



**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*

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**Agenda Item 5a**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Kathy Mabry, Commission Secretary

**MEETING DATE:** June 1, 2015

**SUBJECT:** Approval of Meeting Minutes: February 2, 2015, March 16, 2015 and April 6, 2015

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**DISCUSSION AND RECOMMENDATION**

The Commission will consider approving the attached summary minutes prepared by staff for the February 2, 2015, March 16, 2015 and April 6, 2015 meetings.

Staff recommends approval.

**ATTACHMENTS:**

- 1) Regular Meeting Minutes of February 2, 2015
- 2) Special Meeting Minutes of March 16, 2015
- 3) Regular Meeting Minutes of April 6, 2015

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Juliana Inman, Chair  
Councilmember, City of Napa

Greg Pitts, Commissioner  
Councilmember, City of St. Helena

Joan Bennett, Alternate Commissioner  
Councilmember, City of American Canyon

Diane Dillon, Vice Chair  
County of Napa Supervisor, 3<sup>rd</sup> District

Brad Wagenknecht, Commissioner  
County of Napa Supervisor, 1<sup>st</sup> District

Keith Caldwell, Alternate Commissioner  
County of Napa Supervisor, 5<sup>th</sup> District

Brian Kelly, Commissioner  
Representative of the General Public

Gregory Rodeno, Alternate Commissioner  
Representative of the General Public

Peter Banning  
Interim Executive Officer



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MEETING MINUTES OF FEBRUARY 2, 2015**

**City of American Canyon – Council Chambers  
4381 Broadway Street, Suite 201, American Canyon, CA 94503**

**1. WELCOME AND CALL TO ORDER; ROLL CALL**

Chair Bennett called the regular meeting of February 2, 2015 to order at 4:00 PM.

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

Regular Commissioners	Alternate Commissioners	Staff
Joan Bennett, Chair	Juliana Inman ( <i>voting for</i>	Peter Banning, Interim Executive Officer
Diane Dillon, Vice-Chair	<i>Pitts</i> )	Jackie Gong, Commission Counsel
Brian Kelly	Keith Caldwell ( <i>voting for</i>	Brendon Freeman, Analyst
Greg Pitts - <i>Excused</i>	<i>Wagenknecht</i> )	Kathy Mabry, Secretary
Brad Wagenknecht - <i>Excused</i>	Gregory Rodeno	

**2. PLEDGE OF ALLEGIANCE**

Chair Bennett led the Pledge of Allegiance.

**3. APPROVAL OF AGENDA**

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

**4. PUBLIC COMMENTS**

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

**5. RECOGNITION OF SERVICE: Bill Dodd and Mark Luce**

The Commission recognized the dedicated service of Mark Luce as Commissioner for LAFCO between 2006 and 2014. Chair Bennett presented Mr. Luce with a plaque with a commemorative inscription. Mr. Luce expressed his appreciation to the Commission for the commendation.

The Commission also recognized the dedicated service of Bill Dodd as Commissioner for LAFCO between 2003 and 2014. Bill Dodd was unable to be present; however a representative from his office accepted a plaque of appreciation on his behalf conveying Mr. Dodd's gratitude to the Commission for the commendation.

**6. CONSENT ITEMS**

**a) Approval of Meeting Minutes: December 1, 2014 Regular Meeting and January 12, 2015 Special Meeting (Commission Workshop)**

**b) Current and Future Proposals**

Upon motion by Commissioner Bennett and second by Commissioner Kelly, the consent items were approved (*Commissioner Dillon abstained from voting on the December 1, 2014 minutes because she was not on LAFCO at that time*):

**VOTE:**

**AYES:            BENNETT, KELLY AND INMAN**  
**NOES:            NONE**  
**ABSENT:        PITTS AND WAGENKNECHT**  
**ABSTAIN:       DILLON**

**7. ACTION ITEM**

**a) Alternatives for Provision of Legal Counsel Services to the Commission**

The Commission considered revisions to its policy and procedure for retaining LAFCO legal counsel and the selection of a private law firm to replace part or all of the legal services it now receives from the Napa County Counsel's Office.

At its December 1, 2014 meeting, the Commission heard requests from city officials that it retain outside legal counsel. Without committing itself to doing so, the Commission instructed staff to circulate a request for proposal (RFP) to qualified law firms and attorneys that might provide such service to LAFCO's across the State of California. The RFP period closed January 21, 2015.

Three proposals were received meeting the requirements of the RFP.

Staff provided the Commission with an overview of the report, and a copy of the three law firm proposals; as well as a copy of the Commission's current policy on the Appointment of Counsel; and its current agreement with Napa County Counsel.

Staff noted in its report that the legal services provided by the Office of the County Counsel are perfectly adequate for matters of municipal law and public administration. However, the Commission should make provisions for the use of outside counsel when circumstances warrant, for matters specific to the Cortese-Knox-Hertzberg Act or to address perceived conflicts of interest. Staff recommended that the Commission approve the "hybrid" alternative described in the staff report, also noting that is actually stated in the Commission's current policy. No change in the budget is expected.

Chair Bennett opened the public hearing.

- Napa City Manager, Mike Parness spoke to the Commission regarding the three proposed law firms confirming that none currently work for the City of Napa.
- Yountville Town Mayor, John Dunbar spoke to the Commission regarding the three proposed law firms stating that although there are no current contracts with any of the three law firms, their Town expects neutral representation when it comes to LAFCO legal counsel.
- Yountville Town Manager, Steve Rogers spoke to the Commission pointing out that all five cities within the County equally share the LAFCO budget for Counsel and would likely be willing to pay a little more for outside expertise.
- American Canyon City Manager, Dana Shigley, spoke to the Commission noting that her agency is interested in retaining professional legal services and efficiency for all parties involved, and suggested shared services as an option.

Chair Bennett closed the public hearing.

Following discussion, the Commission decided to continue this matter, and form a Sub-Committee to interview the three law firm representatives, then come back with one finalist to the Commission for approval, ultimately retaining one of the three proposing law firms to provide specialized services pertaining to the Cortese-Knox-Hertzberg Act or to address potential or perceived conflicts of interest when necessary.

Upon motion by Commissioner Kelly and second by Commissioner Dillon, the Commission appointed Commissioners Dillon and Inman to form a Sub-Committee to conduct law firm interviews and report back to the Commission.

**VOTE:**

**AYES: KELLY, DILLON AND BENNETT**  
**NOES: NONE**  
**ABSENT: PITTS AND WAGENKNECHT**  
**ABSTAIN: NONE**

## **8. DISCUSSION ITEMS**

### **a) Workshop Follow-up and Direction to Staff**

The Commission reviewed a summary of a Workshop held on January 12, 2015 and heard and discussed reports on the following aspects of that discussion and directed staff to take further action:

#### **1. City Selection Committee Rotation**

As part of the Commission's Workshop, several commissioners raised concerns that the Napa County City Selection Committee (NCCSC) process may be problematic because city members are appointed and removed from their seats on LAFCO without respect to their experience or ability to effectively provide representation for cities on the Commission.

The NCCSC process creates turnover leading to a loss of institutional knowledge of sensitive LAFCO issues. At the meeting, staff was directed to provide a summary of the current practice for selecting city members and provide potential alternatives for Commission consideration.

In an effort to eliminate the timing issue between the NCCSC process and the Commission's policy on the rotation of the Chair and Vice-Chair, staff identified four options for Commission consideration on page 3 of the staff report, including the status quo alternative.

A review of all available options was provided by staff.

Following discussion and upon motion by Commissioner Inman and second by Commissioner Dillon, the Commission gave direction to staff to bring back recommendations on how the rotation can coincide with the possibility of changing to May 1<sup>st</sup> as noted in Option Four: Begin Officer Terms May 1<sup>st</sup> of the staff report, page 4.

#### **2. Review of County – Napa LAFCO Memorandum of Understanding**

Some of the discussion at the Workshop concerned the Commission's formal agreement for the provision of services by the County of Napa in 2003 entitled Agreement for the Provision of Support Services by the County of Napa to the Napa County Local Agency Formation Commission (Agreement No. 03-02, copy provided)).

Staff recommendation is that the Commission review and discuss the agreement and assign a Sub-Committee to work with staff to provide updates on the agreement.

Upon motion by Commissioner Kelly and second by Commissioner Dillon, the Commission approved staff's recommendation to form a Sub-Committee and appointed Commissioners Bennett and Wagenknecht to meet and discuss Agreement No. 03-02, and then come back to the Commission with its recommendation.

#### **3. Executive Officer Recruitment Update**

Staff provided the Commission with an update stating that a meeting was held today with the EO Recruitment Consultant, RGS (Regional Government Services) to pre-screen candidates who have submitted applications. There will be 2-4 applicants for the Commission to interview in a special meeting to be held the week of February 23<sup>rd</sup>. Commissioners will be polled regarding their availability for the actual date & time of these interviews.

#### **4. Authorization for Strategic Planning Event**

Staff provided the Commission with a brief update; however, it was recommended that the Commission wait until a new Executive Officer has been appointed before scheduling a strategic planning workshop to set its goals and objectives.

**8. DISCUSSION ITEMS – continued:**

**b) Progress on Municipal Service Review and Sphere of Influence Update Study Schedule**

The Commission received an update on its current study schedule of municipal service reviews and sphere of influence updates. An anticipated study schedule was provided in the staff report.

The report also noted unexpected complications in hiring a skilled full-time Executive Officer would likely result in additional delays to the study schedule. Under the circumstances, the use of consultants to aid in the preparation of MSRs and SOI updates could be useful in maintaining the study schedule outlined in the report.

- Yountville Town Manager, Steve Rogers spoke to the Commission expressing concerns regarding the delay in studies to be performed saying the Yountville MSR should have been completed in 2013.
- Yountville Town Mayor, John Dunbar spoke to the Commission and asked what can be done to align LAFCO staff with the current schedule and be consistent with the policy. He stated LAFCO should have the appropriate staffing levels to get the work done or contract out for its services.

Following a lengthy Commission discussion, staff was directed to come back with a suggested realistic work plan on the agency's current schedule of municipal service reviews and sphere of influence updates.

**c) Authorization to Participate in County P-Card Program**

The Commission received an update on the County Auditor's development of a credit card program available to Napa County special districts and LAFCO.

- Tracy Schulze, Napa County Auditor-Controller spoke to the Commission regarding this program. She said the County Auditor's office has been working on this matter for the past year and the policy is now available, and there is a state contract in place for the use of the card. Ms. Schulze notes that she had discussed this matter with the former EO, Laura Snideman in 2014 clarifying the status that time. Ms. Schulze reported that she will be presenting the County's credit card ("P-Card") program to the Board of Supervisors on February 10, 2015, and following anticipated action will adopt usage guidelines and approve extension of the program to LAFCO.

If approved, staff will prepare materials for participation in the program which will be overseen by the County Auditor-Controller.

**9. EXECUTIVE OFFICER REPORT**

There was no report by the Executive Officer.

**10. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS**

Commissioner Caldwell commended Jackie Gong, Counsel on her service over the years saying she has done an excellent job, as Ms. Gong will be retiring soon. Ms. Gong thanked the Commission and stated she has enjoyed serving on LAFCO.

Silva Darbinian will be replacing Ms. Gong as County Counsel to LAFCO.

**11. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING**

The meeting was adjourned at 6:08 PM. The next regular LAFCO meeting is scheduled for **Monday, April 6, 2015 at 4:00 PM to be held at the Yountville Town Hall (Council Chambers), 6550 Yount Street, Yountville, CA 94599.**

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Joan Bennett, Chair

ATTEST: Peter Banning, Interim Executive Officer

Prepared by:  Kathy Mabry, Commission Secretary



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
SPECIAL MEETING MINUTES OF MARCH 16, 2015**

**City Hall of Napa – Committee Room  
955 School Street  
Napa, CA 94559**

**1. WELCOME AND CALL TO ORDER; ROLL CALL**

Chair Bennett called the special meeting of March 16, 2015 to order at 4:00 PM. At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Joan Bennett, Chair	Juliana Inman	Peter Banning, Interim Executive Officer
Diane Dillon, Vice-Chair	Keith Caldwell ( <i>voted for Wagenknecht on item #4</i> )	Brendon Freeman, Analyst
Greg Pitts	Gregory Rodeno ( <i>voted for Kelly on item #4</i> )	Gladys Coil, Clerk
Brian Kelly ( <i>arrived at 4:10 during item #5</i> )		Kathy Mabry, Secretary ( <i>Excused</i> )
Brad Wagenknecht ( <i>arrived at 4:14 during item #5</i> )		

**2. PLEDGE OF ALLEGIANCE**

Chair Bennett led the Pledge of Allegiance.

**3. PUBLIC COMMENT**

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

**4. CONSENT ITEMS**

**a) Approval of Special Meeting Minutes of February 27, 2015**

Upon motion by Commissioner Dillon and second by Commissioner Caldwell, the consent item was unanimously approved:

**VOTE:**

**AYES: DILLON, CALDWELL AND BENNETT**  
**NOES: NONE**  
**ABSENT: KELLY AND WAGENKNECHT**  
**ABSTAIN: PITTS AND RODENO**

**5. ACTION ITEMS**

**a) Contract Extension and Budget Amendment for Recruitment Services – Executive Officer Position**

The Commission considered the amendment of Contract No. 2015-02 with Regional Government Services (RGS) for executive recruiting services. The proposed amendment would extend the period of the contract to July 31, 2015 and allow a maximum expenditure amount not to exceed \$10,000.

The LAFCO Interim Executive Officer provided an update of this agenda item to the Commission. The Recruitment Consultant Reanette Fillmer (RGS representative) made a presentation to the Commission.

**5. ACTION ITEMS – continued:**  
**a) Contract Extension and Budget Amendment for Recruitment Services – Executive Officer Position**

Following discussion, the Commission approved the actions as follows:

1. Upon motion by Commissioner Wagenknecht and second by Commissioner Dillon, the Commission approved extending the RGS contract to July 31, 2015:

**VOTE:**

**AYES: WAGENKNECHT, DILLON, BENNETT, KELLY AND PITTS**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

2. Upon discussion the Commission unanimously agreed that the additional funding (\$10,000) was not necessary since the \$16,500 originally approved for this contract was still in the budget, and to date no invoice has been received by RGS. No action was taken on this item.

3. Upon motion by Commissioner Kelly and second by Commissioner Pitts, the Commission authorized RGS to post the Executive Officer position at an increased salary range of \$103,000 to \$133,000:

**VOTE:**

**AYES: KELLY, PITTS, BENNETT, DILLON AND WAGENKNECHT**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

4. Upon motion by Commissioner Dillon and second by Commissioner Wagenknecht, the Commission directed staff to work with the County Department of Human Resources to amend the County Salary Schedule to reflect the increased salary range for the Executive Officer position authorized above:

**VOTE:**

**AYES: DILLON, WAGENKNECHT, BENNETT, KELLY AND PITTS**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

**5. ACTION ITEMS - continued**

**b) Retention of Legal Counsel**

The Commission considered the retention of the firm Miller & Owen as the Commission’s legal counsel and the approval of a Professional Services Agreement for those services.

The LAFCO Interim Executive Officer provided an update to the Commission.

As directed by the Commission at its meeting on February 2, 2015, an ad hoc sub-committee composed of LAFCO Members Juliana Inman and Diane Dillon and the Commission’s Executive Officer met on March 4th to interview representatives of law firms that had responded to the Commission’s Request for Proposals for legal services. At the conclusion of these interviews, the sub-committee decided to recommend that the Commission retain the firm of Miller & Owen as the Commission’s General Counsel. Staff drafted the Professional Services Agreement for the Commission’s authorization of the recommended services, if granted.

The effective date of the draft Professional Services Agreement is March 16, 2015.

The Interim EO noted that the existing written agreement between LAFCO and the County of Napa for provision of administrative services (including legal counsel) would need to be amended (County Agreement No. 4433, LAFCO Agreement No. 03-02). The agreement does not preclude or prevent the Commission from entering into any other agreement for outside legal services.

Upon motion by Commissioner Wagenknecht and second by Commissioner Kelly, the Commission unanimously approved to retain Miller & Owen and approved the Professional Services Agreement with amendments made to #10 (waive conflict of interest and insert generic and optional language):

**VOTE:**

<b>AYES:</b>	<b><u>WAGENKNECHT, KELLY, BENNETT, DILLON AND PITTS</u></b>
<b>NOES:</b>	<b><u>NONE</u></b>
<b>ABSENT:</b>	<b><u>NONE</u></b>
<b>ABSTAIN:</b>	<b><u>NONE</u></b>

**6. ADJOURNMENT**

Adjournment to regular meeting at **4:00 PM on Monday, April 6, 2015 at Yountville Town Hall** (Council Chambers) located at 6550 Yount Street, Yountville, CA 94599.

\_\_\_\_\_  
Joan Bennett, Chair

ATTEST: Peter Banning, Interim Executive Officer

Approved by: \_\_\_\_\_  
Gladys Coil, Clerk of the Board of Supervisors, Napa County  
*Prepared by Kathy Mabry, LAFCO Commission Secretary*



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MEETING MINUTES OF APRIL 6, 2015**

**Yountville Town Hall – Council Chambers  
6550 Yount Street, Yountville, CA 94599**

**1) WELCOME AND CALL TO ORDER; ROLL CALL**

Chair Bennett called the regular meeting of April 6, 2015 to order at 4:00 PM.

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

Regular Commissioners	Alternate Commissioners	Staff
Joan Bennett, Chair	Juliana Inman ( <i>voting for</i>	Peter Banning, Interim Executive Officer
Diane Dillon, Vice-Chair	<i>Pitts</i> )	Brendon Freeman, Analyst
Brian Kelly	Keith Caldwell	Kathy Mabry, Secretary
Brad Wagenknecht	Gregory Rodeno	Jennifer Gore, LAFCO Legal Counsel
Greg Pitts ( <i>Excused</i> )		

**2. PLEDGE OF ALLEGIANCE**

Special Guest, Jacqueline Gong, former LAFCO Counsel, led the Pledge of Allegiance.

**3. APPROVAL OF AGENDA**

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

A request was made by the Interim Executive Officer to remove the minutes of February 2 and March 16, 2015 from the agenda in order to make a correction in the votes.

Upon motion by Commissioner Wagenknecht and second by Commissioner Dillon, the minutes of February 2 and March 16, 2015 were removed from the agenda:

**VOTE:**

**AYES:** WAGENKNECHT, DILLON, BENNETT, INMAN AND KELLY

**NOES:** NONE

**ABSENT:** PITTS

**ABSTAIN:** NONE

**4. PUBLIC COMMENTS**

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

No public comments were received.

**5. RECOGNITION OF SERVICE: Jacqueline Gong**

Chair Bennett presented a plaque of appreciation to Ms. Jacqueline Gong, County Counsel, for her many years of service to the LAFCO Commission, as she has retired effective March 31, 2015.

Ms. Gong addressed the Commission and fondly spoke of her years on LAFCO, and expressed gratitude to the Commission and staff for the plaque of appreciation.

**6. CONSENT ITEMS**

**a) Approval of Meeting Minutes: February 2, 2015 and March 16, 2015 meetings**

*(Note: Removed from the agenda during item #3).*

**b) Current and Future Proposals**

**c) Amendments to Support Services Agreement with the County of Napa (Information Technology Services) Amendment No. 9 to Napa County Agreement No. 4433, LAFCO Agreement No. 03-02, effective July 1, 2015)**

Upon motion by Commissioner Wagenknecht and second by Commissioner Inman, consent items 6b and 6c were approved, however item #6a was removed from the agenda for correction:

**VOTE:**

**AYES:** WAGENKNECHT, INMAN, DILLON, BENNETT AND KELLY  
**NOES:** NONE  
**ABSENT:** PITTS  
**ABSTAIN:** NONE

**7. PUBLIC HEARING ITEMS**

**a) Proposed Budget for Fiscal Year 2015-2016**

The Commission considered adopting a resolution to approve a proposed budget for 2015-2016. Proposed operating expenses total \$498,684 and represent a 3.0% decrease over the current fiscal year. Proposed operating revenues total \$481,444 with the remaining shortfall (\$17,239) to be covered by drawing down on agency reserves.

Staff provided a review of the Budget Committee's report (Commissioners Bennett and Kelly). Importantly, the proposed budget report includes a one-time allotment of \$25,000 to hire a professional consultant to perform work associated with the agency's electronic document management system. The Commission will hire ECS Imaging, Inc., effective July 1, 2015, to perform back-scanning of LAFCO records for storage in the agency's Laserfiche database. This allotment will draw its funding from the Consulting Services account #52310).

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

Chair Bennett closed the public hearing.

Upon motion by Commissioner Kelly and second by Commissioner Inman, the Commission unanimously approved the budget (**Resolution No. 2015-01**) as follows:

- 1) Adopted the proposed budget for FY 2015-2016 as modified to include \$25,000 for the back-scanning project by ECS Imaging, Inc.;
- 2) Directed the Committee to circulate the adopted proposed budget to funding agencies as well as make available to the general public for review and comment; and
- 3) Directed the Committee to return with recommendations for a final budget for adoption at a noticed public hearing on June 1, 2015.

**VOTE:**

**AYES:** KELLY, INMAN, BENNETT, DILLON AND WAGENKNECHT  
**NOES:** NONE  
**ABSENT:** PITTS  
**ABSTAIN:** NONE

**8. ACTION ITEMS**

**a) Buhman Court No. 1 Annexation to the Napa Sanitation District**

The Commission considered a landowner petition to annex a 13.9 acre incorporated parcel to the Napa Sanitation District. The subject parcel is located at 38 Buhman Court in the City of Napa. The purpose of the annexation is to facilitate the residential development of the subject parcel as contemplated in the applicant's tentatively approved development project. The proposal is exempt from CEQA under Public Resources Code Section 15319(b). The recommended action was for the Commission to adopt a resolution approving the proposal with standard terms and conditions. Staff provided an overview of the proposed annexation.

Upon motion by Commissioner Kelly and second by Commissioner Wagenknecht, the proposed annexation and resolution were unanimously approved by the Commission as submitted (**Resolution #2015-02**):

**VOTE:**

**AYES:** **KELLY, WAGENKNECHT, INMAN, BENNETT AND DILLON**  
**NOES:** **NONE**  
**ABSENT:** **PITTS**  
**ABSTAIN:** **NONE**

**b) Redwood Road No. 5 Annexation to the Napa Sanitation District**

The Commission considered a landowner petition to annex a 1.7 acre incorporated parcel to the Napa Sanitation District. The subject parcel is located at 2990 Redwood Road in the City of Napa. The purpose of the proposed annexation is to facilitate the residential development of the subject parcel as contemplated in the applicant's tentatively approved development project.

The proposal is exempt from CEQA under Public Resources Code Section 15319(b).

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

Staff provided an overview of the proposed annexation.

During Commission discussion, it was discovered by staff that the proposal will require an amendment to include an adjacent segment of public right-of-way on Redwood Road.

Upon motion by Commissioner Kelly and second by Commissioner Wagenknecht, the annexation and resolution was approved with a modification to include an adjacent portion of public right-of-way (**Resolution #2015-03**):

**VOTE:**

**AYES:** **KELLY, INMAN, BENNETT, DILLON AND WAGENKNECHT**  
**NOES:** **NONE**  
**ABSENT:** **PITTS**  
**ABSTAIN:** **NONE**

**8. ACTION ITEMS – continued:**

**c) Commission Policy Update: Appointment of Chair and Vice-Chair**

The Commission considered adopting a proposed amendment to its policy on the appointment of Chair and Vice-Chair. The proposed policy amendment would change the commencement dates for the Chair and Vice-Chair positions from January 1<sup>st</sup> to May 1<sup>st</sup> each calendar year to be in alignment with the Napa County City Selection Committee’s process for making membership appointments to the Commission.

Staff provided the Commission with proposed amendments to the policy on the appointment of the Commission’s Chair and Vice-Chair. The proposed amendments were presented in response to the Commission expressing dissatisfaction with the current policy, which automatically rotates the Chair and Vice-Chair positions each year on January 1<sup>st</sup>. However, the proposed amendments did not satisfactorily address the issue of vacancies in the Chair and Vice-Chair membership.

The Commission directed staff to work with legal counsel in drafting new proposed amendments to the policy for appointment of the Chair and Vice-Chair to also define and address membership vacancies.

The Commission unanimously agreed to continue this matter. No action was taken.

**VOTE:**

**AYES:** **BENNETT, KELLY, INMAN, DILLON AND WAGENKNECHT**  
**NOES:** **NONE**  
**ABSENT:** **PITTS**  
**ABSTAIN:** **NONE**

**d) Commissioner Stipends**

The Commission considered making changes to its policy regarding stipend payments for commissioners to attend meetings.

Staff provided an overview of the staff report.

Members of the Commission have expressed interest in furthering their understanding of existing policies and procedures regarding stipends (i.e. “per diems”) associated with their participation in meetings, classes, conferences, and other forms of LAFCO business. In particular, there has been some misunderstanding amongst commissioners with respect to which specific meetings and training opportunities result in the member receiving a stipend.

Following discussion, the Commission suggested amendments to the Commission’s Policy on Conducting Meetings and Business to add a new category of LAFCO-related activities that result in commissioners receiving a stipend for their participation, as well as amend the policy to provide up to four stipends per year per commissioner for attending other trainings, classes, or other activities which are mandated or related to LAFCO business.

Upon motion by Commissioner Dillon and second by Commissioner Wagenknecht, the Commission directed staff to make the above-mentioned policy amendments.

**VOTE:**

**AYES:** **DILLON, WAGENKNECHT, BENNETT, INMAN AND KELLY**  
**NOES:** **NONE**  
**ABSENT:** **NONE**  
**ABSTAIN:** **NONE**

## 9. DISCUSSION ITEMS

### a) Draft Sphere of Influence Update for the Napa Sanitation District

The Commission reviewed a draft sphere of influence update for the Napa Sanitation District. The draft was submitted for discussion, comment, and direction to staff for its further development prior to public hearing and formal action at the June 1, 2015 meeting.

The draft sphere of influence update for the Napa Sanitation District (NSD) contemplates adding two study areas to the existing sphere as well as removing one study area from the sphere.

Staff provided an overview of the staff report.

The following public comments were received:

- Brian Russell, Representative for the owner of property on Solano Avenue, spoke to the Commission regarding some discrepancies in the draft report and noting them in a comment letter provided to the Commission.
- Scott Klingbeil, City of Napa Senior Planner, commented on the Timberhill Park area and Buhman Avenue property (discussed in agenda item #8a) and suggested keeping that area within the NSD's sphere of influence.
- Renee Carter, Owner of property adjacent to the proposed County Jail Site, provided comments stating she supports this area being in the sphere.
- Scott Sedgley, City of Napa Councilmember, agreed with Ms. Carter by saying the sphere of influence update should include the property adjacent to the proposed County Jail Site, and also agreed with Mr. Klingbeil to not remove Timberhill Park from the sphere.

Several other specific areas, such as Monticello Park were discussed by the Commission and staff.

A number of comments received to date suggest that LAFCO should expand NSD's sphere. However, any amendments to NSD's sphere would represent a project under the California Environmental Quality Act (CEQA). Absent an existing environmental determination made by another agency or an available exemption, LAFCO would be required to serve as lead agency and make the appropriate environmental determinations for any potential amendment to NSD's sphere. This would likely involve the preparation of an environmental impact report for the majority of the study areas that would be added to NSD's sphere. It should be noted that the Commission has not included the necessary funding within the agency's budget to prepare this type of environmental review and analysis.

Following discussion, the Commission directed staff to re-assess the study areas within the draft sphere of influence update.

Staff will initiate a 30-day public comment period on the draft report with the expectation of returning with a complete and final section for approval by the Commission at its next regular meeting on June 1, 2015. No action was taken by the Commission.

### b) Memorandum of Understanding with the County of Napa

The Commission received an update regarding the agency's memorandum of understanding (MOU) with the County of Napa.

The Interim Executive Officer, and Jennifer Gore, LAFCO Legal Counsel, provided an overview of the staff report to the Commission.

Members of the MOU sub-committee recommended that the Commission review and comment on the revised Agreement for the Provision of Support Services and directed staff to discuss the amendments with representatives of the County.

Various comments were received by the Commission and sections of the Memorandum of Understanding were reviewed; however, it is still in the process of being revised.

No action was taken.

**10. EXECUTIVE OFFICER REPORT**

The Interim Executive Officer provided an update on the recruitment of the Executive Officer position and the efforts by the recruiter, RGS. The recruitment period ends April 20, 2015.

**11. COMMISSIONER COMMENTS**

Commissioner Inman provided an oral report on the CALAFCO Legislative Committee, and stated a written report will be provided to the Commission on California Code 56133 at the next regular meeting. The Commission may be asked to write letters in support of matters currently going through the legislature.

**12. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING**

The meeting was adjourned at 6:38 PM. The next regular LAFCO meeting is scheduled for **Monday, June 1, 2015** at 4:00 PM at the **Napa County of Board of Supervisors Chambers**, located at 1195 Third Street, Suite 310 (3<sup>rd</sup> Floor), Napa, CA 94559.

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Joan Bennett, Chair

ATTEST:

Peter Banning, Interim Executive Officer

Prepared by:

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Kathy Mabry  
Commission Secretary