipal service reviews, sphere of influence updates, and review of local policies were also presented as part of this item. The recommended actions for the Commission were to consider the following:

- (1) Amend *Strategic Plan 2018-2022* to add the updated study schedule and policy review schedule along with any other desired changes; and
- (2) Provide direction to the Executive Officer with respect to timing for a future strategic planning session.

The Executive Officer provided an overview stating that on June 7, 2021, the Commission adopted the Work Program and directed staff to return with an updated study schedule to accompany the Strategic Plan. An updated study schedule was provided to the Commission in today’s staff report, including new dates for recently completed studies and approximate target dates for the completion of new studies. Also included was an updated policy review schedule to reflect recently completed policies, as well as upcoming policy reviews.

Staff recommended the Commission discuss the study schedule and consider formally amending the Strategic Plan to include the updated study schedule with any desired changes.

A Work Program progress chart (including dates & links to recently completed studies) and a summary on key activities was provided to the Commission. The progress chart includes SOI updates and target dates for 5 Special Districts, Napa Sanitation District, MSR and SOI Updates for the City of St. Helena and the City of Napa, a report on the Communications and Outreach Committee (comprised of Commissioners Leary and Painter), and a Housing and General Plan Update (to be presented at the October meeting). The staff report summarizes the progress on all of these activities.

No action was required as part of this item, and no specific direction was provided to staff on this item.

b) Proposed Amendments to Policy on Records Retention and Destruction

The Commission considered a proposed amendment to its *Policy on Records Retention and Destruction* as prepared by the ad hoc Policy Committee (comprised of Commissioners Mohler and Wagenknecht). The recommended action was for the Commission to adopt a resolution approving the amendments.

On July 14, 2021, the Policy Committee met and agreed to recommend amendments to the Commission’s Policy on Records Retention and Destruction. The proposed amendments are provided in the staff report and are included in the draft resolution.

Upon motion by Commissioner Gregory and second by Commissioner Leary, the Commission adopted **Resolution No. 2021-18** approving the amendments to the policy:

VOTE:

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

7. ACTION ITEMS

c) Budget Adjustment No. 1 for Fiscal Year 2021-22

The Commission considered a budget adjustment to increase the Administration Services expense account by \$15,825. The increase would be offset by drawn down agency reserves. The recommended action is for the Commission to approve Budget Adjustment No. 1 for fiscal year 2021-22.

It was also recommended the Commission provide direction to staff to return with budget alternatives at the next regular meeting.

On June 7, 2021, the Commission adopted a final budget for fiscal year 2021-22 that includes \$554,141 in total operating expenses. The adopted budget includes \$424,076 for Administration Services (Account No. 52100), which covers staff salaries and benefits. The Commission did not budget for a cost-of-living adjustment (COLA) for staff. Subsequent to the adoption of the final budget, staff was alerted that all County of Napa employees will receive a 4.0% COLA and a one-time \$1,500 bonus in fiscal year 2021-22. LAFCO staff are contracted County employees consistent with the Commission’s support services agreement with the County. Employees are members of Service Employees International Union (SEIU) 1021. As such, the Commission has no discretion over the COLA or bonus given that they apply to all represented members of SEIU 1021.

The combined financial impact is \$15,825. With this in mind, staff recommended the Commission adjust the budget to increase Administration Services (Account No. 52100) by \$15,825 to be offset by drawing down the Commission’s undesignated/unreserved fund balance (“reserves”).

Staff recommended the Commission discuss this issue and provide direction to staff to return with budget alternatives at the next regular meeting, or establish a subcommittee to assist the Executive Officer with developing budget strategies. Staff proposed to appoint the former budget committee members consisting of Commissioners Mohler and Gregory.

Upon motion by Commissioner Mohler and second by Commissioner Aboudamous, the Commission approved staff’s recommendation to approve Budget Adjustment No. 1 for Fiscal Year 2021-22 as reflected in the staff report, and re-establish the ad hoc budget committee to include Commissioners Mohler and Gregory:

VOTE:

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

d) CALAFCO Annual Conference Nominations for Achievement Awards

The Commission considered making nominations for achievement awards at CALAFCO's Annual Conference scheduled for October 6th to 8th at the Hyatt Regency Newport Beach John Wayne Airport.

Staff noted that at its June 7th meeting, the Commission appointed Chair Dillon and Vice Chair Mohler as the regular and alternate voting delegates for the CALAFCO Conference. The conference will include Board of Directors elections and an achievement awards ceremony.

The recommended actions were for the Commission to:

- (1) If interested, nominate a person and/or project for an achievement award;
- (2) If interested, nominate a Public Member for the CALAFCO Board of Directors; and
- (3) Authorize the Chair to make any final decisions related to achievement awards.

Vice Chair Mohler nominated achievement awards for the Napa County LAFCO's Agriculture Preserve and Countywide Municipal Services Review of 2020.

Chair Dillon also suggested authorizing the chair to make any final decisions related to achievement awards, in the interest of time.

Commissioner Gregory stated he would like to see Commissioners Wagenknecht and Dillon be recognized for their service either this year or next for an achievement award.

Upon motion by Commissioner Mohler, and second by Commissioner Aboudamous, Commissioner Leary was nominated for the CALAFCO Board of Director's Coastal Region Public Member seat. Additionally, the Commission authorized the appointment of an ad hoc committee (Commissioners Dillon and Leary) to make any final decisions related to the CALAFCO achievement awards:

VOTE:

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

8. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

There was no discussion of this item.

9. CLOSED SESSIONS:

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 to report on this item.

10. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 4:13 PM. The next regular LAFCO meeting is scheduled for Monday, October 4, 2021 at 2:00 PM is expected to be at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.

Diane Dillon, LAFCO Chair

ATTEST:
Dawn Mittleman Longoria, Analyst II

Prepared by:

K. Mabry
Kathy Mabry, Commission Secretary