



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 5b

TO: Local Agency Formation Commission

PREPARED BY: Kathy Mabry, Commission Secretary

MEETING DATE: October 6, 2014

SUBJECT: Approval of Meeting Minutes

DISCUSSION AND RECOMMENDATION

The Commission will consider approving the attached summary minutes prepared by staff for the August 4, 2014 regular meeting. Staff recommends approval.

ATTACHMENT(S)

- 1) LAFCO Meeting Minutes of August 4, 2014

Joan Bennett, Vice Chair
Councilmember, City of American Canyon

Greg Pitts, Commissioner
Councilmember, City of St. Helena

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

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

Bill Dodd, Commissioner
County of Napa Supervisor, 4th District

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

Brian J. Kelly, Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Laura Snideman
Executive Officer



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MEETING MINUTES OF AUGUST 4, 2014**

1. WELCOME AND CALL TO ORDER; ROLL CALL

Acting Chair Inman called the regular meeting of August 4, 2014 to order at 4:00 pm.

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

Regular Commissioners	Alternate Commissioners	Staff
Greg Pitts	Juliana Inman (<i>voting for</i>	Laura Snideman, Executive Officer
Brad Wagenknecht	<i>Joan Bennett</i>)	Jackie Gong, Commission Counsel
Brian Kelly (<i>arrived @ 4:32pm</i>	Mark Luce (<i>voting for</i>	Brendon Freeman, Analyst
<i>preceding Item #7a</i>)	<i>Bill Dodd</i>)	Kathy Mabry, Secretary
<i>Absent-Joan Bennett</i>	Gregory Rodeno (<i>voting for</i>	
<i>Absent-Bill Dodd</i>	<i>Brian Kelly</i>)	

2. PLEDGE OF ALLEGIANCE

Scott Klingbeil, City of Napa Planner, led the Pledge of Allegiance.

3. APPROVAL OF AGENDA

Acting Chair Inman asked if there were any requests to rearrange the agenda. There were no requests.

Upon motion by Commissioner Pitts and second by Commissioner Rodeno, the Commission unanimously adopted the agenda as submitted:

VOTE:

AYES: PITTS, RODENO, INMAN, LUCE AND WAGENKNECHT
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

4. PUBLIC COMMENTS

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

5. CONSENT ITEMS: NOTE - Staff noted a *correction to #5e involving funds for participation in Napa Valley Leadership stating the resolution should have reflected an additional \$295 in the Employer-Paid amount; therefore, a revised resolution was delivered to the Commission today.**

a) Approval of Meeting Minutes

The Commission approved minutes from the June 2, 2014 regular meeting.

b) Current and Future Proposals

The Commission received a report summarizing current and future proposals.

c) Appoint Voting Delegate and Alternate for Annual CALAFCO Board Elections

The Commission appointed Chair Brian Kelly and Vice-Chair Joan Bennett to serve as Napa's voting delegate and alternate delegate, respectfully, for the Board elections at CALAFCO's Annual Conference scheduled for October 15-17, 2014 in Ontario, CA.

d) Adopt Resolution Amending the Conflict of Interest Code

The agency's current Conflict of Interest Code was updated with non-substantive changes. **(Resolution No. 2014-11).**

5. CONSENT ITEMS – continued:

e) Adopt Two Resolutions Approving the Executive Officer’s Participation in and Budget for Retirement Savings and Napa Valley Leadership Training

The Commission approved the following resolutions:

Resolution No. 2014-12* *(A revised resolution was provided to the Commission today):*

Providing a Non-Matching Employer Contribution for the Benefit of the Executive Officer for the Calendar Year 2014, Approving the Executive Director’s Participation in Leadership Napa Valley, and Approving the Reallocation of Budget Appropriations for These Benefits, and;

Resolution No. 2014-13: Consenting to the Participation of LAFCO Management Staff in the County of Napa’s 401(a) Retirement Savings Plan and Establishing the LAFCO Match for the 2015 Calendar Year.

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

VOTE:

AYES:	<u>WAGENKNECHT, RODENO, INMAN, LUCE AND PITTS</u>
NOES:	<u>NONE</u>
ABSENT:	<u>NONE</u>
ABSTAIN:	<u>NONE</u>

6. PUBLIC HEARING ITEM

a) West Pueblo Avenue No. 1 Annexation to the City of Napa

Staff provided a summary of the report, existing policy considerations, and state law as it relates to this request. An aerial map of the territory proposed to be annexed was shown. The proposal was filed by a landowner petition to annex approximately 3.3 acres of territory to the City of Napa. The territory comprises five entire parcels located within an unincorporated island near West Pueblo Avenue, but does not have 100% consent. The City of Napa serves as lead agency under CEQA and prepared an initial study addressing any environmental impacts associated with the proposed annexation.

Staff recommended the Commission adopt a resolution approving the proposal subject to separate protest proceedings absent consent from all landowners.

Acting Chair Inman opened the public hearing for comments.

- Sudie Pollock, neighbor, provided comment as well as showed the Commission where she lives on the map displayed. Ms. Pollock expressed concern about the impacts of development as it relates to the dead-end on Morlan Drive, and provided a letter to the Commission regarding same. She also stated that she believes not all residents received a notice of today’s meeting and requested an address list of property owners/registered voters used by staff for mailing. Staff indicated it will provide Ms. Pollock with an address list used for this meeting notice. In addition, Ms. Pollock requested a continuance of this item until all homeowners on Morlan Drive are aware of the annexation proposal to 2075 West Pueblo Avenue.
- Dave Tiesso, resident of 2063 Morlan Drive spoke to the Commission remarking that he had spoken to LAFCO staff previously. He then requested numbers for the assessed values on the properties relating to this proposal. Mr. Tiesso stated to the Commission that he is not on board with this proposal.
- Scott Klingbeil, City of Napa Planner provided clarification that there is no requirement for property owners to take services upon annexation, and that he knows of no plans at this time to subdivide that property.

6. PUBLIC HEARING ITEM – continued:

a) West Pueblo Avenue No. 1 Annexation to the City of Napa

- Acting Chair Inman asked Mr. Klingbeil about the easement in the driveway of 2063 Morlan Drive, noting that it is not a utility easement, so how could utilities be provided?
- Brendon Freeman, LAFCO Analyst, cited the Cortese-Knox-Hertzberg Act and its noticing requirement of 300 feet within the boundaries of the proposed annexation (a public hearing notice was also published in the Napa Register).
- Morlan Drive resident, Lucas, spoke to the Commission noting that he did not receive of notice of this meeting and pointed out where his property is on the displayed map.

Acting Chair Inman closed the public hearing.

In addition, the Chair requested that staff provide the Commission and Ms. Pollock with an address list of noticed properties used for this meeting.

Laura Snideman, Executive Officer, discussed the protest hearing procedures.

Upon motion by Commissioner Rodeno and second by Commissioner Pitts, the Commission continued this item until the next regular meeting on October 6, 2014:

VOTE:

AYES: **RODENO, PITTS AND WAGENKNECHT**
NOES: **INMAN AND LUCE**
ABSENT: **NONE**
ABSTAIN: **NONE**

NOTE: *At 4:36 p.m., the Commission took a one-minute recess as Chair Kelly arrived and resumed his position, and Acting Chair Inman resumed her Alternate Commissioner position voting for Joan Bennett and Alternate Commissioner Gregory Rodeno stepped off the dais.*

7. ACTION ITEMS

a) Borrette Lane No. 9 Annexation to the Napa Sanitation District

The Commission considered a landowner petition to annex a 0.4 acre incorporated parcel to the Napa Sanitation District. The subject parcel is located at 1018 Borrette Lane within the City of Napa. The purpose of the proposed annexation is to allow the existing single-family residence to connect to the District’s public sewer system due to signs of an aging septic system. The proposal is exempt from CEQA under Public Resources Code Section 15319(a).

An aerial map of the territory proposed to be annexed was displayed.

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

There were no Commissioner comments received.

Upon motion by Commissioner Wagenknecht and second by Commissioner Inman, the Commission unanimously approved the annexation as submitted (**Resolution No. 2014-14**).

VOTE:

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

7. ACTION ITEMS – continued:

b) Garfield Lane No. 3 Annexation to the Napa Sanitation District

The Commission considered a landowner petition to annex a 1.42 acre incorporated parcel to the Napa Sanitation District. The subject parcel is located at 47 Garfield Lane in the City of Napa. The purpose of the proposal is to facilitate the subdivision of the subject parcel as contemplated in the applicant’s tentatively approved development project. The proposal qualifies for a Class 32 categorical exemption from CEQA.

An aerial map of the territory proposed to be annexed was displayed.

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

Upon motion by Commissioner Pitts and second by Commissioner Luce, the Commission unanimously approved the annexation as submitted (**Resolution No. 2014-15**).

VOTE:

AYES:	<u>PITTS, LUCE, WAGENKNECHT, INMAN AND KELLY</u>
NOES:	<u>NONE</u>
ABSENT:	<u>NONE</u>
ABSTAIN:	<u>NONE</u>

c) Silver Trail No. 9 Annexation to the Napa Sanitation District

The Commission considered a landowner petition to annex six unincorporated parcels totaling 3.75 acres to the Napa Sanitation District. The subject parcels are located at 1510, 1511, 1514, 1519, 1522, and 1570 Silver Trail in the Silverado community. The purpose of the proposal is to allow the existing single-family residences to connect to the District’s public sewer infrastructure. The proposal is exempt from CEQA under Public Resources Code Section 15319(a).

An aerial map of the territory proposed to be annexed was displayed.

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

Commissioner Rodeno pointed out that one parcel remaining within close proximity will not be annexed due to lack of consent. Staff confirmed that 1530 Silver Trail will not be included in the annexation due to lack of landowner responsiveness.

Upon motion by Commissioner Wagenknecht and second by Commissioner Inman, the Commission unanimously approved the annexation as submitted (**Resolution No. 2014-16**).

VOTE:

AYES:	<u>LUCE, WAGENKNECHT, INMAN, KELLY AND PITTS</u>
NOES:	<u>NONE</u>
ABSENT:	<u>NONE</u>
ABSTAIN:	<u>NONE</u>

8. DISCUSSION ITEMS

There were no discussion items.

9. EXECUTIVE OFFICER REPORT

The Executive Officer provided brief reports on the following items:

a) Memo on Potential Water Accounts

During the Commission's June 2 meeting, several questions related to water service were asked in conjunction with authorizing a new water connection to a commercial site outside of the City of Napa's sphere of influence. For that reason, staff provided the Commission with a written report and a map showing the existing and potential water service accounts outside of the City limits. The report explains that there are approximately 358 properties outside of the City limits that could be eligible for new City of Napa water service accounts using the criteria that a parcel would need to be immediately adjacent to an existing water line. The report also stated that the number of potential accounts specifically for commercial use has not been determined.

b) 5091 Solano Avenue – Update on Application Received by Napa County for a New Hotel & Restaurant

An update was provided noting the application has been received by Napa County for a new hotel and restaurant at the site of the former Red Hen. The County will be the lead agency, and that information will be needed from the City of Napa's Water Division and the Napa Sanitation District before approval by LAFCO.

Commissioner Pitts acknowledged that he will recuse himself from future discussions on this matter because he has a financial interest in the proposed project.

c) Executive Officer Initial Six-Month Review

The Commission was informed that the Executive Officer's initial six-month review would be due soon. The Commission considered whether to hold a special meeting for the review, or to include it in a regular meeting during closed session. Following discussion by the Commission, staff and counsel, it was decided the Commission will hold a special meeting on October 6, 2014 at 3:00 pm preceding its regular meeting at 4:00 pm.

The written compilation of the Executive Officer's review would occur outside of a meeting.

d) CALAFCO Annual Training Registration

Staff reminded the Commission that the 2014 CALAFCO Annual Conference will be coming up October 15 through 17, 2014 in Ontario, CA and were encouraged to sign up. The registration forms, which were sent out via email, should be completed and sent to Secretary Mabry who will prepare a check to CALAFCO to accompany the registration. Hotel accommodations and travel plans are to be handled by each Commissioner, and following the conference, attendees will send their travel receipts to the Secretary for reimbursement.

e) Island Annexations

The Executive Officer additionally discussed the topic of island annexations stating that in 2009 a program was initiated by LAFCO staff. The Executive Officer expressed how she would like to host a joint meeting between the LAFCO Commission and the City of Napa City Council by the end of the calendar year to revisit this program.

10. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

There were no comments or request for future agenda items.

12. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 5:00 p.m. The next regular LAFCO meeting is scheduled for Monday, October 6, 2014 at 4:00 p.m.

A special meeting is also scheduled for October 6, 2014 at 3:00 p.m. for the Executive Officer's initial six-month review.

Brian Kelly, Chair

Prepared by:

Kathy Mabry, Commission Secretary