



## Local Agency Formation Commission of Napa County

Subdivision of the State of California

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

■ Beth Painter, Chair ■ Belia Ramos, Vice Chair ■ Anne Cottrell ■ Paul Dohring ■ Kenneth Leary  
■ Joelle Gallagher, Alternate ■ Eve Kahn, Alternate ■ David Oro, Alternate

**Administrative Office**  
1754 Second Street, Suite C  
Napa, California 94559  
Telephone: 707-259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

### REGULAR MEETING AGENDA

Monday, February 2, 2026, 2:00PM

**County of Napa Administration Building**

1195 Third Street, Board Chambers, 3<sup>rd</sup> Floor

Napa, California 94559

1. **CALL TO ORDER BY CHAIR; ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **DISCLOSURES UNDER POLITICAL REFORM ACT / LEVINE ACT**

4. **OATH OF OFFICE FOR NEW COMMISSION CLERK**

Commission Counsel will administer an Oath of Office for new Commission Clerk Charlie Gray.

5. **APPROVAL OF AGENDA**

The Chair will consider approving the Agenda as prepared by the Executive Officer with any requests to remove or rearrange items by members of the Commission or staff.

6. **PUBLIC COMMENTS**

The public may address the Commission concerning any matter not on the Agenda. The Commission is prohibited from discussing or taking action on any item not appearing on the posted Agenda.

7. **CONSENT ITEMS**

**Action Items:**

- a) [Approval of Meeting Minutes: August 4, 2025 Regular Meeting](#)
- b) [Approval of Meeting Calendar for 2026](#)
- c) [Direction for Public Member Recruitment Procedure](#)

**Receive Report for Information Only:**

- d) [Current and Future Proposals](#)
- e) [2025 CALAFCO Annual Conference Report](#)
- f) [Legislative Report for 2025](#)
- g) [Second Quarter Budget Report for Fiscal Year 2025-26](#)
- h) [Chair Rotation for 2026](#)
- i) [Expiring Commissioner Terms in 2026](#)
- j) [Best Practices for Drinking Water Municipal Service Reviews](#)
- k) [Update on Unincorporated Islands](#)
- l) [Work Program Update](#)
- m) [Requirement to Provide Full Text of Brown Act \(Government Code section 54952.7\)](#)

8. **SPECIAL PRESENTATION: CALAFCO Executive Director Michelle McIntyre**

**9. ACTION ITEMS**

Items calendared for action do not require a public hearing before consideration by the Commission. Applicants may address the Commission. Any member of the public may provide comments on an item.

a) **Financial Audit for Fiscal Year Ending June 30, 2025**

The Commission will receive and file a financial audit prepared by Brown Armstrong for the fiscal year ending June 30, 2025.

b) **Proposed Penny Lane No. 7 Reorganization and Associated CEQA Findings**

The Commission will consider a proposal to annex one parcel and the adjacent portion of public right-of-way to the City of Napa along with concurrent detachment of the affected territory from County Service Area No. 4. The affected territory is approximately 0.9 acres in size, located at 2111 Penny Lane, and identified as Assessor Parcel Number 046-481-026. The approval of this reorganization is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15319(b).

c) **Proposed Amendment to Contract with RSG Relating to the City of St. Helena Municipal Service Review**

The Commission will consider approving an amendment to its contract with RSG relating to the preparation of the scheduled City of St. Helena Municipal Service Review.

d) **Consider Approval of Amendments to the Policy on Spheres of Influence and the Policy on Executive Officer Performance Review**

The Commission will consider proposed amendments to its Policy on Spheres of Influence and Policy on Executive Officer Performance Review as prepared by staff and the ad hoc Policy Committee. The recommended action is for the Commission to approve the policy amendments by resolution or provide further direction to staff.

e) **Consider Ad Hoc Subcommittee Appointments**

The Commission will consider the membership and make appointments to its Fiscal Year 2026-27 Budget Committee, Legislative Committee, Policy Committee, and Islands Committee.

**10. EXECUTIVE OFFICER REPORT**

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

**12. ADJOURNMENT TO NEXT SCHEDULED MEETING**

Monday, April 6, 2026, at 2:00 P.M. at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.

## MEETING INFORMATION

**AGENDA ITEMS:** The Commission may reschedule items on the Agenda. The Commission will generally hear uncontested matters first, followed by discussions of contested matters, and staff announcements in that order.

**CONDUCT OF HEARINGS:** A contested matter is usually heard as follows: (1) discussion of the staff report and any related environmental document(s); (2) testimony of proponent; (3) public testimony; (4) rebuttal by proponent; (5) provision of additional clarification by staff as required; (6) close of the public hearing; (7) Commission discussion and Commission vote.

**ADDRESSING THE COMMISSION:** The Local Agency Formation Commission (LAFCO) of Napa County welcomes and encourages participation in its meetings. Any person who wishes to address the Commission should move to the front of the chambers when an item is called and, when recognized by the Chair, state their name, address, and affiliation. Please attempt to make your statements concise and to the point. It is most helpful if you can cite facts to support your contentions. Groups of people with similar viewpoints should appoint a spokesperson to represent their views to the Commission. The Commission appreciates your cooperation in this matter.

**PUBLIC COMMENT TIME LIMITS:** The Commission will hear public comment prior to the consideration of any item. (1) A principal proponent will be allowed up to a 5-minute statement; (2) other proponents will be allowed up to a 3-minute statement; (3) opponents are allowed up to a 3-minute statement with the exception of spokespersons for any group who shall be permitted up to 5-minutes; (4) the principal proponent shall have up to a 3-minute rebuttal; (5) staff will provide clarification, as required.

**SUBMITTING WRITTEN COMMENTS TO BE READ AT THE MEETING:** Any member of the public may submit a written comment to the Commission before the meeting by email to [info@napa.lafco.ca.gov](mailto:info@napa.lafco.ca.gov) or by mail to Napa LAFCO at 1754 Second Street, Suite C, Napa, CA 94559-2450. If you are commenting on a particular item on the Agenda, please identify the Agenda item number and letter. Any comments of 500 words or less (per person, per item) will be read into the record if: (1) the subject line includes “COMMENT TO COMMISSION – PLEASE READ”; and (2) it is received by the Commission prior to the deadline of **Friday, January 30, 2026, at 12:00 P.M.**

**SUBMITTING SUPPLEMENTAL WRITTEN COMMENTS:** Any member of the public may submit supplemental written comments to the Commission, beyond the 500-word limit for comments read into the record, and those supplemental written comments will be made a part of the written record.

**VOTING:** A quorum consists of three members of the Commission. No action or recommendation of the Commission is valid unless a majority of the quorum of the Commission concurs therein.

**OFF AGENDA ITEMS:** Matters under the jurisdiction of the Commission and not on the posted Agenda may be addressed by the public under “Public Comments” on the Agenda. The Commission limits testimony on matters not on the Agenda to 500-words or less for a particular subject. The Commission cannot take action on any unscheduled items.

**SPECIAL NEEDS:** Meetings are accessible to persons with disabilities. Requests for assistive listening devices or other considerations should be made 72 hours in advance through LAFCO staff at (707) 259-8645 or [info@napa.lafco.ca.gov](mailto:info@napa.lafco.ca.gov).

**POLITICAL REFORM ACT:** Pursuant to Government Code Sections 56700.1 and 81000 et seq., any person or combination of persons who directly or indirectly contributes \$1,000 or more or expends \$1,000 or more in support of or in opposition to a change of organization or reorganization that will be, or has been, submitted to LAFCO must comply, to the same extent as provided for local initiative measures, with reporting and disclosure requirements of the California Political Reform Act of 1974. Additional information can be obtained by contacting the Fair Political Practices Commission. Pursuant to Government Code Section 84308, if you wish to participate in the proceedings indicated on this Agenda, you or your agent is prohibited from making a campaign contribution of \$500 or more to any Commissioner or Alternate Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until 12 months after a final decision is rendered by LAFCO. If you or your agent has made a contribution of \$500 or more to any Commissioner or Alternate Commissioner during the 12 months preceding the decision, that Commissioner or Alternate Commissioner must disqualify themselves from the decision in the proceeding. However, disqualification is not required if the Commissioner or Alternate Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings.

**MEETING MATERIALS:** Any writings or documents provided to a majority of the members of the Commission regarding any item on this Agenda after the posting of the Agenda and not otherwise exempt from disclosure will be made available for public review at [www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov) or by contacting LAFCO staff at [info@napa.lafco.ca.gov](mailto:info@napa.lafco.ca.gov) or call the LAFCO office at (707) 259-8645. If supplemental materials are made available to the members of the Commission at the meeting, a copy will be available for public review at [www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov). Staff reports are available online at <https://napa.lafco.ca.gov/2024-staff-reports> or upon request to LAFCO staff at [info@napa.lafco.ca.gov](mailto:info@napa.lafco.ca.gov) or call the LAFCO office at (707) 259-8645.

**VIEWING RECORDING OF MEETING:** The Commission's meeting will be recorded. Members of the public may access the meeting and other archived Commission meetings by going to <https://napa.lafco.ca.gov/commission-meetings>. Please allow up to one week for production time. Meetings are also broadcast on Napa TV on the second and fourth Tuesdays of each month at 8pm and second and fourth Wednesdays at 1pm (<http://napavalleytv.org/channel-28>).

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**Agenda Item 7a (Consent/Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Stephanie Pratt, Staff Analyst *SP*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Approval of Meeting Minutes: August 4, 2025 Regular Meeting

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**SUMMARY AND RECOMMENDATION**

This is a consent item for formal action. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair.

The Commission will consider approving the draft meeting minutes prepared by staff for the August 4, 2025 regular meeting, included as Attachment 1.

Staff recommends approval of draft meeting minutes.

**ATTACHMENT**

- 1) Draft Minutes for August 4, 2025 Regular Meeting

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Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st 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  
REGULAR MEETING MINUTES OF MONDAY, AUGUST 4, 2025**

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

Chair called the regular meeting of August 4, 2025 to order at 2:00 PM.

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

Regular Commissioners	Alternate Commissioners	Staff
Kenneth Leary, Chair	Joelle Gallagher ( <i>voting until 2:09pm</i> )	Brendon Freeman, Executive Officer
Beth Painter, Vice Chair	Eve Kahn	Gary Bell, Commission Counsel
Anne Cottrell	David Oro ( <i>2:03pm arrival</i> )	Stephanie Pratt, Staff Analyst
Paul Dohring		
Belia Ramos ( <i>2:09pm arrival</i> )		

**2. PLEDGE OF ALLEGIANCE**

Chair Leary led the Pledge of Allegiance.

**3. DISCLOSURES UNDER POLITICAL REFORM ACT/LEVINE ACT**

**4. APPROVAL OF AGENDA**

The Chair approved the Agenda as prepared by the Executive Officer with any requests to remove or rearrange items by members of the Commission or staff.

Upon motion by Commissioner Cottrell and second by Commissioner Dohring, the Commission unanimously adopted the adjusted agenda by the following vote:

**VOTE:**

**AYES: LEARY, PAINTER, COTTRELL, DOHRING, GALLAGHER**

**NOES: NONE**

**ABSENT: RAMOS**

**ABSTAIN: NONE**

**5. PUBLIC COMMENTS**

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

**6. CONSENT ITEMS**

**Action Items:**

**a) Approval of Meeting Minutes:** June 2, 2025 Regular Meeting

Upon motion by Commissioner Cottrell and second by Commissioner Dohring, the Commission unanimously approved the minutes of June 2, 2025 by the following vote:

**VOTE:**

**AYES: LEARY, PAINTER, COTTRELL, DOHRING, GALLAGHER**

**NOES: NONE**

**ABSENT: RAMOS**

**ABSTAIN: NONE**

**Receive Report for Information Only:**

- b) Year End Budget Report for Fiscal Year 2024-25**
- c) Current and Future Proposals**
- d) Legislative Report**

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

Upon motion by Vice Chair Painter and second by Commissioner Cottrell, the Commission unanimously approved the consent items by the following vote:

**VOTE:**

**AYES:** LEARY, PAINTER, COTTRELL, DOHRING, GALLAGHER  
**NOES:** NONE  
**ABSENT:** RAMOS  
**ABSTAIN:** NONE

**7. ACTION ITEMS**

**a) Napa Sanitation District Sphere of Influence Update Draft Report and Possible Direction**

The Commission received a draft Napa Sanitation District Sphere of Influence Update and provided direction to staff with respect to the further development of the report prior to final action at a future meeting. This action was to determine if the Commission wants to allocate additional resources to refine the study prior to further decisions on the NSD SOI itself. The sphere policy is currently under review and will focus on the Monticello area this round.

Chair Leary opened the floor for public comment at 2:18pm.

Juliette Pressler: Vichy Avenue resident wants to connect to NSD, issues with leach field and willing to take time to reach out to neighbors.

Eric Wade: Representing Applied Civil Engineering and President of Napa Engineering Society. Discussed calls received from residents and inability to upgrade/replace their septic systems.

Andrew Damron: General Manager of NSD, reminding Commission they are only here to provide technical input as they are not a land use authority. Chief issue is capacity and if new pipes should be constructed, choosing which area gets service first is important to prioritize at that time, along with how funding will be applied, e.g. voluntary or demand assessment.

Supervisor Amber Manfree: Discussed ways to encourage attendance at Town Halls.

Commissioners discussed the need for significant community organization efforts to occur before the SOI should be expanded. The Commission directed staff to return at the next meeting with a final report for adoption.

**b) Proposed Amended and Restated Support Services Agreement with Napa County**

The Commission approved the proposed amended and restated Support Services Agreement with Napa County.

Upon motion by Commissioner Dohring and second by Commissioner Ramos, the Commission unanimously approved the action item by the following vote:

**VOTE:**

**AYES:** LEARY, PAINTER, COTTRELL, DOHRING, RAMOS

**NOES:** NONE

**ABSENT:** NONE

**ABSTAIN:** NONE

**c) Special District Representation on LAFCO and Possible Direction**

The Commission received a report on the process of adding special district representation to LAFCO and considered establishing an ad hoc committee to assist staff with respect to pursuing the addition of special districts to the Commission. The Commission gave direction to not move forward with the ad hoc committee at this time.

**8. EXECUTIVE OFFICER REPORT**

Executive Officer Freeman reported that he attended the CSDA GM Leadership Summit at the end of June.

Executive Officer Freeman presented a session on LAFCO at a Napa Sunrise Rotary Meeting on July 17<sup>th</sup>, with plans for a similar presentation to the Grand Jury on August 13<sup>th</sup>. He also registered for the CSDA annual conference in Monterey for the last weekend of August, where he will serve on a panel with two other LAFCO EOs.

Executive Officer Freeman relayed that the transition team of CALAFCO offered to attend a future meeting and present an update to encourage renewed membership. An item will be added to the February 2026 meeting in order to inform budget process for rejoining. Executive Officer Freeman will be attending the CALAFCO conference in San Diego during October 22-24, at a discounted member registration rate.

The Fire & EMS MSR is nearing completion but requires tech review committee edits. A draft will be presented once this has been finalized.

The St. Helena MSR has generated significant discussion pertaining to the possible outside sewer service extensions. Updates to be provided as appropriate.

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

**10. ADJOURNMENT at 3:45 PM TO NEXT SCHEDULED MEETING**

Monday, February 2, 2026, at 2:00 P.M. at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.

\_\_\_\_\_  
Kenneth Leary, LAFCO Chair

ATTEST:

\_\_\_\_\_  
Brendon Freeman, Executive Officer

Prepared by:

\_\_\_\_\_  
Stephanie Pratt, Clerk/Staff Analyst

DRAFT



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**Agenda Item 7b (Consent/Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Stephanie Pratt, Staff Analyst *SP*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Approval of Meeting Calendar for 2026

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**SUMMARY AND RECOMMENDATION**

This is a consent item for formal action. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair.

It is recommended the Commission approve a meeting calendar for 2026 consisting of the following dates: February 2; April 6; June 1; August 3; October 5; and December 7.

The Commission's *Policy on Scheduling of Commission Meetings* is included as Attachment 1 and states the Commission shall meet on the first Monday of all even-numbered months at 2:00 PM in the Napa County Board of Supervisors Chambers located at 1195 Third Street, Third Floor. Special meetings may also be scheduled as needed.

It is recommended that the Commission schedule six regular meetings in 2026 at 2:00 PM in the Board of Supervisors Chambers on February 2, April 6, June 1, August 3, October 5, and December 7.

**ATTACHMENT**

- 1) Policy on Scheduling of Commission Meetings

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Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st 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

### *Policy on Scheduling of Commission Meetings*

(Adopted: June 14, 2001; Last Amended: August 1, 2022)

#### **I. BACKGROUND**

Meetings of the Local Agency Formation Commission (LAFCO) of Napa County will be noticed and conducted in accordance with the Ralph M. Brown Act, [California Government Code \(G.C.\) §54950 et seq.](#) In response to [G.C. §54954](#), this policy establishes the time and place for regular meetings and additionally establishes how a special meeting may be scheduled.

#### **II. PROCEDURES**

##### **A. Regular Meetings**

- 1) The regular meeting day of the Commission is the first Monday of each even-number month (February, April, June, August, October, and December) at 2:00 PM. The location will be the County of Napa Board of Supervisors Chambers located at 1195 Third Street, Third Floor, Napa, California 94559.
- 2) The Chair may cancel a regular meeting if he or she determines the Commission cannot achieve a quorum or there is a lack of business. Regular meetings may also be canceled with the consent of a majority of the regular members of the Commission. For the purpose of this policy, a majority includes at least one member representing the cities and one member representing the county.

##### **B. Special Meetings**

- 1) Special meetings may be scheduled in accordance with the Ralph M. Brown Act which at the time of the adoption of this policy allows the Commission Chair to schedule special meetings as needed. The Chair shall consult with the Executive Officer in scheduling special meetings to ensure a quorum is available at a specified place and time.
- 2) Requests from outside parties for special meetings must be made in writing and submitted to the Executive Officer. If approved and scheduled by the Chair, the affected outside party requesting the special meeting will be responsible for any related charges pursuant to the Commission's *Schedule of Fees and Deposits*.



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**Agenda Item 7c (Consent/Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *BF*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Direction for Public Member Appointment Procedure

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**SUMMARY AND RECOMMENDATION**

This is a consent item for formal action. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair.

It is recommended the Commission direct the Executive Officer to recruit candidates and schedule a public hearing to consider making an appointment or reappointment to the Public Member position currently held by Kenneth Leary. Approval of this item as part of the consent calendar on the Agenda will suffice for purposes of providing direction to the Executive Officer.

California Government Code section 56325(d) states the composition of LAFCOs shall include one Public Member representing the general public. The Public Member is appointed to a four-year term and cannot be an officer or employee with local governmental agencies.

The Commission's *Policy on the Appointment of a Public Member and Alternate Public Member* ("the Policy") is included as Attachment 1. The Policy directs the Executive Officer to notify the Commission no less than 120 days prior to an impending vacancy and whether the incumbent is eligible to seek reappointment. Upon notification, the Commission must direct the Executive Officer to (a) recruit candidates and schedule a hearing to make an appointment or (b) schedule a hearing to expedite the reappointment of the incumbent if they are eligible and have served no more than one term.

This notification is being provided as part of today's agenda and falls within 120 days of the impending vacancy. Staff intended to provide the notification and receive direction from the Commission at its December 2025 meeting, which was eventually cancelled.

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Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

The Commission originally appointed Commissioner Leary as the Public Member beginning in April 2021 to fill an unexpired term ending May 2022. In April 2022, consistent with the reappointment procedures outlined in the Policy, the Commission formally reappointed Commissioner Leary to a new four-year term beginning May 4, 2022, and expiring on May 6, 2026, and without requiring an open recruitment.

Commissioner Leary is eligible to seek reappointment but is not eligible for the expedited reappointment described in the Policy due to having served more than one full four-year term. Therefore, an open recruitment is required.

Staff recommends the Commission direct the Executive Officer to initiate an open recruitment for the Public Member position and schedule a public hearing date consistent with the procedures identified in the Policy. The next possible meeting date for the formal appointment or reappointment is April 6, 2026. However, the Commission may choose instead to schedule the hearing for a later date, which would cause a temporary vacancy in the seat from May 6, 2026 through the date of the formal appointment or reappointment.

An example application form for Public Member candidates is included as Attachment 2. Staff will post the application form on the LAFCO website and issue a press release inviting interested members of the public to apply for the position.

## **ATTACHMENTS**

- 1) Policy on the Appointment of a Public Member and Alternate Public Member
- 2) Application for LAFCO Public Member



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on the Appointment of a Public Member and Alternate Public Member*

(Adopted: October 11, 2001; Last Amended: November 18, 2019)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 includes provisions for the composition of the Commission including the Public Member as follows:

The composition of the Commission shall include one member representing the general public, hereinafter referred to as “public member.” The Commission may designate one alternate public member. The selection of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members appointed by each of the appointing authorities ([California Government Code \(G.C.\) §56325\(d\)](#)).

#### **II. Purpose**

It is the intent of the Commission to establish a policy for the appointment of a public member and alternate public member which is consistent with CKH. This policy also includes procedures to address a vacancy in the position and other relevant matters.

#### **III. Eligibility**

The public member and alternate public member shall be a resident of Napa County. No person may serve as public member or alternate public member if at the same time they are an officer or employee of the County, a city, town or district within Napa County.<sup>1</sup> For purposes of this policy, an officer of a local government agency is a member of a local public board, commission, committee, or council with the authority to make advisory or final decisions relative to land use or the provision of municipal services.

#### **IV. Term of Office**

The term of office for Public Member and Alternate Public Member shall be four years and shall end on the first Monday in May of the year in which the term expires. The Public Member and Alternate Public Member shall continue to serve until a successor is appointed.

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<sup>1</sup> The term “district” is defined in [G.C. §56036](#).

## **V. Appointment Procedures**

### **A) New Term for Public Member or Alternate Public Member**

It is the policy of the Commission that in anticipation of the expiration of a four-year term for the Public Member or Alternate Public Member, the following procedures will be taken:

At a regular meeting at least 120 days prior to the scheduled expiration of the Public Member or Alternate Public Member's term, the Executive Officer shall inform the Commission of the impending vacancy and whether the incumbent is eligible to seek reappointment. The Commission shall take one of the following two actions as set forth in the following subsection 1 or 2 below.

- 1) Direct the Executive Officer to recruit candidates and schedule a public hearing to consider making an appointment to the position. Tasks of the Executive Officer shall include, but not limited to, the following:
  - (a) At least 60 days prior to the scheduled hearing for the appointment, issue a notice announcing the vacancy and that the Commission is accepting applications for the position. The notice shall be posted at the LAFCO office and on its website, sent to all local agencies, and published in a newspaper of general circulation in Napa County.<sup>2</sup> The notice shall indicate if the incumbent is eligible for reappointment.
  - (b) Determine the filing period to receive applications for the position. All applications shall be made available to each city and county member on the Commission at least 14 days prior to the scheduled hearing for the appointment.
  - (c) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the appointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.
- 2) If the incumbent is eligible and has served no more than one four-year term, the Commission may direct the Executive Officer to schedule a public hearing to consider approving reappointment. Tasks of the Executive Officer shall include, but not limited to, the following:
  - (a) Issue a notice announcing the scheduled reappointment of the incumbent. The notice shall be posted at the LAFCO office and on its website and sent to all local agencies. The notice shall be posted at least 21 days prior to the hearing for which the reappointment has been scheduled.
  - (b) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the reappointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.

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<sup>2</sup> For purposes of this policy, notice to local agencies is fulfilled by sending a copy of the notice to the clerk or secretary of the legislative body of each local agency in Napa County. Publishing in a newspaper of general circulation in Napa County shall be conducted by publishing, at minimum, a prominently placed display ad.

## B) Mid-Term Vacancies

An appointment to fill an unexpired term for the position of Public Member or Alternate Public Member shall be preceded by posting a notice of vacancy. The notice will be posted at the LAFCO office and on its website and sent to all local agencies. The notice will be posted at least 21 days prior to the meeting at which time the Commission will consider taking action to fill the unexpired term. An appointment to fill an unexpired term will occur as follows:

- 1) Public Member: If the position of Public Member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term through one of the following:
  - (a) Appoint the Alternate Public Member.
  - (b) Fill the position in the manner prescribed in Section V(A) “New Term for Public Member or Alternate Public Member” for the appointment of the Public Member to a new term.
- 2) Alternate Public Member: If the position of Alternate Public Member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term in the manner prescribed in Section V(A) “New Term for Public Member or Alternate Public Member” for the appointment of the Alternate Public Member to a new term.

## C) Conducting Public Hearings for Appointing a Public Member or Alternate Public Member

It is the policy of the Commission that a public hearing to appoint either the Public Member or Alternate Public Member shall be conducted as follows:

The Chair shall open the public hearing and first invite candidates to address the Commission. The Commission may ask questions of the candidates. The Chair shall then invite public comments from the audience. Upon the close of the public comment period, the Public Member or Alternate Public Member will be selected based upon a motion and second followed by an affirmative vote.



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

1754 Second Street, Suite C  
Napa, California 94559  
Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

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## **APPLICATION FOR LAFCO PUBLIC MEMBER**

The Local Agency Formation Commission (LAFCO) of Napa County is accepting applications for its Public Member position. The position involves an appointment made by the city and county members on LAFCO. The term commences on May 4, 2026, and expires on May 1, 2030. The Public Member is expected to actively participate in LAFCO meetings with respect to providing input and voting on all regulatory and planning matters before the agency. The incumbent, Kenneth Leary, is eligible for reappointment.

### **Eligibility**

Applicants must be a resident of Napa County. Applicants also must not be currently employed by a local public agency or serving as a member on a local public body with the authority to make final or advisory decisions relative to land use or municipal service.

### **Time Commitments**

LAFCO currently meets on the first Monday of every even-numbered month unless otherwise scheduled. Regular meetings are calendared to begin at 2:00 P.M. in the County of Napa Administration Building located at 1195 Third Street in Napa. Special meetings and subcommittee meetings are calendared as needed. All members are expected to attend each meeting unless excused and currently receive a \$150.00 per diem for each Commission meeting attended.

### **Deadline for Applications**

Completed applications must be received by LAFCO by **5:00 P.M. on Friday, March 6, 2026**. The city and county members on LAFCO are expected to consider making an appointment for the Public Member position as part of a public hearing item at LAFCO's regular meeting on April 6, 2026. Letters of recommendation and references are not required but will be accepted and should be attached to the completed application at the time of submission. Questions should be directed to LAFCO Executive Officer Brendon Freeman at (707) 259-8645 or [bfreeman@napa.lafco.ca.gov](mailto:bfreeman@napa.lafco.ca.gov).





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**Agenda Item 7d (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Stephanie Pratt, Staff Analyst *SP*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Current and Future Proposals

**SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

This report summarizes all current and future boundary change proposals. There is currently one active proposal on file and eight anticipated new proposals that are expected to be submitted in the future. A summary follows.

**Active Proposals**

**Hess-Laird-Persson Annexation to the American Canyon Fire Protection District (ACFPD)**

The landowners of three unincorporated parcels have submitted an application to annex their properties to ACFPD. The parcels total approximately 284.64 acres in size and are identified as APNs 057-090-065, 057-090-066, and 057-090-068. A concurrent request to amend ACFPD’s sphere of influence (SOI) to include the affected territory was also submitted by the landowners. Commission action on the SOI request and annexation will be scheduled after a property tax exchange agreement has been adopted by Napa County and ACFPD. The mutual adoption of a property tax exchange agreement remains unresolved.



Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
Executive Officer

### Anticipated Proposals

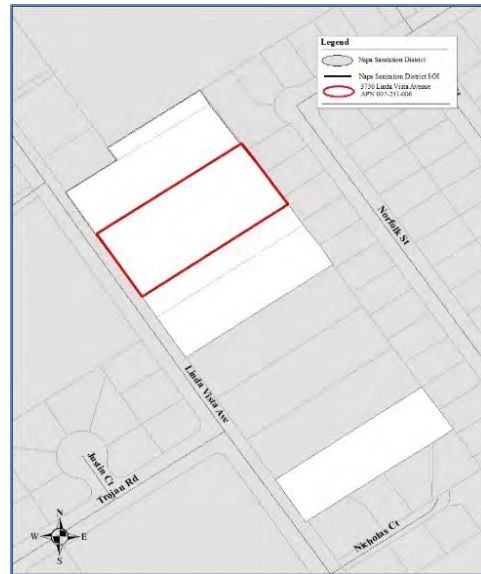
#### Paoli Loop/Watson Lane Annexation to the City of American Canyon

The City of American Canyon has submitted a notice of intent to annex 16 parcels and a portion of railroad totaling approximately 83 acres of unincorporated territory to the City of American Canyon. The area is located within the City's SOI near Watson Lane and Paoli Loop and identified as APNs 057-120-014, -015, -017, -028, -034, -036, -041, -045, -047, -048, -049, -050, & -051, 057-180-014 & -015, and 059-020-036. The purpose of annexation is to allow development of the area for industrial and residential purposes as well as help facilitate the extension of Newell Drive to South Kelly Road. The City of American Canyon, as lead agency under CEQA, certified a Final Environmental Impact Report for the Paoli/Watson Lane Annexation Project. It is anticipated a complete application for annexation will be submitted in the foreseeable future.



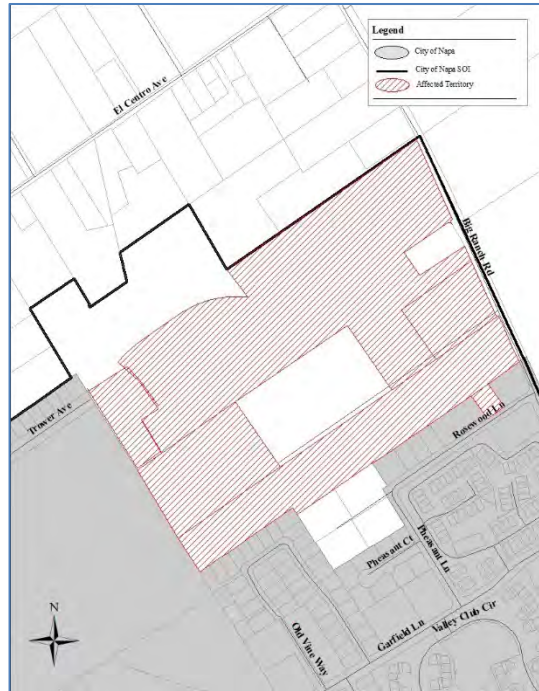
#### Linda Vista No. 22 Annexation to the Napa Sanitation District (NSD)

A representative for the landowner of one unincorporated parcel submitted a preliminary application to annex one parcel to NSD. The parcel is in NSD's SOI, identified as APN 007-231-006, located at 3750 Linda Vista Avenue, and is approximately 1.2 acres in size. Annexation to NSD would facilitate an SB9 urban lot split, dividing the one parcel into five and connecting all existing and future structures to NSD. The application is pending analysis of potential environmental impacts.



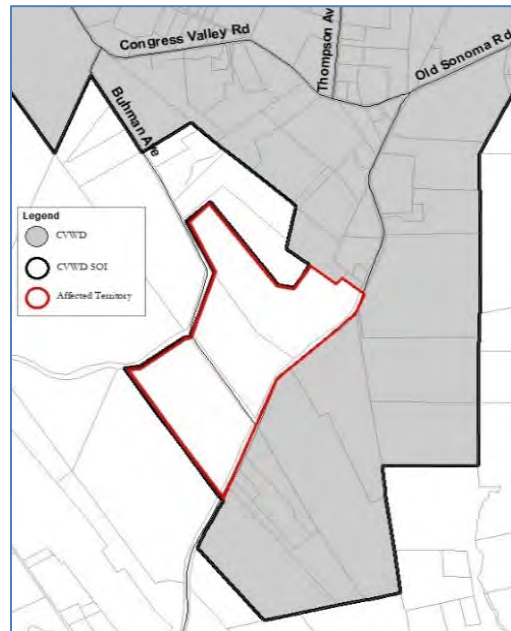
### Big Ranch Road/Rosewood Lane Annexation to the City of Napa

The City of Napa is processing an application from multiple landowners for the annexation of five entire parcels and a portion of a sixth parcel totaling approximately 53.5 acres. The parcels are located within the City's SOI at 2275 Big Ranch Road, 2285 Big Ranch Road, 2305 Big Ranch Road, 1130 Trower Avenue (portion), and 1438 Rosewood Lane, and identified as APNs 038-240-022, 038-240-005, 038-240-023, 038-240-014, and 038-160-029, respectively. Annexation to the City would allow the parcels to be developed consistent with the City's adopted Big Ranch Road Specific Plan and a future master plan for the area. Notably, the current configuration of the planned annexation would result in the creation of new unincorporated islands, which is prohibited under state law unless LAFCO makes a specific finding related to the orderly development of the City. It is anticipated an application for annexation will be submitted to LAFCO in the foreseeable future.



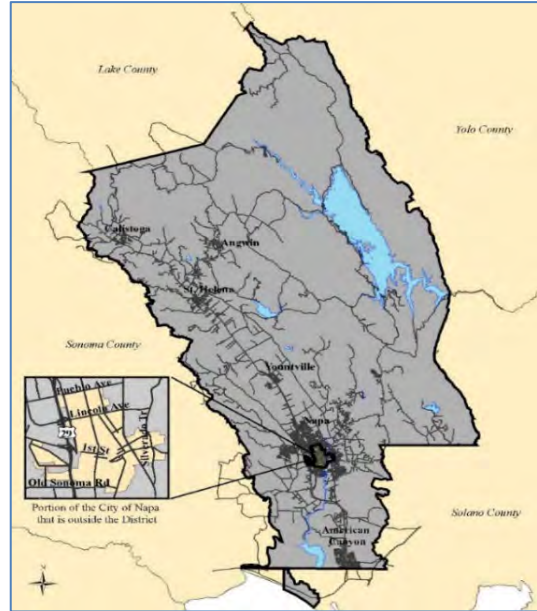
### Old Sonoma Road/Buhman Avenue Annexation to CVWD

A landowner previously submitted a proposal to annex three unincorporated parcels totaling approximately 141.5 acres in size to the Congress Valley Water District (CVWD). The parcels are located in CVWD's SOI along the northwestern side of Old Sonoma Road at its intersection with Buhman Avenue and identified as APNs 047-030-005, 047-030-020, and 047-080-001. Current land uses include two single-family residences and commercial vineyards with auxiliary structures and facilities. Two of the parcels already receive water service through grandfathered outside service agreements. Annexation would establish permanent water service to all three parcels. CVWD has requested, and the landowners have agreed, to postpone LAFCO action. There is no current timetable for the process to be resumed.



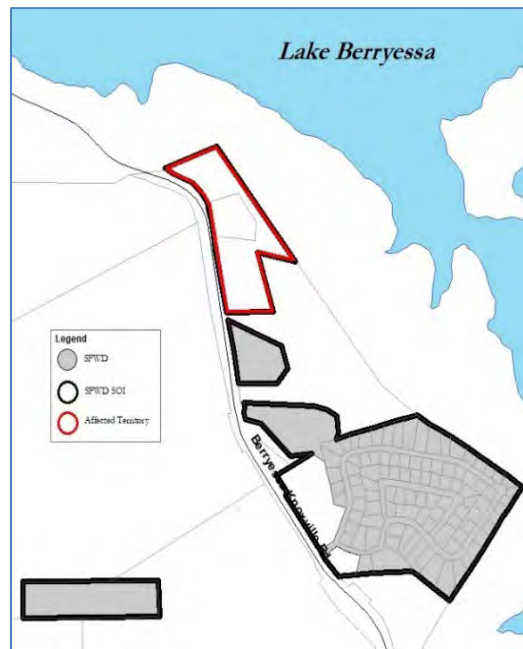
### NCRCDD Donut Hole Annexation

Staff from the Napa County Resource Conservation District (NCRCDD) has inquired about annexation of approximately 1,300 acres of incorporated territory located in the City of Napa. This area comprises the only remaining territory located within NCRCDD’s SOI but outside its jurisdictional boundary and is commonly referred to as a “donut hole”. The purpose of annexation would be to allow NCRCDD to expand its service programs and hold public meetings within the affected territory; activities that are currently prohibited within the area. In February 2020, the Commission approved a request for a waiver of LAFCO’s proposal processing fees. The Commission recently completed a Municipal Service Review for NCRCDD that includes a recommendation for the District to annex the donut hole. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



### 7140 & 7150 Berryessa-Knoxville Road Annexation to SFWD

A landowner has inquired about annexation of one entire unincorporated parcel and a portion of a second unincorporated parcel totaling approximately 7.9 acres in size to the Spanish Flat Water District (SFWD). The parcels were added to SFWD’s SOI in 2021, are located at 7140 and 7150 Berryessa-Knoxville Road, and identified as APNs 019-280-004 (entire) and 019-280-006 (portion). Current land uses within the parcels include a commercial boat and recreational vehicle storage facility (Lakeview Boat Storage), approximately 6,000 square feet of enclosed storage structures, an administrative office, and a detached single-family residence. The parcels are currently dependent on private water and septic systems to support existing uses. Annexation would facilitate the connection of existing uses to SFWD’s water and sewer services. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



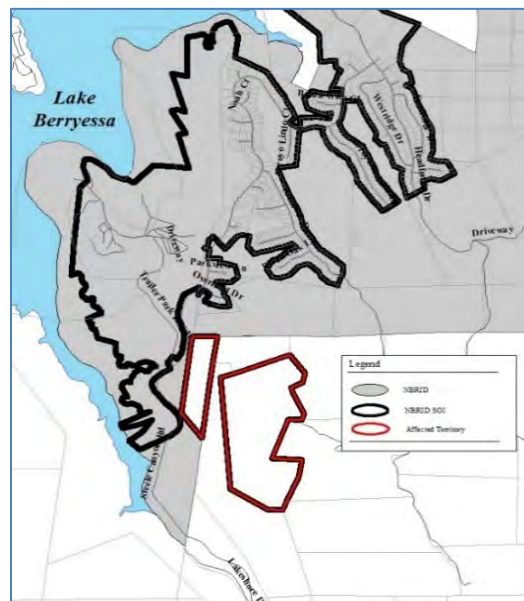
### Materials Diversion Facility Annexation to the City of Napa

Staff from the City of Napa has inquired about annexation of approximately 2.9 acres of unincorporated territory comprising a portion of a parcel owned by the Napa-Vallejo Waste Management Authority. The APN of the entire parcel is 057-090-060. A property sale and a lot line adjustment are planned to create new parcels. The purpose of the property acquisition and future annexation is to expand the City’s existing materials diversion facility operations. The property is located outside the City of Napa’s SOI near the City of American Canyon. Annexation to the City of Napa is allowed given the property is owned by the City and soon will be used by the City for municipal purposes.<sup>1</sup> It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



### Wastewater Treatment Plant Annexation to NBRID

Staff from the Napa Berryessa Resort Improvement District (NBRID) has inquired about annexation of two unincorporated parcels totaling approximately 101 acres in size that serve as the location of the District’s wastewater treatment plant facilities. The parcels were added to NBRID’s SOI in 2021, are owned by NBRID, and are identified as APNs 019-220-028 & -038. Annexation would be for purposes of reducing NBRID’s annual property tax burden. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



<sup>1</sup> See [California Government Code §56742](#).



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**Agenda Item 7e (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *BF*  
Stephanie Pratt, Staff Analyst *SP*

**MEETING DATE:** February 2, 2026

**SUBJECT:** CALAFCO Annual Conference Report

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**SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

The 2025 CALAFCO conference was held in San Diego on October 22-24. The conference program is included as Attachment 1. It provided an excellent opportunity to network and learn from each other. Representing Napa LAFCO were one Commissioner and two staff members. Meetings focused on balancing housing needs with agricultural land preservation, improving governance for Disadvantaged Unincorporated Communities (DUCs), legislative updates, and enhancing LAFCO operations through training on communication, policy, and legal frameworks, emphasizing shared learning and strategic collaboration for local governance. There were engaging, interactive sessions designed to educate, inspire, and spark conversation among participants.

**Key Themes & Sessions:**

- **Housing & Land Use:** Discussions centered on the complex balance between preserving farmland and increasing housing supply, exploring LAFCO's role in this nexus.
- **Equity & DUCs:** Sessions focused on embedding equity in boundary decisions, improving infrastructure, and planning for DUCs through Municipal Service Reviews (MSRs) and Spheres of Influence (SOIs).
- **Commissioner & Staff Training:** Interactive sessions covered essential LAFCO knowledge, leadership skills, and best practices for new and seasoned officials, including a session entitled "How Am I Supposed to Know That?".
- **Governance & Operations:** Focused training on legislative changes, communication strategies, and enhancing overall LAFCO effectiveness.

In addition, included as Attachment 2 is The Sphere 2025 article on Napa LAFCO titled "Planning Napa's Future, One SOI at a Time," which was distributed to each conference attendee.

**ATTACHMENTS**

- 1) CALAFCO 2025 Annual Conference Program with Speaker Bios
- 2) The Sphere: Napa LAFCO Article

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Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
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Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
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Brendon Freeman  
*Executive Officer*

# CALAFCO ANNUAL CONFERENCE

OCTOBER 22 – 24, 2025

Wyndham San Diego Bayside  
1355 N Harbor Drive, San Diego, CA 92101

## PROGRAM OF EVENTS

### WEDNESDAY, OCTOBER 22, 2025

#### 9:00 a.m. - 12:00 p.m. | PRE-CONFERENCE GENERAL SESSION:

##### ***So, You Think You Know LAFCO? Challenge & Expand Your Knowledge in The LAFCO Pyramid***

Join us for the most fun you'll ever have at a "LAFCO 101" session. This is not your ordinary "Beyond the Basics" ...it's so much more! Think you know LAFCO? Challenge and expand your LAFCO knowledge in this uniquely interactive session, styled after the classic game show *The \$100,000 Pyramid*! With four "celebrity" guest speakers (all tenured LAFCO professionals) giving out clues, contestants and the audience (that means everyone) will tackle everything from LAFCO history to tricky boundary powers and beyond. It's a fun, fast-paced way to sharpen your understanding while enjoying some friendly competition. Come prepared to meet new people, learn, and have some fun!

**Location:** Coast Ballroom

**Moderator:** Joe Serrano, Executive Officer, Santa Cruz LAFCO

**Panelists:** Michelle McIntyre, Executive Officer, Placer LAFCO; Paula de Sousa, Partner, Best Best & Krieger; Shane Stark, Commissioner, Santa Barbara LAFCO

#### 1:30 p.m. | CONFERENCE OPENING

**Location:** Pacific A & B

**Speakers:** Gay Jones, CALAFCO Board Chair & Commissioner, Sacramento LAFCO; Anita Paque, CALAFCO Conference Chair & Commissioner, Calaveras LAFCO; José Henríquez, CALAFCO Interim Executive Director & Executive Officer, Sacramento LAFCO; San Diego County Supervisor Terra Lawson-Remer, District 3 (*invited - pending confirmation*)

#### 2:00 p.m. – 3:15 p.m. | KEYNOTE SPEAKER DAVID MARQUET

**Location:** Pacific A & B

**Sponsored by:** CV Strategies



#### 3:15 p.m. – 3:30 p.m. | REFRESHMENT BREAK WITH SPONSORS

**Location:** Pacific C

**3:30 p.m. – 5:00 p.m. | GENERAL SESSION*****How Am I Supposed to Know That???* Moving From Guessing to Knowing – A Fireside Chat**

The LAFCO world is complex and often confusing – there’s no way to know it all and often learning is trial by fire. This session offers 4 unique perspectives of the top things commissioners and staff would highly benefit from knowing and understanding. Join us for an engaging fireside chat with a powerhouse panel of LAFCO professionals. And because we’ve all been there – or are there now – audience members will also share their perspective on what’s the most important thing(s) for commissioners and staff to know and understand. The session promises some unforgettable “lessons learned” perspectives and key take-aways for commissioners and staff alike.

**Location:** Pacific A & B

**Moderator:** Francisco Estrada, Analyst, Santa Cruz LAFCO

**Speakers:** Mario Gardea, Commissioner, San Joaquin LAFCO; Colette Santsche, Executive Officer, Humboldt & Trinity LAFCOs; Sblend Sblendorio, Commissioner, Alameda LAFCO; Malathy Subramanian, Partner, Best Best & Krieger

**5:15 p.m. – 6:45 p.m. | CALAFCO WELCOME RECEPTION**

**Location:** Terrace

**DINNER ON YOUR OWN****THURSDAY, OCTOBER 22, 2025****7:30 a.m. – 9:00 a.m. | BREAKFAST BUFFET**

**Location:** Terrace

**8:00 a.m. – 8:45 a.m. | REGIONAL CAUCUS MEETINGS AND ELECTIONS**

**Location:**

**Central Region** – West Coast Ballroom

**Coastal Region** – Pacific D

**Northern Region** – East Coast Ballroom

**Southern Region** – Embarcadero

**9:00 a.m. – 10:30 a.m. | CALAFCO ANNUAL BUSINESS MEETING**

**Location:** Pacific A & B

**10:30 a.m. – 10:45 a.m. | REFRESHMENT BREAK WITH SPONSORS**

**Location:** Pacific C

## **THURSDAY, OCTOBER 22, 2025**

### **10:45 a.m. – 11:45 a.m. | REGIONAL AND ATTORNEY ROUNDTABLES**

**Location:**

- Central Region** – West Coast Ballroom
- Coastal Region** – Pacific D
- Northern Region** – East Coast Ballroom
- Southern Region** – Embarcadero
- Legal Counsel** – Captains IV



### **12:00 p.m. – 1:30 p.m. | LUNCH**

**Location:** Pacific A & B

**Luncheon Keynote Speaker:** CA State Senator Dave Cortese, District 15  
(invited - pending confirmation)

### **1:45 p.m. – 3:00 p.m. | BREAKOUT SESSIONS**

#### ***Reimagining Governance & Growth for California's Forgotten Communities***

Disadvantaged Unincorporated Communities (DUCs) continue to face persistent challenges – limited access to clean water, inadequate infrastructure, and exclusion from critical planning decisions. This session explores how equity can be embedded into boundary decisions, service reviews, and long-term planning. Participants will hear from panelists about innovative approaches and strategies that have advanced infrastructure, services, and equity in unincorporated areas. Attendees will leave with actionable insights on how LAFCOs can encourage infrastructure investments in underserved areas through Municipal Service Reviews, Sphere of Influence updates, and annexation policies.

**Location:** Coast Ballroom

**Moderator:** Brandon Fender, Senior Associate and Project Manager, RSG, Inc.

**Speakers:** Jason Fried, Executive Officer, Marin LAFCO; Alfonso Ruiz-Delgado, Assistant Director, Unincorporated Areas for Supervisorial District 2, County of Los Angeles; Tyler Webb, Deputy, Unincorporated Area Specialist for Supervisorial District 2, County of Los Angeles; Kurt Wilson, Executive Director, Western Riverside Council of Governments

#### ***Incorporations in the New World – What Makes Them Successful?***

On July 1, 2024, Mountain House became California's 483rd incorporated city, with a population of 25,108, and is a largely bedroom community developed over the past 25 years in eastern San Joaquin County. It was the first new city in the state since Jurupa Valley incorporated 13 years earlier. While incorporations used to be more common, many communities in California continue pursuing steps and applications to start their own incorporation processes. This session explores why incorporation worked in Mountain House, the role of revenue neutrality, and how LAFCOs can be ready for these proposals, sharing statistics and best practices from past initiatives.

**Location:** Pacific D

**Moderator:** Steve Sanchez, Commissioner, Riverside LAFCO

**Speakers:** Rod Butler, City Manager, City of Jurupa Valley; JD Hightower, Executive Officer, San Joaquin LAFCO; Jim Simon, Principal, RSG, Inc.

**THURSDAY, OCTOBER 22, 2025****3:00 p.m. – 3:45 p.m. | REFRESHMENT BREAK WITH SPONSORS****3:45 p.m. – 5:00 p.m. | BREAKOUT SESSIONS*****Local Government Reorganization – What Tools Are In/Out of LAFCO’s Toolbox?***

As communities change and service demands shift, LAFCOs play a key role in enhancing service delivery, fiscal stability, and public welfare. This session explores mechanisms to address inefficiencies and improve outcomes, particularly for fire protection and water services. We will explore how LAFCOs can strengthen Municipal Service Reviews, address failing districts, leverage SB 938, and guide participants in identifying early signs of fiscal distress while navigating the legal and financial frameworks for reorganization. Real-world examples from the panel will illustrate how strategic reorganizations have resolved service gaps and strengthened local governance.

**Location:** Coast Ballroom

**Moderator:** Carol Ieromnimon, Associate, RSG, Inc.

**Speakers:** Jeff Collins, Director, San Diego County Fire District; Christine Crawford, Executive Officer, Yolo LAFCO; Tom Kennedy, President, Kennedy Water Consulting

***Cleared for Takeoff: Using Technology to Bring LAFCOs Into the 21<sup>st</sup> Century***

Technology is transforming how public agencies operate and LAFCOs are no exception. This session explores practical, proven ways LAFCOs can incorporate tools like artificial intelligence (AI), digital document management systems, and GIS platforms to streamline workflows, enhance transparency, and expand capacity. Featuring live demonstrations and real-world examples, we will provide hands-on insights into how all LAFCOs can modernize operations without major investments. We will also explore strategies for successful adoption and staff training to ensure long-term success. This session is ideal for both commissioners and staff looking to innovate in a grounded, mission-driven way.

**Location:** Pacific D

**Moderator:** Amanda Ross, Founder, South Fork Consulting

**Speakers:** Shannon Costa, Executive Officer, Butte LAFCO; Andrea Ozdy, Deputy Executive Officer, Ventura LAFCO; Mitzi Stites, Clerk/Analyst, San Joaquin LAFCO

**5:30 p.m. – 6:30 p.m. | CALAFCO PRE-DINNER COCKTAIL RECEPTION WITH SPONSORS**

**Location:** Pacific C

**6:30 p.m. – 8:15 p.m. | CALAFCO AWARDS BANQUET**

**Location:** Pacific A & B

## **FRIDAY, OCTOBER 24, 2025**

### **7:30 a.m. – 9:00 a.m. | BREAKFAST BUFFET**

**Location:** Terrace

### **7:30 a.m. – 8:45 a.m. | CALAFCO BOARD OF DIRECTORS BREAKFAST AND MEETING**

**Location:** Embarcadero

### **9:00 a.m. – 10:30 a.m. | GENERAL SESSION**

#### ***Where the Farmland Meets the Front Porch: How do LAFCOs Protect Ag Lands and Increase the Supply of Housing?***

The Cortese-Knox-Hertzberg Act sets forth the State Legislature’s goals of both preserving California’s prime agricultural lands and facilitating orderly growth and development – particularly the need for housing at all income levels. How best can LAFCOs protect farmland when new housing is desperately needed? Our panel of LAFCO commissioners and executive officers will share their experiences and strategies for navigating a balance between these two essential, but sometimes competing, objectives. Attendees will be encouraged to contribute their own insights and suggestions to this conversational session about LAFCO’s fundamental task of balancing agricultural preservation with orderly development.

**Location:** Pacific A & B

**Sponsored by:** Best Best & Krieger

**Moderator:** Wendy Root Askew, Commissioner, Monterey LAFCO

**Speakers:** Diane Burgis, Commissioner, Contra Costa LAFCO; Shannon Costa, Executive Officer, Butte LAFCO; Lucas Frerichs, Commissioner, Yolo LAFCO; Rachel Jones, Executive Officer, Alameda LAFCO; James Kyriaco, Commissioner, Santa Barbara LAFCO

### **10:30 a.m. – 10:45 a.m. | REFRESHMENT BREAK WITH SPONSORS**

**Location:** Pacific C

### **10:45 a.m. – 12:00 p.m. | GENERAL SESSION**

#### ***CALAFCO Legislative Update: The Good, the Bad & the Future***

We’re back by popular demand! Here we are at the end of another legislative year. Join us as we recap the 2025 legislative impacts on LAFCOs and look ahead to what’s on the CALAFCO legislative menu for 2026.

**Location:** Pacific A & B

**Speakers:** José Henríquez, Legislative Committee Chair, Interim Executive Director, CALAFCO & Executive Officer, Sacramento LAFCO; Kai Luoma, Legislative Committee Vice Chair, Executive Officer, Ventura LAFCO

### **12:00 p.m. | CONFERENCE ADJOURNS**



# Planning Napa's Future, One SOI at a Time

By **Brendon Freeman, Executive Officer, Napa LAFCO**

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In 2025, Napa LAFCO's most pivotal deliberations have centered on spheres of influence (SOIs), the Commission's most powerful long-range planning tool.

In April, the Napa Commission tackled a significant SOI amendment for American Canyon's Green Island area. The hearing drew robust testimony from the Farm Bureau, Greenbelt Alliance, Save the Bay, and Napa County, highlighting the diverse interests and high stakes surrounding land use in this part of Napa County.

By August, attention shifted to the draft SOI update for the Napa Sanitation District. That process sparked a broad discussion about the long-term viability of extending sewer service to the Monticello study area.

This discussion addressed the core issue of balancing growth with resource protection.

These actions highlight LAFCO's distinct role in determining where growth occurs, how services are delivered, and how open space and agricultural lands are preserved. Looking ahead, Napa LAFCO is currently reviewing its local SOI policy, with proposed amendments set for Commission consideration in October.

As other Commissions across California evaluate their own SOI updates, Napa's experience serves as a timely reminder that these tools remain essential for community planning, service management, and protecting the landscapes that define them.



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**Agenda Item 7f (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *B F*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Legislative Report

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**BACKGROUND AND SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

There are currently two bills that CALAFCO has flagged as of significant interest.

**SB 489 (Arreguin, CA-07) Permit Streamlining Act**

California Senate Bill 489 (SB 489), authored by Senator Jesse Arreguín and sponsored by the California Building Industry Association for the 2025-2026 legislative session, is a housing-related bill aimed at streamlining the permitting process and increasing transparency for housing developments. The bill was chaptered by the Secretary of State on October 10, 2025, included as Attachment 1.

Key details of SB 489 include:

- **Purpose:** To accelerate housing production and reduce red tape in the permitting process.
- **Online Transparency:** The bill requires public agencies to publish online their lists of required information for development projects, including specific criteria for determining the completeness of an application.
- **Definition of Housing Project:** It clarifies that "development project" under the Permit Streamlining Act includes housing development projects.
- **Applicability:** The requirements apply to LAFCOs regarding their written policies and procedures for housing developments.
- **Sunset Clause:** The provisions regarding online publishing of application requirements are set to remain in effect until January 1, 2030.

This bill is part of a broader set of 2025-2026 legislative efforts in California to address the state's housing crisis by accelerating approvals for new residential units.

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Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

### **SB 777 (Richardson, CA 35) Amendment to the Health and Safety Code Regarding Cemeteries**

This bill requires LAFCO's to identify a local agency to be responsible for the care, maintenance, and embellishment of the cemetery for the county in which an abandoned endowment care cemetery is located, as specified. The bill would vest fee title of the cemetery in the local agency and would restrict the local agency's use of the property to uses consistent with cemetery purposes. The bill would give the local agency title to any endowment care funds of the prior cemetery authority held by the bureau and would require the local agency to take possession of all necessary books, records, real property, personal property, and assets of the fund. The bill would require the assets to be liquidated, and the proceeds placed in a special fund within the county treasury to be expended on care, maintenance, or embellishment of the abandoned endowment care cemetery. The bill would define an abandoned endowment care cemetery and would make conforming changes. By imposing additional duties on local agencies, this bill imposes a state-mandated local program. Napa LAFCO formally opposed SB 777 and submitted letters to the Legislature toward this end. Nevertheless, the most recent version of SB 777 was signed into law by Governor Gavin Newsom on October 11, 2025, included as Attachment 2.

#### **For the 2025-2026 SB 777 (Current Legislation):**

- **Status:** Chaptered by the Secretary of State, meaning it's now law.
- **Subject:** Mandates the Cemetery and Funeral Bureau to form a workgroup to address the maintenance of abandoned cemeteries, potentially involving counties.
- **Key Dates:** Approved by the Governor and filed with the Secretary of State on October 11, 2025.

### **ATTACHMENTS**

- 1) SB 489 as Signed by Governor
- 2) SB 777 as Signed by Governor

**Senate Bill No. 489**

CHAPTER 518

An act to amend Sections 56300 and 65940 of the Government Code, relating to local government.

[Approved by Governor October 10, 2025. Filed with Secretary of State October 10, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

SB 489, Arreguín. Local agency formation commissions: written policies and procedures: Permit Streamlining Act: housing development projects.

(1) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts and establishes a local agency formation commission in each county consisting of members appointed as provided. The act expresses the intent of the Legislature that each local agency formation commission, by January 1, 2002, establish written policies and procedures and exercise its powers in a way that encourages and provides planned, well-ordered, efficient urban development patterns, as specified. The act requires these written policies and procedures to include forms to be used for various submittals to the commission, as provided. The act requires each commission to provide access to notices and other information to the public on an internet website, as specified, including notice of all public hearings and commission meetings.

This bill would require that each local agency formation commission establish the written policies and procedures described above. The bill would require that the written policies and procedures include any forms necessary for a complete application to the commission concerning a proposed change of organization or reorganization. The bill would require each commission to provide access to its written policies and procedures to the public, including any forms necessary for a complete application for a change of organization or reorganization, through its internet website.

(2) The Permit Streamlining Act, among other things, requires a public agency to compile a list of the information required from an applicant for a development project, as provided.

This bill would require a public agency, for each type of approval issued in connection with a housing development project, as defined, to publish online the above-described list, including the criteria that the public agency will apply in order to determine the completeness of the development application and the name of the type of approval, as provided.

(3) By increasing the duties of local agency formation commissions in establishing and publishing written policies and procedures and of local

planning officials in reviewing permit applications for housing development projects, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. Section 56300 of the Government Code is amended to read:

56300. (a) Each commission shall establish written policies and procedures and exercise its powers pursuant to this part in a manner consistent with those policies and procedures and that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns.

(b) Each commission with a proposal pending on January 1, 2001, shall, by March 31, 2001, hold a public hearing to discuss the adoption of policies and procedures to require the disclosure of contributions, expenditures, and independent expenditures authorized by Section 56100.1. Reporting requirements adopted pursuant to this section shall be effective upon the date of adoption or a later date specified in the resolution. Any commission that does not have a proposal pending on January 1, 2001, shall hold a public hearing to discuss the adoption of those policies and procedures within 90 days of submission of a proposal or at any time prior to submission of a proposal. Once a hearing has taken place under this subdivision, no subsequent hearing shall be required except by petition of 100 or more registered voters residing in the county in which the commission is located.

(c) A commission may require, through the adoption of written policies and procedures, lobbying disclosure and reporting requirements for persons who attempt to influence pending decisions by commission members, staff, or consultants. Disclosure shall be made either to the commission's executive officer, in which case it shall be posted on the commission's internet website, if applicable, or to the recorder, registrar of voters, or clerk of the board of supervisors of the county in which the commission is located. Each commission that on January 1, 2001, has a pending proposal, as defined in Section 56069 shall, by March 31, 2001, hold a public hearing to discuss the adoption of policies and procedures governing lobbying disclosure authorized by this subdivision. Reporting requirements adopted pursuant to this section shall be effective upon the date of adoption or on a later date specified in the resolution. Any commission that does not have a proposal pending on January 1, 2001, shall hold a public hearing to discuss the adoption of those policies and procedures within 90 days of submission of a proposal, or at any time prior to submission of a proposal.

(d) Any public hearings required by this section may be held concurrently.

(e) The written policies and procedures adopted by the commission shall include forms to be used for various submittals to the commission including at a minimum a form for any protests to be filed with the commission and any forms necessary for a complete application to the commission concerning any proposed change of organization or reorganization.

(f) (1) Each commission shall establish and maintain, or otherwise provide access to notices, written policies and procedures, and other commission information for the public through an internet website.

(2) The written policies and procedures adopted by the commission shall require that notice of all public hearings, commission meetings, and any forms necessary for a complete application for a change of organization or reorganization shall be made available in electronic format on the commission's internet website.

SEC. 2. Section 65940 of the Government Code is amended to read:

65940. (a) (1) Each public agency shall compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project. Each public agency shall revise the list of information required from an applicant to include a certification of compliance with Section 65962.5, and the statement of application required by Section 65943. Copies of the information, including the statement of application required by Section 65943, shall be made available to all applicants for development projects and to any person who requests the information.

(2) An affected city or affected county, as defined in Section 66300, shall include the information necessary to determine compliance with the requirements of Article 2 (commencing with Section 66300.5) of Chapter 12 in the list compiled pursuant to paragraph (1).

(b) The list of information required from any applicant shall include, where applicable, identification of whether the proposed project is located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined in Section 65944.

(c) (1) A public agency that is not beneath a low-level flight path or not within special use airspace and does not contain a military installation is not required to change its list of information required from applicants to comply with subdivision (b).

(2) A public agency that is entirely urbanized, as defined in subdivision (e) of Section 65944, with the exception of a jurisdiction that contains a military installation, is not required to change its list of information required from applicants to comply with subdivision (b).

(d) For each type of approval issued by a public agency in connection with a housing development project, the list required to be compiled by this section, including the criteria the public agency will apply in order to determine the completeness of an application described in Section 65941, and the name of the type of approval, shall be published online.

(e) For purposes of this section, “development project” includes a housing development project as defined in paragraph (3) of subdivision (b) of Section 65905.5.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

**Senate Bill No. 777**

CHAPTER 658

An act to amend Section 7612.12 of the Business and Professions Code, relating to cemeteries.

[Approved by Governor October 11, 2025. Filed with Secretary  
of State October 11, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

SB 777, Richardson. Abandoned cemeteries: report.

Existing law, the Cemetery and Funeral Act, establishes the Cemetery and Funeral Bureau within the Department of Consumer Affairs and sets forth its powers and duties relating to the licensure and regulation of cemeteries, crematories, funeral establishments, and their personnel. Existing law requires the bureau, on or before July 1, 2027, to convene a workgroup composed of representatives from the cemetery, county government, and other interested stakeholders to discuss options for ensuring continued care, maintenance, and embellishment of abandoned cemeteries, including the possibility of requiring counties to assume responsibility for abandoned cemeteries. Existing law requires the bureau to submit a report to the Legislature summarizing the workgroup's discussions and its recommendations by January 1, 2028. Existing law repeals those provisions on January 1, 2029.

This bill would instead require the bureau to convene the workgroup on or before March 1, 2026, would revise the list of representatives required to be included in the workgroup, and would instead require the workgroup to discuss the possibility of requiring counties to assume responsibility for maintenance, irrigation, public works, and burial services for abandoned cemeteries. The bill would require the board to submit the report on June 1, 2026, and would repeal those provisions on January 1, 2027.

*The people of the State of California do enact as follows:*

SECTION 1. Section 7612.12 of the Business and Professions Code is amended to read:

7612.12. (a) On or before March 1, 2026, the bureau shall convene a workgroup composed of interested stakeholders including, but not limited to, representatives from the cemetery industry, the California Association of Local Agency Formation Commissions, the League of California Cities, the California State Association of Counties, the Urban Counties of California, the Rural County Representatives of California, public cemeteries, and legislative staff for the appropriate committees of the Legislature, to

discuss options for ensuring continued care, maintenance, and embellishment of abandoned cemeteries, including the possibility of requiring counties to assume responsibility for maintenance, irrigation, public works, and burial services for cemeteries located within their boundaries that become abandoned.

(b) In accordance with Section 9795 of the Government Code, the bureau shall submit a report to the Legislature summarizing the discussions of the workgroup and its recommendations no later than June 1, 2026.

(c) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.



**Local Agency Formation Commission of Napa County**  
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**Agenda Item 7g (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Stephanie Pratt, Staff Analyst *SP*  
Charlie Gray, Commission Clerk *CG*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Second Quarter Budget Report for Fiscal Year 2025-26

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**SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

Consistent with local policy, the Commission will receive a second quarter budget report that shows all budgeted and actual operating revenue and expenditure accounts for the 2025-26 fiscal year through December 31, 2025, included as Attachment 1.

Notably, staff salaries and benefits fall under Administration Services (account 52100). This account totaled \$104,000 through December 31, 2025. However, this amount only includes the first quarter amount billed by the County to LAFCO. The second quarter amount was recently billed to LAFCO and totaled \$114,390, resulting in an Administration Services account total of \$218,390 through the second quarter. The Commission's available fund balance amount will be reduced by the same \$114,390 amount and therefore would total \$909,325 at the end of the second quarter.

When the year is closed, all year-end numbers will be finalized and presented to the Commission at its December 7, 2026 regular meeting as part of the annual audit report.

**ATTACHMENT**

- 1) FY 2025-26 Revenue & Expense Report through December 31, 2025

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Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*



# Statement of Revenues and Expenses Budget vs. Actual

Fiscal Year: 2026 Through Period: 06

Fund: 8400 - Local Agency Formation Comm

Object	Budget			Encumbrances	Actuals	Available Budget	% of Budget
	Adopted	Adjustments	Revised				
<b>License, Permits and Franchises</b>							
42690 - Permits Other/Application Fees	25,000.00	-	25,000.00	-	6,317.84	18,682.16	25.27 %
<b>Total License, Permits and Franchises</b>	<b>25,000.00</b>	<b>-</b>	<b>25,000.00</b>	<b>-</b>	<b>6,317.84</b>	<b>18,682.16</b>	<b>25.27%</b>
<b>Intergovernmental Revenues</b>							
43910 - County of Napa	368,975.00	-	368,975.00	-	368,975.00	-	100.00 %
43950 - Other - Governmental Agencies	368,975.00	-	368,975.00	-	368,976.00	(1.00)	100.00 %
<b>Total Intergovernmental Revenues</b>	<b>737,950.00</b>	<b>-</b>	<b>737,950.00</b>	<b>-</b>	<b>737,951.00</b>	<b>(1.00)</b>	<b>100.00%</b>
<b>Revenue from Use of Money and Property</b>							
45100 - Interest	10,000.00	-	10,000.00	-	11,590.00	(1,590.00)	115.90 %
<b>Total Revenue from Use of Money and Property</b>	<b>10,000.00</b>	<b>-</b>	<b>10,000.00</b>	<b>-</b>	<b>11,590.00</b>	<b>(1,590.00)</b>	<b>115.90%</b>
<b>Charges for Services</b>							
46800 - Charges for Services	1,000.00	-	1,000.00	-	-	1,000.00	0.00 %
<b>Total Charges for Services</b>	<b>1,000.00</b>	<b>-</b>	<b>1,000.00</b>	<b>-</b>	<b>-</b>	<b>1,000.00</b>	<b>0.00%</b>

Fund: 8400 - Local Agency Formation Comm

Object	Budget			Encumbrances	Actuals	Available Budget	% of Budget
	Adopted	Adjustments	Revised				
<b>Salaries and Employee Benefits</b>							
51210 - Director/Commissioner Pay	7,200.00	-	7,200.00	-	1,200.00	6,000.00	16.67 %
51300 - Medicare	250.00	-	250.00	-	17.38	232.62	6.95 %
51305 - FICA	700.00	-	700.00	-	74.40	625.60	10.63 %
<b>Total Salaries and Employee Benefits</b>	<b>8,150.00</b>	<b>-</b>	<b>8,150.00</b>	<b>-</b>	<b>1,291.78</b>	<b>6,858.22</b>	<b>15.85%</b>
<b>Services and Supplies</b>							
52100 - Administration Services	630,571.00	-	630,571.00	-	103,999.89	526,571.11	16.49 %
52125 - Accounting/Auditing Services	7,500.00	-	7,500.00	-	5,912.00	1,588.00	78.83 %
52130 - Information Technology Svcs	31,635.00	-	31,635.00	-	15,196.00	16,439.00	48.04 %
52131 - ITS Communication Charges	2,908.00	-	2,908.00	-	1,254.00	1,654.00	43.12 %
52140 - Legal Services	35,000.00	-	35,000.00	30,167.83	8,597.17	(3,765.00)	110.76 %
52310 - Consulting Services	75,000.00	-	75,000.00	6,987.50	33,912.50	34,100.00	54.53 %
52345 - Janitorial Services	300.00	-	300.00	279.72	56.28	(36.00)	112.00 %
52515 - Maint - Software	2,892.00	-	2,892.00	-	1,797.60	1,094.40	62.16 %
52600 - Rents/Leases - Equipment	3,000.00	-	3,000.00	959.82	1,101.18	939.00	68.70 %
52605 - Rents/Leases - Buildings/Land	28,200.00	-	28,200.00	16,450.00	16,450.00	(4,700.00)	116.67 %
52700 - Insurance - Liability	12,157.00	-	12,157.00	-	-	12,157.00	0.00 %
52800 - Communications/Telephone	3,000.00	-	3,000.00	3,000.00	515.40	(515.40)	117.18 %
52830 - Publications and Legal Notices	1,000.00	-	1,000.00	-	199.00	801.00	19.90 %
52835 - Filing Fees	200.00	-	200.00	-	10.75	189.25	5.38 %
52900 - Training/Conference Expenses	10,000.00	-	10,000.00	-	11,437.65	(1,437.65)	114.38 %
52905 - Business Travel/Mileage	500.00	-	500.00	-	-	500.00	0.00 %
53100 - Office Supplies	1,000.00	-	1,000.00	-	192.18	807.82	19.22 %
53110 - Freight/Postage	100.00	-	100.00	-	-	100.00	0.00 %
53115 - Books/Media/Subscriptions	119.00	-	119.00	-	-	119.00	0.00 %
53120 - Memberships/Certifications	3,523.00	-	3,523.00	-	2,383.00	1,140.00	67.64 %
53205 - Utilities - Electric	2,500.00	-	2,500.00	-	466.76	2,033.24	18.67 %

Fund: 8400 - Local Agency Formation Comm

Object	Budget			Encumbrances	Actuals	Available Budget	% of Budget
	Adopted	Adjustments	Revised				
<b>Services and Supplies</b>							
53650 - Business Related Meals/Supply	400.00	-	400.00	-	-	400.00	0.00 %
<b>Total Services and Supplies</b>	<b>851,505.00</b>	<b>-</b>	<b>851,505.00</b>	<b>57,844.87</b>	<b>203,481.36</b>	<b>590,178.77</b>	<b>30.69%</b>

33100 - Beginning Available Fund Balance					472,629.50		
Total Revenues	773,950.00		773,950.00		<u>755,858.84</u>	18,091.16	97.66 %
Total Expenditures	859,655.00		859,655.00	<u>57,844.87</u>	<u>204,773.14</u>	597,036.99	30.55 %
Net Surplus / (Deficit)	(85,705.00)	-	(85,705.00)		551,085.70		
33100 - Current Available Fund Balance					1,023,715.20		





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**Agenda Item 7h (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Charlie Gray, Commission Clerk *CG*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Chair Rotation for 2026

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**SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

The Commission's *Policy on Establishing the Officers of the Commission* ("the Policy"), included as Attachment 1, provides an annual rotational system for the appointment of the Chair and Vice Chair offices based on seat designations. The Chair and Vice Chair serve one-year terms that begin on January 1.

Each regular Commissioner is assigned a seat designation. Alternate Commissioners do not have seat designations and are not eligible for the Chair or Vice Chair offices.

Under the Policy, Commissioners Painter (City Member I) and Ramos (County Member I) became Commission's Chair and Vice Chair, respectively, on January 1, 2026.

Schedules for the Chair and Vice Chair rotation and a listing of Commissioner seat designations are provided on the following page.

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Beth Painter Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of Napa

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

**Schedule for Chair and Vice Chair Rotation**

Term	Chair	Vice Chair
2026	City Member I	County Member I
2027	County Member I	City Member II
2028	City Member II	County Member II
2029	County Member II	Public Member
2030	Public Member	City Member I

**Commissioner Seat Designations**

Seat Designation	Current Member
City Member I	Beth Painter
City Member II	Paul Dohring
County Member I	Belia Ramos
County Member II	Anne Cottrell
Public Member	Kenneth Leary
Alternate City Member	David Oro
Alternate County Member	Joelle Gallagher
Alternate Public Member	Eve Kahn

**ATTACHMENT**

- 1) Policy on Establishing the Officers of the Commission



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Establishing the Officers of the Commission*

(Adopted: August 9, 2001; Last Amended: June 6, 2022)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization (“CKH”) Act of 2000 includes provisions specifying the composition of the Commission in [Chapter 2 \(commencing with Section 56325\)](#). In addition, these sections specify the procedures to select Commissioners, terms of office, and selection of the Chair of the Commission.

#### **II. Purpose**

It is the policy of the Commission to establish policies which provide for the smooth and consistent operations of Commission business. The selection of officers of the Commission is a regular occurrence and therefore should follow adopted policy.

#### **III. Officers of the Commission**

- A) The officers of LAFCO shall consist of a Chair, a Vice Chair, and a Clerk.
- B) The Chair and Vice Chair shall be appointed and serve terms in accordance with Section V “Appointment of Chair and Vice Chair.”
- C) The Executive Officer or the Executive Officer’s designee shall serve as the Clerk.

#### **IV. Duties of Officers**

- A) Duties of the Chair: The Chair shall preside at all meetings of the Commission and shall conduct the business of the Commission according to “Rosenberg’s Rules of Order.” The Chair shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Commission.
- B) Duties of the Vice Chair: In the absence of the Chair, the Vice Chair shall assume all duties and responsibilities of the Chair's office.
- C) Duties of the Clerk: The Clerk shall call the roll, note approval of the minutes or corrections thereto, maintain record of testimony and action of the Commission on each item, and any other action deemed appropriate and necessary by the Commission to conduct its meetings and business.

## **V. Appointment of Chair and Vice Chair**

- A) Term of Office: Beginning in 2024, the terms of office of the Chair and Vice Chair shall be for one year, beginning on January 1.
- B) Rotation: The Chair and Vice Chair shall be appointed by the Commission according to the following annual rotational system, effective January 1, 2024, unless a temporary change is made pursuant to Section V(C):

<u>Chair Designations</u>	<u>Vice Chair Designations</u>
County Member II	Public Member
Public Member	City Member I
City Member I	County Member I
County Member I	City Member II
City Member II	County Member II

It shall be the responsibility of the Executive Officer to maintain a record of the seat designations and occupants, and to annually inform the Commission prior to the rotation.

- C) The Commission may create temporary changes to the rotation as part of an action item placed on a meeting agenda. If the Chair and Vice Chair offices are both vacant, and in the event the procedures set forth in Section VI “Vacancy,” below, are not feasible, the Executive Officer may call a meeting to order until the Chair and Vice Chair are appointed.

## **VI. Vacancy**

The offices of Chair and Vice Chair shall reside with the particular appointing authority assigned to a designated seat. In the event that a Commissioner serving as Chair or Vice Chair is no longer able to serve on the Commission for any reason, the remainder of that Commissioner’s term in office shall be fulfilled by the other Commissioner from the same appointing authority (for example, if the Commissioner designated as “City Member I” is removed from the office of Chair in January, the Commissioner designated “City Member II” shall serve as Chair through the day immediately prior to the first Monday in May), subject to the following:

- A) On January 1 of the following year, the established rotation set forth in Section V(B) “Rotation,” above, shall resume.
- B) Should the office of Chair or Vice Chair be vacated by the Public Member, the Commission shall appoint another Commissioner at its next meeting to fulfill the remainder of the officer’s unexpired term.



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**Agenda Item 7i (Consent/Information)**

**TO:** Local Agency Formation Commission  
**PREPARED BY:** Charlie Gray, Commission Clerk *CG*  
**MEETING DATE:** February 2, 2026  
**SUBJECT:** Expiring Commissioner Terms in 2026

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**SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

All Commissioner terms are four years, pursuant to California Government Code section 56334. The Commission has two members with terms scheduled to expire on May 4, 2026: Kenneth Leary (Public Member) and Belia Ramos (County Member).

Appointments of county members to the Commission are the sole jurisdiction of the Board of Supervisors (BOS). Toward this end, the BOS has already reappointed Commissioner Ramos to a new four-year term commencing May 4, 2026, and expiring May 6, 2030.

Appointments of public members to the Commission are made by the city and county members. An open recruitment will occur as described in item 7c on today’s agenda.

A full listing of all Commissioners and term expiration dates follows:

<b>Member</b>	<b>Position</b>	<b>Term Expires</b>
<b>Kenneth Leary</b>	<b>Public Member</b>	<b>May 4, 2026</b>
David Oro	Alternate City Member	May 3, 2027
Beth Painter	City Member	May 3, 2027
Anne Cottrell	County Member	May 1, 2028
Eve Kahn	Alternate Public Member	May 1, 2028
Joelle Gallagher	County Member	May 7, 2029
Paul Dohring	City Member	May 7, 2029
Belia Ramos	County Member	May 6, 2030

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Beth Painter Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
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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**  
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*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

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**Agenda Item 7j (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *BF*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Best Practices for Drinking Water Municipal Service Reviews

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**SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

The Commission has expressed ongoing interest in opportunities related to public water system improvements. Toward this end, the Commission previously completed a Countywide Water and Wastewater Municipal Service Review, available online at: [https://napa.lafco.ca.gov/files/f8a4ec2b4/NapaCountywideWaterWastewaterMSR\\_Updated\\_10-4-21.pdf](https://napa.lafco.ca.gov/files/f8a4ec2b4/NapaCountywideWaterWastewaterMSR_Updated_10-4-21.pdf)

Further, staff has been engaged in a working group that has developed additional resources. This includes a white paper titled “Best Practices and Resources for Drinking Water Service Reviews”, included as Attachment 1. In addition, a library of water system consolidation case studies throughout California is provided as Attachment 2.

The working group is currently exploring a legislative proposal that would expand LAFCO’s authority to initiate certain types of boundary changes and service extensions under unique circumstances. Staff will return with additional information and resources as they become available.

**ATTACHMENTS**

- 1) Best Practices and Resources for Drinking Water Service Reviews
- 2) Water System Consolidation Case Study Library

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Beth Painter Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

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# Best Practices and Resources for Drinking Water Service Reviews

The development of Municipal Service Reviews (MSRs) is a critical function of county Local Agency Formation Commissions or LAFCOs which are tasked with ensuring logical service boundaries. An MSR is a comprehensive review of one or more governmental services such as fire protection, water, sewer or flood control within a designated geographic area. These reviews can be conducted at the agency level (e.g. individually for each special district), regionally (e.g. south county) or at the county level. MSRs are mandated by the Cortese-Knox-Hertzberg Act of 2000 and must be conducted prior to establishing or updating any sphere of influence within a LAFCOs' jurisdiction.

The MSR process provides the opportunity to proactively review all the covered services provided within a county and identify opportunities to improve service delivery, enhance efficiency, and ensure long-term sustainability. For each reviewed service provider, an MSR considers the history, role, and financial performance of the local agency to help guide smart, long-term planning decisions for our communities. In doing so, MSR development also serves as a forum for public participation, fostering conversations on the quality of life in, and future of, our communities. Ensuring safe, sustainable, and affordable drinking water services is a critical consideration in these conversations and an important topic covered by MSRs.

While the complexity of drinking water regulation and the sheer number of service providers can complicate MSR development for water services, for these same reasons MSRs are an important avenue for ensuring comprehensive regional drinking water planning. Inspired by a session at the October 2024 CALAFCO conference, this document provides best practices and data resources to support LAFCOs in developing drinking water related MSRs. By equipping LAFCOs with clear guidance, sector specific resources, and examples, MSRs can become powerful tools to identify service gaps, promote equitable access, and inform decisions that directly impact the health and well-being of California communities.

## Best Practices

Many straightforward best practices can help ensure an MSR accomplishes these goals. These include:

### ***Conduct countywide regional reviews of water services:***

While MSRs can be conducted for specific drinking water service providers or sub-regionally within a county, there are important benefits to conducting these reviews at the county level. Among these benefits are helping to paint a complete picture of water service delivery in the region to support smarter, more integrated decision-making and ensure a clear picture of any service gaps. When a MSR is completed for multiple providers together, there are also more opportunities to consider the strengths and weaknesses of these entities in relation to one another. This then allows for the easier identification of potential solutions including opportunities for consolidation and collaboration between providers (*See “The many benefits of countywide Municipal Service Reviews” below for more examples*).

### ***Consider all water service providers including private water companies, Mobile Home Parks and wholesale providers:***

LAFCOs have jurisdiction over all drinking water providers that are either general purpose governments (including subsidiary districts) or independent special districts. It is these bodies for which they are required to develop MSRs. Nonetheless, in most counties there also exist other types of drinking water providers (*See “Who provides drinking water?”*). While LAFCOs are not required to include these systems in their MSRs,

they may choose to do so and have the authority to request information from private water providers for this purpose under California Government Code §56430(7)(d). Including these providers is important to get a complete picture of drinking water services at any scale and can help make sure a county is not caught unaware in the case of system failures or other unexpected events. For the same reason it is also helpful to include wholesale water providers, whose functioning has direct implications for local retail providers.

#### **Share completed reviews with all reviewed service providers:**

Any plan is only as good as its implementation. While LAFcos cannot force local service providers to take up their recommendations, it is important that they are at least aware of the findings. To maximize communication, LAFcos should not just proactively distribute the draft and finalized MSRs but also invite all reviewed districts to the relevant public hearings and consider presenting at the board meetings of reviewed districts as well (including the County Board of Supervisors for subsidiary systems).

#### **Share completed reviews with other county officials:**

Counties play an important role in drought and emergency planning and often also regulate very small water systems. Completed MSRs should be shared with the relevant offices and officials including the standing drought task force and any offices acting as the Local Primacy Agency for systems serving less than 200 service connections.

#### **Ensure communication with the Division of Drinking Water:**

All public water systems are regulated under the Safe Drinking Water Act. Most of these systems are regulated directly by the State Water Resources Control Board's Division of Drinking Water (DDW). DDW has regional engineers that ensure compliance with water quality and reporting requirements, issue violations, and support short- and long-term solutions for failing systems. These regional engineers are an important source of information in developing MSRs. Importantly, they are also an audience for MSR findings. While they may not always be aware of institutional challenges outside of the scope of water quality, supply, or infrastructure, with this information they can proactively monitor and offer resources to systems based on their specific needs.

### **The many benefits of countywide Municipal Service Reviews:**

- **Regional Perspective and Comparison:** A countywide MSR allows a LAFco to analyze all water districts side by side, highlighting disparities, redundancies, overlaps that might be missed in isolated reviews.
- **Clear Identification of Service Gaps:** Considering all service providers collectively helps identify where service gaps may exist while also helping to identify potential service providers for those areas.
- **Efficiency and Consistency:** Completing one comprehensive report streamlines staff time, reduces duplication of effort, and ensures consistency in data analysis, evaluation criteria, and recommendations across districts.
- **Opportunities for Collaboration:** Maximally inclusive MSRs can help identify more opportunities for shared services and regionalization between water providers within a county.
- **Stronger Policy Insights:** A countywide MSR provides a broader understanding of system-wide challenges like drought resilience, groundwater management, infrastructure needs, and access equity, which are often regional in nature.
- **Improved Support for Statewide Goals:** A holistic review is better aligned with state priorities such as the Sustainable Groundwater Management Act (SGMA) and the Human Right to Water, as it can identify systemic issues across multiple jurisdictions.
- **Enhanced Stakeholder Engagement:** A single, comprehensive process allows for more coordinated outreach with local agencies, communities, and disadvantaged populations, fostering collaboration and shared problem-solving.

### ***Proactively look to address review recommendations:***

As noted above, MSR findings themselves are not enforceable. A LAFCo, however, is authorized and encouraged under the Cortese-Knox-Hertzberg Act to initiate jurisdictional changes including the formation, consolidation, and dissolution of special districts, when appropriate and consistent with a recommendation within a prepared MSR. There are also other potential opportunities where LAFCo can encourage engagement with MSR findings and recommendations. Most commonly these arise when a local agency submits a request for a revision to their sphere of influence or service boundaries. As a part of the review and approval process for such applications, LAFCo may choose to impose prerequisites or contingencies. These are important opportunities to implement MSR recommendations that should be leveraged whenever possible.

### ***Incorporate deadlines and incentives where possible:***

LAFCOs can include deadlines as part of their MSR recommendations to advance certain actions. For example, updating their website to comply with state law or requesting the submittal of a strategic plan due to significant concerns raised in the MSR. LAFCOs may also choose to introduce incentives for completing certain tasks, such as waiving filing fees if subject agencies submit applications for annexation within an identified timeline.

### ***Develop and follow a regular schedule for MSRs:***

MSRs are to be conducted at least every five years or as necessary to inform sphere of influence determinations. Ensuring that these reviews are done on a regular basis will provide a benchmark to monitor the quality and sustainability of water services and can help spot challenges before they negatively impact operations (for example, growing vacancies on a governing board). It can also simplify and streamline the process by ensuring more consistent communication with local agencies and avoiding the need for large-scale overhauls of the previous report. Many LAFCOs have adopted multi-year work plans to ensure that service reviews are conducted for each local agency at least once within the five-year cycle.

## **Who provides drinking water?**

California counts more than 2,800 community water systems or drinking water systems that serve more than 15 residential service connections (or more than 25 people) year-round. Additionally, the state has more than 4,400 Transient Non-Community and Non-Transient Non-Community water systems which serve non-residential systems meeting the same service thresholds. Collectively these systems are known as public water systems and are regulated under the Federal Safe Drinking Water Act. The remainder of residents receive their drinking water from unregulated private domestic wells or from state small water systems (serving between 5 and 14 connections) which are regulated at the county level.

To make matters more complicated, these systems are operated by a diverse array of water providers. More than 28 different types of entities operate drinking water systems in California. Most commonly these include local agencies (e.g. cities, independent special districts, dependent special districts, and school districts), Investor-Owned Utilities, Mutual Water Companies, Tribal Governments, and Mobile Home Parks. Many remote facilities also have their own water systems which can also be publicly or privately owned, for example, agricultural packing houses, state prisons, industrial complexes and national park facilities. Roughly 42% of community water systems are publicly owned whereas 58% are privately owned. Thus, in addition to the vital services provided by city and special district-run agencies across the state, private service providers also play a significant role in California's drinking water landscape.

The number and diversity of water providers in the state highlights the importance of comprehensive regional planning to ensure safe, affordable, and sustainable drinking water services. While LAFCOs are not required to include non-local agency service providers in their MSRs, they may choose to do so and specifically have the authority to request information from Mutual Water Companies for this purpose. There is an opportunity for LAFCOs to “connect the drops” by analyzing these water organizations through MSRs since more than half of the water systems in California do not have mandatory reviews.

## Data and Resources

Besides requesting documents and information from water providers under review, there are many publicly available data resources that provide relevant information about regulated water systems and their operations that can be incorporated into MSRs. These include:

Resource, Description & Link	Potential Uses
<p><b>California Drinking Water Watch</b> The state's safe drinking water information system database. It includes all the regulatory and water quality information that the state then reports to the U.S. Environmental Protection Agency under the Safe Drinking Water Act. The database includes all active public water systems by county. <a href="https://sdwis.waterboards.ca.gov/PDWW/">https://sdwis.waterboards.ca.gov/PDWW/</a></p>	<p>Generating a list of all public water systems within a county; Finding contact information for a water system; Determining the number of service connections and population served by a system; Reviewing mandatory annual Consumer Confidence reports submitted by water systems; Determining if a system has been issued a violation or enforcement action by state regulators.</p>
<p><b>Annual Drinking Water Needs Assessment Risk Assessment of Public Water Systems</b> An annual review of California's progress on implementing the Human Right to Water (AB 685). The risk assessment for public water systems is one of four components of the needs assessment. This assessment assigns public water systems a status as either not at-risk, potentially at-risk, at-risk, or failing based on a detailed set of criteria and metrics, all of which are publicly available for use. Notably, water systems serving more than 10,000 people are excluded from this analysis. <a href="https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/saferdashboard.html">https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/saferdashboard.html</a></p>	<p>Collecting data on individual water system performance related to water quality, water supply, and affordability; Identifying which systems in a county are failing, at-risk or potentially at-risk.</p>
<p><b>SAFER Project and Funding Snapshot Tool</b> You can now find information about active state support (grants and technical assistance) provided to individual water systems that are considered failing or at-risk using the project and funding snapshot tool. Among the information provided is the total project amount, start date, and status. <a href="https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/engagement_unit.html">https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/engagement_unit.html</a></p>	<p>Identifying planning, construction, and technical assistance grants awarded to individual water systems; Identifying contracted Technical Assistance providers within a county.</p>
<p><b>California Drinking Water Institutions</b> This dataset identifies the institutional or governance type for all community water systems in the state. For example, whether a water system is a Mutual Water Company. <a href="https://datadryad.org/stash/dataset/doi:10.25338/B8KP92">https://datadryad.org/stash/dataset/doi:10.25338/B8KP92</a></p>	<p>Determining the institutional type for a specific water system; Identifying all of a specific type of water system within a county.</p>
<p><b>Drinking Water Systems Outreach Tool</b> This is a mapping tool that displays all regulated drinking water systems plus best available locations for state small water systems (water systems serving between 5 and 14 service connections). The map also includes CalEnviroScreen score data, data for the state's aquifer risk detailing groundwater conditions, and identifies Disadvantaged Communities (DACs) per the water code definition. <a href="https://gispublic.waterboards.ca.gov/portal/apps/webappviewer/index.html?id=70d27423735e45d6b037b7fbaea9a6a6">https://gispublic.waterboards.ca.gov/portal/apps/webappviewer/index.html?id=70d27423735e45d6b037b7fbaea9a6a6</a></p>	<p>Identifying state small water systems; Identifying water systems that serve disadvantaged communities; Identifying areas with groundwater concerns; Considering opportunities for water system partnerships and consolidation.</p>
<p><b>Division of Drinking Water Regional Engineers</b> Regulates public water systems for compliance with the Safe Drinking Water Act. Regional engineers cover one or more counties and are the Water Board's primary regulatory contact for all systems within their district. These staffers communicate regularly with each water system and conduct field visits. Map/contact information: <a href="https://www.waterboards.ca.gov/drinking_water/programs/documents/ddwem/DDWdistrictofficesmap.pdf">https://www.waterboards.ca.gov/drinking_water/programs/documents/ddwem/DDWdistrictofficesmap.pdf</a></p>	<p>Determining the compliance status of individual water systems; Collecting information about any relevant state grants or ongoing improvement projects.</p>
<p><b>Water Shortage Vulnerability Tool</b> A new resource from the Department of Water Resources intended to support counties with their drought resilience planning under SB 552. While the tool only covers water systems serving fewer than 3,000 connections, it provides a robust set of climate and drought indicators for these systems. In addition to localized climate change projects the tool includes information about a systems infrastructure and recent drought impacts. Based on this data, each system is assigned a vulnerability score between 0 and 100. <a href="https://experience.arcgis.com/experience/ae1b4e3e41004f07b4901a7a3fa50637/page/Small-Water-Systems?org=DWR#data_s=id%3AdataSource_11-19418561f1e-layer-73-0%3A2378">https://experience.arcgis.com/experience/ae1b4e3e41004f07b4901a7a3fa50637/page/Small-Water-Systems?org=DWR#data_s=id%3AdataSource_11-19418561f1e-layer-73-0%3A2378</a></p>	<p>Quantifying the drought vulnerability of water systems under review; Collecting data on system infrastructure and drought related challenges.</p>

## Best practices in practice

Many California LAFCo are leading the implementation of best practices to leverage MSRs as tools to identify service gaps, promote equitable access, and inform decisions that directly impact the health and well-being of California communities. Examples from around the state include:

- **Santa Cruz LAFCo** offers to attend any reviewed agency's board meetings after completing an MSR to summarize the findings and recommendations and answer questions.
- **Tulare County LAFCo** approved an applicant-initiated annexation for an industrial complex on the condition that a nearby disadvantaged unincorporated community be included to resolve the communities' longstanding water supply and quality challenges.
- **Napa LAFCo** adopted a countywide water and wastewater service review in 2020. This review mapped all community water systems in the county including Mutual Water Companies and other privately owned drinking water providers cataloging the populations and areas served by these systems. This was done at request of commissioners who wanted a complete picture of local water services to preempt any significant operating challenges or access issues.
- **San Diego LAFCo** initiates meet-and-greets with affected agencies at the start of a Municipal Service Review (MSR) and offers to attend board meetings and staff meetings throughout the process. This approach helps ensure ongoing communication with both agency boards and their staff during the development of the MSR.

## Further Reading

Dobbin & McBride (2024). "LAFCo and Water System Consolidation: Bridging the gap between local and state regulators to stop and reverse water system fragmentation". Available at: [https://bit.ly/LAFCO\\_systemconsolidation](https://bit.ly/LAFCO_systemconsolidation)

Dobbin & Fencl (2022). "Who governs California's drinking water Systems?". California WaterBlog. Available at: <https://californiawaterblog.com/2022/01/23/who-governs-californias-drinking-water-systems/>

Lai (2017). "Adopting County Policies Which Limit Public Water System Sprawl and Promote Small System Consolidation". Luskin Center for Innovation. Available at: [https://innovation.luskin.ucla.edu/wp-content/uploads/2019/03/Adopting\\_County\\_Policies\\_which\\_Limit\\_Public\\_Water\\_System\\_Sprawl\\_and\\_Promote\\_Small\\_System\\_Consolidation.pdf](https://innovation.luskin.ucla.edu/wp-content/uploads/2019/03/Adopting_County_Policies_which_Limit_Public_Water_System_Sprawl_and_Promote_Small_System_Consolidation.pdf)

Rural Communities Assistance Partnership (2022). "Regional Collaboration for Water and Wastewater Utilities". Available at: <https://online.flippingbook.com/view/329354245/4/>

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August 2025

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UNIVERSITY OF CALIFORNIA

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Agriculture and Natural Resources

# Consolidation Case Study Library

The following case studies were developed by UC Berkeley and UC Agriculture and Natural Resources to share the experiences of water systems from across the state who have participated in consolidation projects. You can view each write up by clicking on the case study name. For questions or to learn more contact Kristin Dobbin at [kdbobbin@berkeley.edu](mailto:kdbobbin@berkeley.edu).

Case study	Number of systems involved	Type of consolidation	Consolidation structure	Governance of consolidated entity	County	Keywords
<a href="#">The formation of the Ukiah Valley Water Authority</a>	5	Managerial	Umbrella Organization	Joint Powers Authority	Mendocino County	Regionalization, Drought, Water supply
<a href="#">Golden State Water Company - Clearlake System Acquisition of Crescent Bay Improvement Company</a>	2	Managerial	Acquisition	Investor-Owned Utility	Lake County	Water quality, TMF capacity
<a href="#">Keyes Community Services District Regionalization</a>	6	Physical	Master Meter & Acquisition	Independent Special District	Stanislaus County	Regionalization, Water quality, Extraterritorial service, Mobile Home Parks
<a href="#">Sultana Community Services District's Annexation of Monson</a>	2	Physical	Acquisition	Independent Special District	Tulare County	Drought, Water quality, Water supply, Domestic wells
<a href="#">Tahoe City Public Utility District acquires the Madden Creek and Tahoe Cedars water systems</a>	3	Managerial	Acquisition	Independent Special District	Placer and El Dorado Counties	Regionalization, Fire suppression, Deferred maintenance

<a href="#">Extending Diablo Water District services to Santiago Island Village Mobile Home Park</a>	2	Physical	Master meter	Independent Special District	Contra Costa County	Mobile Home Parks, TMF capacity
<a href="#">The City of Perris transfers their drinking water and sewer systems to Eastern Municipal Water District</a>	2	Physical	Acquisition	Independent Special District	Riverside County	TMF capacity
<a href="#">Lewiston Community Services District's consolidation of Lewiston Park Mutual Water Company</a>	2	Physical	Acquisition	Independent Special District	Trinity County	Water quality, TMF capacity
<a href="#">City of Coachella acquisition of the Mesquite Mutual Water Company</a>	2	Physical	Acquisition	City	Riverside County	Water supply, Deferred maintenance
<a href="#">Connecting Saint Anthony Mobile Home Park, Manuela Garcia Water, and Seferino Huerta to Coachella Valley Water District</a>	4	Physical	Master meter	Independent Special District	Riverside County	Water quality, Mobile Home Parks, Regionalization

*Authors:* Gardiner Brown and Kristin Dobbin

*Layout and design:* Emily Scott

*Publication date:* September 2025

*Funding:* These consolidation case studies were developed with generous financial support from with support from the California Institute of Water Resources (Agreement # SA21-5650-14) and the U.S. Geological Survey (Agreement # G21AP10611-03).



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**Agenda Item 7k (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *BF*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Update on Unincorporated Islands

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**BACKGROUND AND SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

On June 2, 2025, the Commission established an ad hoc subcommittee on unincorporated islands (“the Committee”) and appointed Commissioners Painter and Ramos to advise staff with respect to possible next steps. The Committee met and considered possible future actions related to public outreach and engaging City of Napa officials. For reference, the Commission’s adopted Policy on Unincorporated Islands is included as Attachment 1.

The Committee agreed the islands already, by and large, have access to all essential public services. Any missing services would not be easily accessible following annexation to the City. Over the last 20 years, few landowners and residents within the islands have indicated strong interest in having their properties annexed into the City.

The Committee recommended no foreseeable actions with one key exception involving an update of the Commission’s website page dedicated to island annexation information. Existing information on the website at that time was presented in a confusing and oftentimes misleading manner indicating islands are an inherent problem. The Committee recommended staff update the page to make it more concise, factual, and user-friendly. This has been accomplished and has resulted in a more condensed page available at: <https://napa.lafco.ca.gov/island-annexation>

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Brendon Freeman  
*Executive Officer*

In addition, staff prepared an updated map showing the location of the 26 islands within the City of Napa's sphere of influence, included as Attachment 2. Not all 26 of these areas are eligible for the streamlined island annexation proceedings summarized in the Policy. Toward this end, the Policy requires review by the Commission's ad hoc Policy Committee in the foreseeable future with possible amendments forthcoming.

The status of the Committee and its membership will be considered as part of item 9e on today's agenda.

## **ATTACHMENTS**

- 1) Policy on Unincorporated Islands
- 2) Map of City of Napa Islands



## LOCAL AGENCY FORMATION COMMISSION OF NAPA

### *Policy on Unincorporated Islands*

(Adopted: February 3, 2020)

#### **I. Background**

Unincorporated islands (hereinafter “islands”) are areas of unincorporated territory that are completely or substantially surrounded by an incorporated city or town. The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 includes provisions for streamlining the annexation of islands to cities and towns ([California Government Code \(G.C.\) §56375.3](#)). CKH prohibits creation of new islands unless the Commission determines the prohibition would be detrimental to the orderly development of the community and that the area is located such that it could not reasonably be annexed to another city or town, or incorporated as a new city or town ([G.C. §56744](#)). As a condition of annexation to a city or town that includes territory located within an island, the Commission may require that the annexation include the *entire* island ([G.C. §56375\(a\)\(5\)](#)).

#### **II. Purpose**

It is the intent of the Commission to establish a policy that clearly defines the characteristics of islands in Napa County to allow for their streamlined annexation to cities and towns. This is consistent with the intent of the California Legislature when it enacted special legislation, originally adopted in 1977 and subsequently expanded, that made it possible for certain islands to be annexed *without* a protest hearing or election. In approving this legislation, the Legislature recognized the following:

- A) Islands continue to represent a serious and unnecessary statewide governmental inefficiency and that this inefficiency would be resolved if these islands were annexed into the appropriate surrounding city or town.
- B) Property owners’ ability to vote on boundary changes is a statutory privilege and not a constitutional right.
- C) Islands are inherently inefficient and that these inefficiencies affect not just residents within islands, but also those residing throughout the city or town and the county.

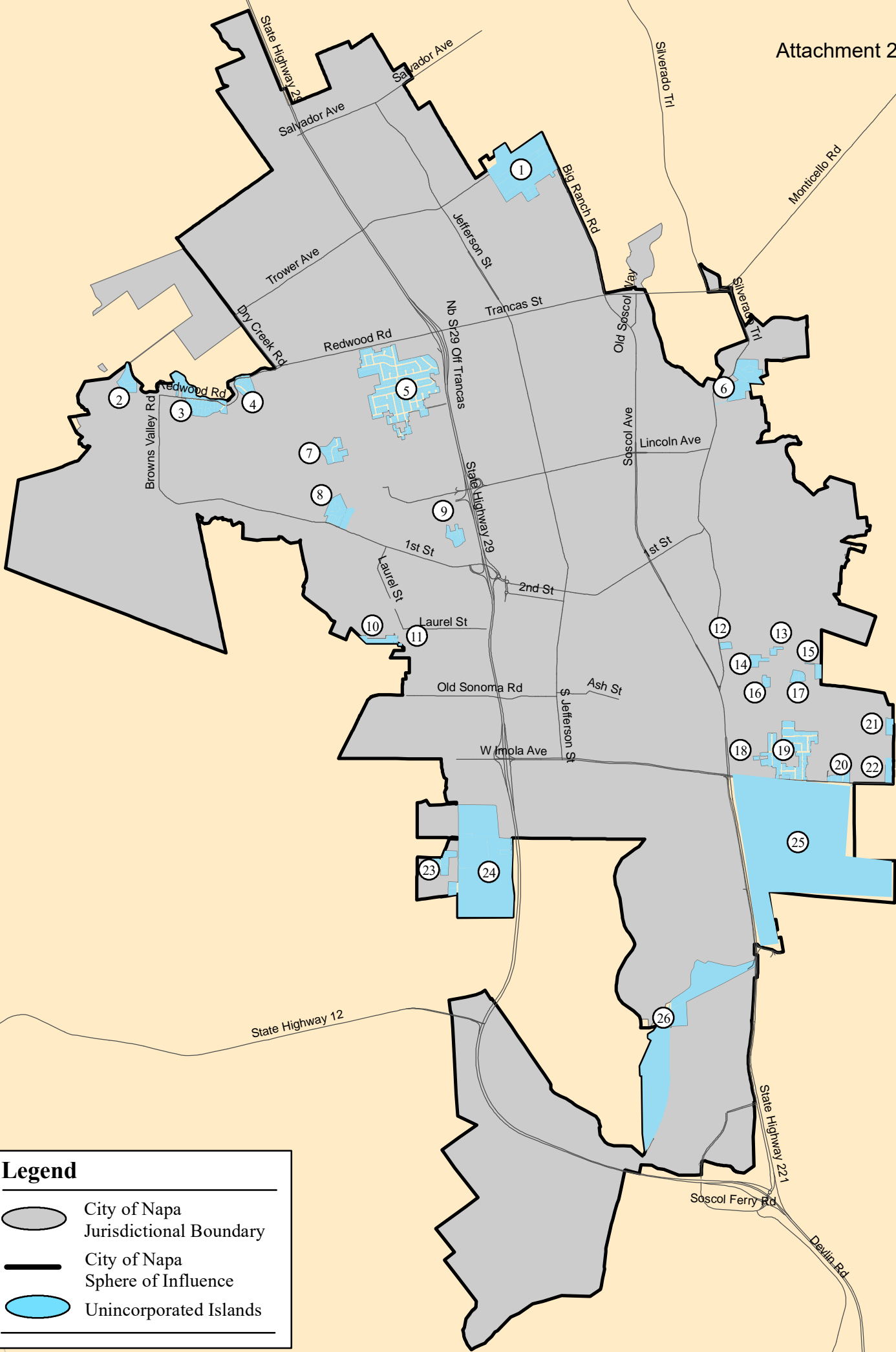
#### **III. Annexation Procedures**

In order to utilize the streamlined annexation provisions codified under [G.C. §56375.3](#), a city or town is required to initiate the process by adopting a resolution of application and submit the adopted resolution to the Commission. The Commission shall approve the annexation at a noticed public hearing and waive protest proceedings. The Commission may not disapprove the annexation. A property tax sharing agreement between the County and the affected city or town is required before the Commission may take final action on annexation consistent with [Revenue and Taxation Code §99](#). The Commission encourages any city or town to enter into tax sharing agreements for affected islands prior to adoption of a resolution of application.




#### **IV. Local Policy Definition of “Island”**

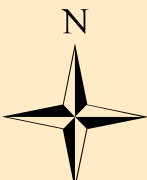
The Commission defines an “island” in Napa County to include unincorporated territory that meets all of the following criteria:

- A) Located entirely within a city or town’s sphere of influence;
- B) Does not exceed 150 acres in size;
- C) Does not contain prime agricultural land as defined in the Cortese-Knox-Hertzberg Act ([G.C. §56064](#));
- D) Does not contain lands subject to Measure P or has a General Plan designation of Agricultural Resource or Agriculture, Watershed and Open Space as reflected in the County of Napa General Plan Land Use Map;
- E) Designated for urban development in the general plan of the annexing city or town;
- F) Surrounded or substantially surrounded by the annexing city or town. Substantially surrounded territory is unincorporated territory with an outer boundary that is 50% or more contiguous to the annexing city or town’s jurisdictional boundary;
- G) The outer boundary is the annexing city or town’s jurisdictional boundary, the annexing city or town’s sphere of influence, and/or property owned by the State of California;
- H) The territory is developed or developing. This determination is based on the availability of public utilities, the presence of public improvements, or the presence of physical improvements on the parcels within the area; and
- I) The territory is currently receiving municipal service benefits from the annexing city or town, or would benefit from the city or town following annexation.



**Legend**

-  City of Napa Jurisdictional Boundary
-  City of Napa Sphere of Influence
-  Unincorporated Islands





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

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**Agenda Item 71 (Consent/Information)**

**TO:** Local Agency Formation Commission  
**PREPARED BY:** Brendon Freeman, Executive Officer B F  
**MEETING DATE:** February 2, 2026  
**SUBJECT:** Work Program Update

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**BACKGROUND AND SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

The Commission's Work Program for Fiscal Year 2025-26 is included as Attachment 1. A brief update on key projects follows.

***Napa Sanitation District Sphere of Influence (SOI) Update***

A preliminary draft SOI Update was prepared in-house and presented to the Commission on August 4, 2025. The Commission directed staff to return with a revised report that will complete this project. Subsequent communication resulted in new SOI study areas to be evaluated. It is anticipated that a revised report will be presented on April 6, 2026.

***Countywide Fire & EMS Municipal Service Review (MSR)***

An administrative draft MSR prepared by a consultant, AP Triton, is undergoing review. It is anticipated that a public draft report will be presented on April 6, 2026.

***City of St. Helena MSR/SOI***

An administrative draft MSR was prepared by a consultant, RSG. The City of St. Helena requested additions and revisions that fall outside the scope of the Commission's contract with RSG. A proposed contract amendment is included as item 9c on today's agenda. It is anticipated a draft report will be presented on June 1, 2026.

**ATTACHMENT**

- 1) Work Program Update for Fiscal Year 2025-26

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Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
Executive Officer

Napa LAFCO Work Program for Fiscal Year 2025-26			
		Timeline	Comments
STUDIES	Napa Sanitation District SOI (In-House)	Revised Draft in April 2026	Previous MSR completed in 2014 (Central County Region MSR). Previous SOI completed in 2015. Draft report presented in August 2025. Subsequent conversations have resulted in additional study areas to be evaluated in the next draft.
	Countywide Fire & EMS MSR (Consultant)	Draft report in April 2026	Previous Countywide Fire MSR completed in 2006. Contracting with AP Triton to prepare the report. Administrative draft is undergoing review by subject agencies.
	City of St. Helena MSR & SOI (Consultant)	Draft report in June 2026	Previous MSR & SOI completed in 2008. Administrative draft was met with a request from City Manager for additional areas of evaluation related to SOI study areas and determining the governance structure of the City's sewer system.
ADMINISTRATION	Audit	Annual	Will be presented by the County Auditor-Controller on 2/2/26.
	Budget	Annual	Ad hoc Budget Committee appointed on 2/2/26 to prepare a budget and work program. Proposed budget to be presented on 4/6/26 and final budget to be presented on 6/1/26.
	Legislation	Annual	Ad hoc Legislative Committee to be appointed on 2/2/26 to advise the Commission in taking positions on bills affecting LAFCOs.
	New Commissioner Orientation	Ongoing	In-person orientation process for new commissioners.
	Policies	Ongoing	Ad hoc Policy Committee is reviewing all local policies and recommending amendments as needed. Two policy amendments to be presented on 2/2/26.
	Proposals	Ongoing	See "Current and Future Proposals" staff report on each meeting agenda for a status update.
	Staff Training	Ongoing	Staff Analyst and Clerk require ongoing training on LAFCO's administrative functions and application processing.
	Website/Document Management	Ongoing	Staff continuously updates information on website including agendas, minutes, meeting recordings, audits, budgets, etc.
OTHER	Special Projects & Studies	TBD	To be determined in budget cycle and strategic planning. Typically involves a contract with a consultant to be funded with reserves. See Countywide Fire & EMS MSR in "Studies".
	Education & Outreach to Stakeholders & Public	Ongoing	Proactive engagement with local agencies. Conduct regular presentations for miscellaneous groups and organizations. Leverage website whenever possible.
	Climate Resiliency in LAFCO's Work	Ongoing	Research policies & best practices of other LAFCOs. Consider adopting additional local policies.
	Coordination & Provision of Broadband Services	Ongoing	Participate in the North Bay Broadband Consortium. Coordinate with other LAFCOs. Little progress made to date. Not generally a LAFCO issue throughout California.
	2025 CALAFCO Annual Conference	October 22-24, 2025	Two staff and one commissioner attended. Conference report will be on the agenda for 2/2/26.
	2026 CALAFCO Staff Workshop	May 6-8, 2026	Staff only. Pismo Beach, hosted by San Luis Obispo LAFCO.



**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 7m (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Stephanie Pratt, Staff Analyst *SP*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Requirement to Provide Full Text of Brown Act (Government Code section 54952.7)

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**SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

Effective January 1, 2026, agencies must provide every board or commission member with a copy of the Brown Act, included as Attachment 1, which had previously been optional. This action was made mandatory by the October 3, 2025 signing of Senate Bill 707 by Governor Newsom.

**ATTACHMENT**

- 1) Full Text of Brown Act:  
[https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=GOV&division=2.&title=5.&part=1.&chapter=9.&article=](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=2.&title=5.&part=1.&chapter=9.&article=)

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## GOVERNMENT CODE - GOV

**TITLE 5. LOCAL AGENCIES [50001 - 57607]** ( Title 5 added by Stats. 1949, Ch. 81. )

**DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821]** ( Division 2 added by Stats. 1949, Ch. 81. )

**PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7]** ( Part 1 added by Stats. 1949, Ch. 81. )

**CHAPTER 9. Meetings [54950 - 54963]** ( Chapter 9 added by Stats. 1953, Ch. 1588. )

**54950.** In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

(Added by Stats. 1953, Ch. 1588.)

**54950.5.** This chapter shall be known as the Ralph M. Brown Act.

(Added by Stats. 1961, Ch. 115.)

**54951.** As used in this chapter, "local agency" means a county, city, whether general law or chartered, city and county, town, school district, municipal corporation, district, political subdivision, or any board, commission or agency thereof, or other local public agency.

(Amended by Stats. 1959, Ch. 1417.)

**54952.** As used in this chapter, "legislative body" means:

- (a) The governing body of a local agency or any other local body created by state or federal statute.
- (b) A commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.
- (c) (1) A board, commission, committee, or other multimember body that governs a private corporation, limited liability company, or other entity that either:
  - (A) Is created by the elected legislative body in order to exercise authority that may lawfully be delegated by the elected governing body to a private corporation, limited liability company, or other entity.
  - (B) Receives funds from a local agency and the membership of whose governing body includes a member of the legislative body of the local agency appointed to that governing body as a full voting member by the legislative body of the local agency.

(2) Notwithstanding subparagraph (B) of paragraph (1), no board, commission, committee, or other multimember body that governs a private corporation, limited liability company, or other entity that receives funds from a local agency and, as of February 9, 1996, has a member of the legislative body of the local agency as a full voting

member of the governing body of that private corporation, limited liability company, or other entity shall be relieved from the public meeting requirements of this chapter by virtue of a change in status of the full voting member to a nonvoting member.

(d) The lessee of any hospital the whole or part of which is first leased pursuant to subdivision (p) of Section 32121 of the Health and Safety Code after January 1, 1994, where the lessee exercises any material authority of a legislative body of a local agency delegated to it by that legislative body whether the lessee is organized and operated by the local agency or by a delegated authority.

*(Amended by Stats. 2002, Ch. 1073, Sec. 2. Effective January 1, 2003.)*

**54952.1.** Any person elected to serve as a member of a legislative body who has not yet assumed the duties of office shall conform his or her conduct to the requirements of this chapter and shall be treated for purposes of enforcement of this chapter as if he or she has already assumed office.

*(Amended by Stats. 1994, Ch. 32, Sec. 2. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)*

**54952.2.** (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.

(b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

(2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.

(3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

(B) For purposes of this paragraph, all of the following definitions shall apply:

(i) "Discuss among themselves" means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.

(ii) "Internet-based social media platform" means an online service that is open and accessible to the public.

(iii) "Open and accessible to the public" means that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.

(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:

(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).

(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.

(3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.

*(Amended (as amended by Stats. 2020, Ch. 89, Sec. 1) by Stats. 2025, Ch. 327, Sec. 1. (SB 707) Effective January 1, 2026.)*

**54952.3.** (a) A legislative body that has convened a meeting and whose membership constitutes a quorum of any other legislative body may convene a meeting of that other legislative body, simultaneously or in serial order, only if a clerk or a member of the convened legislative body verbally announces, prior to convening any simultaneous or serial order meeting of that subsequent legislative body, the amount of compensation or stipend, if any, that each member will be entitled to receive as a result of convening the simultaneous or serial meeting of the subsequent legislative body and identifies that the compensation or stipend shall be provided as a result of convening a meeting for which each member is entitled to collect compensation or a stipend. However, the clerk or member of the legislative body shall not be required to announce the amount of compensation if the amount of compensation is prescribed in statute and no additional compensation has been authorized by a local agency.

(b) For purposes of this section, compensation and stipend shall not include amounts reimbursed for actual and necessary expenses incurred by a member in the performance of the member's official duties, including, but not limited to, reimbursement of expenses relating to travel, meals, and lodging.

*(Added by Stats. 2011, Ch. 91, Sec. 1. (AB 23) Effective January 1, 2012.)*

**54952.6.** As used in this chapter, "action taken" means a collective decision made by a majority of the members of a legislative body, a collective commitment or promise by a majority of the members of a legislative body to make a positive or a negative decision, or an actual vote by a majority of the members of a legislative body when sitting as a body or entity, upon a motion, proposal, resolution, order or ordinance.

*(Added by Stats. 1961, Ch. 1671.)*

**54952.7.** A local agency shall provide a copy of this chapter to any person elected or appointed to serve as a member of a legislative body of the local agency.

*(Amended by Stats. 2025, Ch. 327, Sec. 3. (SB 707) Effective January 1, 2026.)*

**54953.** (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding

authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as expressly provided in this chapter.

(4) The teleconferencing requirements of this subdivision shall not apply to remote participation described in subdivision (c).

(c) (1) Nothing in this chapter shall be construed to prohibit a member of a legislative body with a disability from participating in any meeting of the legislative body by remote participation as a reasonable accommodation pursuant to any applicable law.

(2) A member of a legislative body participating in a meeting by remote participation pursuant to this subdivision shall do both of the following:

(A) The member shall participate through both audio and visual technology, except that any member with a disability, as defined in Section 12102 of Title 42 of the United States Code, may participate only through audio technology if a physical condition related to their disability results in a need to participate off camera.

(B) The member shall disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any of those individuals.

(3) Remote participation under this subdivision shall be treated as in-person attendance at the physical meeting location for all purposes, including any requirement that a quorum of the legislative body participate from any particular location. The provisions of subdivision (b) and Sections 54953.8 to 54953.8.7, inclusive, shall not apply to remote participation under this subdivision.

(d) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) (A) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of either of the following during the open meeting in which the final action is to be taken:

(i) A local agency executive, as defined in subdivision (d) of Section 3511.1.

(ii) A department head or other similar administrative officer of the local agency.

(B) This paragraph shall not affect the public's right under the California Public Records Act (Division 10 commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(e) For purposes of this section, both of the following definitions apply:

(1) "Disability" means a physical disability or a mental disability as those terms are defined in Section 12926 and used in Section 12926.1, or a disability as defined in Section 12102 of Title 42 of the United States Code.

(2) (A) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(B) Notwithstanding subparagraph (A), "teleconference" does not include one or more members watching or listening to a meeting via webcasting or any other similar electronic medium that does not permit members to interactively speak, discuss, or deliberate on matters.

(3) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting.

*(Amended (as amended by Stats. 2023, Ch. 534, Sec. 2) by Stats. 2025, Ch. 327, Sec. 4. (SB 707) Effective January 1, 2026.)*

**54953.1.** The provisions of this chapter shall not be construed to prohibit the members of the legislative body of a local agency from giving testimony in private before a grand jury, either as individuals or as a body.

*(Added by Stats. 1979, Ch. 950.)*

**54953.2.** All meetings of a legislative body of a local agency that are open and public shall meet the protections and prohibitions contained in Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

*(Added by Stats. 2002, Ch. 300, Sec. 5. Effective January 1, 2003.)*

**54953.3.** A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.

If an attendance list, register, questionnaire, or other similar document is posted at or near the entrance to the room where the meeting is to be held, or is circulated to the persons present during the meeting, it shall state clearly that the signing, registering, or completion of the document is voluntary, and that all persons may attend the meeting regardless of whether a person signs, registers, or completes the document.

*(Amended by Stats. 1981, Ch. 968, Sec. 28.)*

**54953.4.** (a) The Legislature finds and declares that public access, including through translation of agendas as required by this section, is necessary for an informed populace. The Legislature encourages local agencies to adopt public access requirements that exceed the requirements of this chapter by translating additional languages, employing human translators, and conducting additional outreach.

(b) (1) In addition to any other applicable requirements of this chapter, a meeting held by a eligible legislative body pursuant to this chapter shall comply with both of the following requirements:

(A) (i) (I) (ia) All open and public meetings shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, except if adequate telephonic or internet service is not operational at the meeting location. If adequate telephonic or internet service is operational at the meeting location during only a portion of the meeting, the legislative body shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform during that portion of the meeting.

(ib) (Ia) On or before July 1, 2026, an eligible legislative body shall approve at a noticed public meeting in open session, not on the consent calendar, a policy regarding disruption of telephonic or internet service occurring during meetings subject to this sub-subclause. The policy shall address the procedures for recessing and reconvening a meeting in the event of disruption and the efforts that the eligible legislative body shall make to attempt to restore the service.

(Ib) If a disruption of telephonic or internet service that prevents members of the public from attending or observing the meeting via the two-way telephonic service or two-way audiovisual platform occurs during the meeting, the eligible legislative body shall recess the open session of the meeting for at least one hour and make a good faith attempt to restore the service. The eligible legislative body may meet in closed session during this period. The eligible legislative body

shall not reconvene the open session of the meeting until at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier.

(Ic) Upon reconvening the open session, if telephonic or internet service has not been restored, the eligible legislative body shall adopt a finding by rollcall vote that good faith efforts to restore the telephonic or internet service have been made in accordance with the policy adopted pursuant to sub-sub-subclause (Ia) and that the public interest in continuing the meeting outweighs the public interest in remote public access.

(II) Subclause (I) does not apply to a meeting that is held to do any of the following:

(ia) Attend a judicial or administrative proceeding to which the local agency is a party.

(ib) Inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property.

(ic) Meet with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(id) Meet in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(ie) Meet in an emergency situation pursuant to Section 54956.5.

(ii) If an eligible legislative body elects to provide a two-way audiovisual platform, the eligible legislative body shall publicly post and provide a call-in option, and activate any automatic captioning function during the meeting if an automatic captioning function is included with the two-way audiovisual platform. If an eligible legislative body does not elect to provide a two-way audiovisual platform, the eligible legislative body shall provide a two-way telephonic service for the public to participate in the meeting, pursuant to subclause (I).

(B) (i) All open and public meetings for which attendance via a two-way telephonic service or a two-way audiovisual platform is provided in accordance with paragraph (1) shall provide the public with an opportunity to provide public comment in accordance with Section 54954.3 via the two-way telephonic or two-way audiovisual platform, and ensure the opportunity for the members of the public participating via a two-way telephonic or two-way audiovisual platform to provide public comment with the same time allotment as a person attending a meeting in person.

(2) (A) An eligible legislative body shall reasonably assist members of the public who wish to translate a public meeting into any language or wish to receive interpretation provided by another member of the public, so long as the interpretation is not disrupting to the meeting, as defined in Section 54957.95. The eligible legislative body shall publicize instructions on how to request assistance under this subdivision. Assistance may include any of the following, as determined by the eligible legislative body:

(i) Arranging space for one or more interpreters at the meeting location.

(ii) Allowing extra time during the meeting for interpretation to occur.

(iii) Ensuring participants may utilize their personal equipment or reasonably access facilities for participants to access commercially available interpretation services.

(B) This section does not require an eligible legislative body to provide interpretation of any public meeting, however, an eligible legislative body may elect to provide interpretation of any public meeting.

(C) The eligible legislative body is not responsible for the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision. An action shall not be commenced or maintained against the eligible legislative body arising from the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision.

(3) An eligible legislative body shall take the following actions to encourage residents, including those in underrepresented communities and non-English-speaking communities, to participate in public meetings:

(A) Have in place a system for electronically accepting and fulfilling requests for meeting agendas and documents pursuant to Section 54954.1 through email or through an integrated agenda management

platform. Information about how to make a request using this system shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

(B) (i) Create and maintain an accessible internet webpage dedicated to public meetings that includes, or provides a link to, all of the following information:

(I) A general explanation of the public meeting process for the eligible legislative body.

(II) An explanation of the procedures for a member of the public to provide in-person or remote oral public comment during a public meeting or to submit written public comment.

(III) A calendar of all public meeting dates with calendar listings that include the date, time, and location of each public meeting.

(IV) The agenda posted online pursuant to paragraph (2) of subdivision (a) of Section 54954.2.

(ii) The eligible legislative body shall include a link to the webpage required by subparagraph (A) on the home page of the eligible legislative body's internet website.

(C) (i) Make reasonable efforts, as determined by the legislative body, to invite groups that do not traditionally participate in public meetings to attend those meetings, which may include, but are not limited to, all the following:

(I) Media organizations that provide news coverage in the jurisdiction of the eligible legislative body, including media organizations that serve non-English-speaking communities.

(II) Good government, civil rights, civic engagement, neighborhood, and community group organizations, or similar organizations that are active in the jurisdiction of the eligible legislative body, including organizations active in non-English-speaking communities.

(ii) Legislative bodies shall have broad discretion in the choice of reasonable efforts they make under this subparagraph. No action shall be commenced or maintained against an eligible legislative body arising from failing to provide public meeting information to any specific group pursuant to this subparagraph.

(c) (1) (A) The agenda for each meeting of an eligible legislative body shall be translated into all applicable languages, and each translation shall be posted in accordance with Section 54954.2. Each translation shall include instructions in the applicable language describing how to join the meeting by the telephonic or internet-based service option, including any requirements for registration for public comment.

(B) The accessible internet webpage provided under subparagraph (B) of paragraph (3) of subdivision (b) shall be translated into all applicable languages, and each translation shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

(2) A translation made using a digital translation service shall satisfy the requirements of paragraph (1).

(3) The eligible legislative body shall make available a physical location that is freely accessible to the public in reasonable proximity to the physical location in which the agenda and translations are posted as described in paragraph (1), and shall allow members of the public to post additional translations of the agenda in that location.

(4) The eligible legislative body is not responsible for the content or accuracy of any translation provided pursuant to this subdivision. No action shall be commenced or maintained against an eligible legislative body arising from the content, accuracy, posting, or removal of any translation provided by the eligible legislative body or posted by any person pursuant to this subdivision.

(5) For the purposes of this section, the agenda does not include the entire agenda packet.

(d) This section shall not be construed to affect or supersede any other applicable civil rights, nondiscrimination, or public access laws.

(e) For purposes of this section, all of the following definitions apply:

(1) (A) "Applicable languages" means languages, according to data from the most recent American Community Survey, spoken jointly by 20 percent or more of the applicable population, provided that 20 percent or more of the population that speaks that language in that city or county speaks English less than "very well."

(B) For the purposes of subparagraph (A), the applicable population shall be determined as follows:

(i) For an eligible legislative body that is a city council or county board of supervisors, the applicable population shall be the population of the city or county.

(ii) For an eligible legislative body of a special district, the applicable population shall be either of the following, at the discretion of the board of directors of the special district:

(I) The population of the county with the greatest population within the boundaries of the special district.

(II) The population of the service area of the special district, if the special district has the data to determine what languages spoken by the population within its service area meet the requirements of paragraph (A).

(C) If more than three languages meet the criteria set forth in subparagraph (A), "applicable languages" shall mean the three languages described in subparagraph (A) that are spoken by the largest percentage of the population.

(D) An eligible legislative body may elect to determine the applicable languages based upon a source other than the most recent American Community Survey if it makes a finding, based upon substantial evidence, that the other source provides equally or more reliable data for the territory over which the eligible legislative body exercises jurisdiction.

(2) "Eligible legislative body" means any of the following:

(A) A city council of a city with a population of 30,000 or more.

(B) A county board of supervisors of a county, or city and county, with a population of 30,000 or more.

(C) A city council of a city located in a county with a population of 600,000 or more.

(D) The board of directors of a special district that has an internet website and meets any of the following conditions:

(i) The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees.

(ii) The special district has over 1,000 full-time equivalent employees.

(iii) The special district has annual revenues, based on the most recent Financial Transaction Report data published by the California State Controller, that exceed four hundred million dollars (\$400,000,000), adjusted annually for inflation commencing January 1, 2027, as measured by the percentage change in the California Consumer Price Index from January 1 of the prior year to January 1 of the current year, and the special district employs over 200 full-time equivalent employees.

(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service.

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(f) This section shall become operative on July 1, 2026.

(g) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Added by Stats. 2025, Ch. 327, Sec. 5. (SB 707) Effective January 1, 2026. Operative July 1, 2026, by its own provisions. Repealed as of January 1, 2030, by its own provisions.)*

**54953.5.** (a) Any person attending an open and public meeting of a legislative body of a local agency shall have the right to record the proceedings in the absence of a reasonable finding by the legislative body of the local agency that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

(b) Any recording of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), but, notwithstanding Section 34090, may be erased or destroyed 30 days after the recording. Any inspection of an audio or video recording shall be provided without charge on equipment made available by the local agency.

*(Amended by Stats. 2025, Ch. 327, Sec. 6. (SB 707) Effective January 1, 2026.)*

**54953.6.** No legislative body of a local agency shall prohibit or otherwise restrict the broadcast of its open and public meetings in the absence of a reasonable finding that the broadcast cannot be accomplished without noise, illumination, or obstruction of view that would constitute a persistent disruption of the proceedings.

*(Amended by Stats. 1994, Ch. 32, Sec. 6. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)*

**54953.7.** Notwithstanding any other provision of law, legislative bodies of local agencies may impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in this chapter. In addition thereto, an elected legislative body of a local agency may impose those requirements on appointed legislative bodies of the local agency.

*(Amended by Stats. 2025, Ch. 327, Sec. 7. (SB 707) Effective January 1, 2026.)*

**54953.8.** (a) The legislative body of a local agency may use teleconferencing as authorized by subdivision (b) of Section 54953 without complying with the requirements of paragraph (3) of subdivision (b) of Section 54953 in any of the circumstances described in Sections 54953.8.1 to 54953.8.7, inclusive.

(b) A legislative body that holds a teleconference meeting pursuant to this section shall, in addition to any other applicable requirements of this chapter, comply with all of the following:

(1) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(A) A two-way audiovisual platform.

(B) A two-way telephonic service and a live webcasting of the meeting.

(2) In each instance in which notice of the time of the teleconference meeting held pursuant to this section is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.

(3) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(4) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(5) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(6) (A) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to paragraph (5), to provide public comment until that timed public comment period has elapsed.

(B) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to paragraph (5), or otherwise be recognized for the purpose of providing public comment.

(C) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to

paragraph (5), until the timed general public comment period has elapsed.

(7) Any member of the legislative body who participates in a teleconference meeting from a remote location pursuant to this section and the specific provision of law that the member relied upon to permit their participation by teleconferencing shall be listed in the minutes of the meeting.

(8) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(9) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(c) A local agency shall identify and make available to legislative bodies a list of one or more meeting locations that may be available for use by the legislative bodies to conduct their meetings.

(d) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(e) A member of a legislative body who participates in a teleconference meeting from a remote location pursuant to this section shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with those individuals.

(f) The teleconferencing provisions described in Section 54953 and Sections 54953.8.1 to 54953.8.7, inclusive, are cumulative. A legislative body may elect to use any teleconferencing provisions that are applicable to a meeting, regardless of whether any other teleconferencing provisions would also be applicable to that meeting.

(g) For purposes of this section, the following definitions apply:

(1) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to paragraph (7) of subdivision (b), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(2) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(5) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

*(Added by Stats. 2025, Ch. 327, Sec. 8. (SB 707) Effective January 1, 2026.)*

**54953.8.1.** (a) A health authority may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section.

(b) Nothing in this section or Section 54953.8 shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority.

(c) For purposes of this section, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

*(Added by Stats. 2025, Ch. 327, Sec. 9. (SB 707) Effective January 1, 2026.)*

**54953.8.2.** (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 during a proclaimed state of emergency or local emergency, provided that it complies with the requirements of that section and the teleconferencing is used in either of the following circumstances:

(1) For the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) After a determination described in paragraph (1) is made that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(b) If the state of emergency or local emergency remains active, in order to continue to teleconference pursuant to this section, the legislative body shall, no later than 45 days after teleconferencing for the first time pursuant to this section, and every 45 days thereafter, make the following findings by majority vote:

(1) The legislative body has reconsidered the circumstances of the state of emergency or local emergency.

(2) The state of emergency or local emergency continues to directly impact the ability of the members to meet safely in person.

(c) This section shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(d) Notwithstanding paragraph (1) of subdivision (b) of Section 54953.8, a legislative body conducting a teleconference meeting pursuant to this section may elect to use a two-way telephonic service without a live webcasting of the meeting.

(e) For purposes of this section, the following definitions apply:

(1) "Local emergency" means a condition of extreme peril to persons or property proclaimed by the governing body of the local agency affected, in accordance with Section 8630 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a local health emergency declared pursuant to Section 101080 of the Health and Safety Code. Local emergency, as used in this section, refers only to local emergencies in the boundaries of the territory over which the local agency exercises jurisdiction.

(2) "State of emergency" means state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2).

*(Added by Stats. 2025, Ch. 327, Sec. 10. (SB 707) Effective January 1, 2026.)*

**54953.8.3.** (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, provided that the legislative body complies with the requirements of Section 54953.8 and all of the following additional requirements:

(1) A member of the legislative body notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting.

(2) The member shall participate through both audio and visual technology.

(3) (A) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for just cause for more than the following number of meetings, as applicable:

(i) Two meetings per year, if the legislative body regularly meets once per month or less.

(ii) Five meetings per year, if the legislative body regularly meets twice per month.

(iii) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(B) For the purpose of counting meetings attended by teleconference under this paragraph, a "meeting" shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(b) The minutes for the meeting shall identify the specific provision in subdivision (c) that each member relied upon to participate remotely. This subdivision shall not be construed to require the member to disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law, including, but not limited to, the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code).

(c) For purposes of this section, "just cause" means any of the following:

- (1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.
- (2) A contagious illness that prevents a member from attending in person.
- (3) A need related to a physical or mental condition that is not subject to subdivision (c) of Section 54953.
- (4) Travel while on official business of the legislative body or another state or local agency.
- (5) An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member that requires the member to participate remotely.
- (6) A physical or family medical emergency that prevents a member from attending in person.
- (7) Military service obligations that result in a member being unable to attend in person because they are serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.

(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Added by Stats. 2025, Ch. 327, Sec. 11. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

**54953.8.4.** (a) An eligible neighborhood council may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following have occurred:

- (1) (A) The city council for a city described in paragraph (2) of subdivision (b) considers whether to adopt a resolution to authorize eligible neighborhood councils to use teleconferencing as described in this section at an open and regular meeting.  
  
(B) If the city council adopts a resolution described in subparagraph (A), an eligible neighborhood council may elect to use teleconferencing pursuant to this section if a majority of the eligible neighborhood council votes to do so. The eligible neighborhood council shall notify the city council if it elects to use teleconferencing pursuant to this section and its justification for doing so.  
  
(C) Upon receiving notification from an eligible neighborhood council described in subparagraph (B), the city council may adopt a resolution to prohibit the eligible neighborhood council from using teleconferencing pursuant to this section.

(2) After completing the requirements of subparagraph (A) of paragraph (1), an eligible neighborhood council that holds a meeting pursuant to this subdivision shall do all of the following:

- (A) At least a quorum of the members of the eligible neighborhood council shall participate from locations within the boundaries of the city in which the eligible neighborhood council is established.
- (B) At least once per year, at least a quorum of the members of the eligible neighborhood council shall participate in person from a singular physical location that is open to the public and within the boundaries of the eligible neighborhood council.

(3) If the meeting is during regular business hours of the offices of the city council member that represents the area that includes the eligible neighborhood council, the eligible neighborhood council shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the city council member who represents the area where the eligible neighborhood council is located, unless the eligible neighborhood council identifies an alternative location.

(4) If the meeting is outside regular business hours, the eligible neighborhood council shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting.

(b) For purposes of this section, the following definitions apply:

(1) "Accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(2) "Eligible neighborhood council" means a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to this chapter.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Added by Stats. 2025, Ch. 327, Sec. 12. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

**54953.8.5.** (a) An eligible community college student organization may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) An eligible community college student organization may only use teleconferencing as described in Section 54953.8 after all the following have occurred:

(A) The board of trustees for a community college district considers whether to adopt a resolution to authorize eligible community college student organizations to use teleconferencing as described in this section at an open and regular meeting.

(B) If the board of trustees for a community college district adopts a resolution described in subparagraph (A), an eligible community college student organization may elect to use teleconferencing pursuant to this section if a majority of the eligible community college student organization votes to do so. The eligible community college student organization shall notify the board of trustees if it elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from an eligible community college student organization as described in subparagraph (B), the board of trustees may adopt a resolution to prohibit the eligible community college student organization from using teleconferencing pursuant to this section.

(D) (i) Except as specified in clause (ii), at least a quorum of the members of the eligible community college student organization shall participate from a singular physical location that is accessible to the public and is within the community college district in which the eligible community college student organization is established.

(ii) The requirements described in clause (i) shall not apply to the California Online Community College.

(iii) Notwithstanding the requirements of clause (i), a person may count toward the establishment of a quorum pursuant to clause (i) regardless of whether the person is participating at the in-person location of the meeting or remotely if the person meets any of the following criteria:

(I) The person is under 18 years of age.

(II) The person is incarcerated.

(III) The person is unable to disclose the location that they are participating from because of either of the following circumstances:

(ia) The person has been issued a protective court order, including, but not limited to, a domestic violence restraining order.

(ib) The person is participating in a program that has to remain confidential, including, but not limited to, an independent living program.

(IV) The person provides childcare or caregiving to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. For purposes of this subclause, "child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms are defined in Section 12945.2.

(2) An eligible community college student organization that holds a meeting by teleconference as described in Section 54953.8 shall do the following, as applicable:

(A) (i) Except as specified in subparagraph (B), if the meeting is during regular business hours of the offices of the board of trustees of the community college district, the eligible community college student organization shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the board of trustees of the community college district, unless the eligible community college student organization identifies an alternative location.

(ii) Except as specified in subparagraph (B), if the meeting is outside regular business hours, the eligible community college student organization shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting. For the purposes of this subparagraph, "accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(B) The requirements described in subparagraph (A) shall not apply to the California Online Community College.

(b) For purposes of this section, "eligible community college student organization" means a student body association organized pursuant to Section 76060 of the Education Code, or any other student-run community college organization that is required to comply with the meeting requirements of this chapter, that is in any community college recognized within the California Community Colleges system and includes the Student Senate for California Community Colleges.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Added by Stats. 2025, Ch. 327, Sec. 13. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

**54953.8.6.** (a) An eligible subsidiary body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible subsidiary body shall designate one physical meeting location within the boundaries of the legislative body that created the eligible subsidiary body where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting. At least one staff member of the eligible subsidiary body or the legislative body that created the eligible subsidiary body shall be present at the physical meeting location during the meeting. The eligible subsidiary body shall post the agenda at the physical meeting location, but need not post the agenda at a remote location.

(2) (A) A member of the eligible subsidiary body shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except if the member has a physical or mental condition not subject to subdivision (c) of Section 54953 that results in a need to participate off camera.

(B) The visual appearance of a member of the eligible subsidiary body on camera may cease only when the appearance would be technologically infeasible, including, but not limited to, when the member experiences a lack of reliable broadband or internet connectivity that would be remedied by joining without video.

(C) If a member of the eligible subsidiary body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their nonappearance prior to turning off their camera.

(3) An elected official serving as a member of an eligible subsidiary body in their official capacity shall not participate in a meeting of the eligible subsidiary body by teleconferencing pursuant to this section unless the use of teleconferencing complies with the requirements of paragraph (3) of subdivision (b) of Section 54953.

(4) (A) In order to use teleconferencing pursuant to this section, the legislative body that established the eligible subsidiary body by charter, ordinance, resolution, or other formal action shall make the following findings by majority vote before the eligible subsidiary body uses teleconferencing pursuant to this section for the first time, and every six months thereafter:

(i) The legislative body has considered the circumstances of the eligible subsidiary body.

(ii) Teleconference meetings of the eligible subsidiary body would enhance public access to meetings of the eligible subsidiary body, and the public has been made aware of the type of remote participation, including audio-visual or telephonic, that will be made available at a regularly scheduled meeting and has been provided the opportunity to comment at an in-person meeting of the legislative body authorizing the subsidiary body to meet entirely remotely.

(iii) Teleconference meetings of the eligible subsidiary body would promote the attraction, retention, and diversity of eligible subsidiary body members.

(B) (i) An eligible subsidiary body authorized to use teleconferencing pursuant to this section may request to present any recommendations it develops to the legislative body that created it.

(ii) Upon receiving a request described in clause (i), the legislative body that created the subsidiary body shall hold a discussion at a regular meeting held within 60 days after the legislative body receives the request, or if the legislative body does not have another regular meeting scheduled within 60 days after the legislative body receives the request, at the next regular meeting after the request is received.

(iii) The discussion required by clause (ii) shall not be placed on a consent calendar, but may be combined with the legislative body's subsequent consideration of the findings described in subparagraph (A) for the following 12 months.

(iv) The legislative body shall not take any action on any recommendations included in the report of a subsidiary body until the next regular meeting of the legislative body following the discussion described in clause (ii).

(C) After the legislative body makes the findings described in subparagraph (A), the eligible subsidiary body shall approve the use of teleconferencing by majority vote before using teleconference pursuant to this section.

(D) The legislative body that created the eligible subsidiary body may elect to prohibit the eligible subsidiary body from using teleconferencing pursuant to this section at any time.

(b) (1) For purposes of this section, "eligible subsidiary body" means a legislative body that meets all of the following:

(A) Is described in subdivision (b) of Section 54952.

(B) Serves exclusively in an advisory capacity.

(C) Is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.

(D) Does not have primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals.

(2) An eligible subsidiary body may include members who are elected officials, members who are not elected officials, or any combination thereof.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Added by Stats. 2025, Ch. 327, Sec. 14. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

**54953.8.7.** (a) An eligible multijurisdictional body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible multijurisdictional body has adopted a resolution that authorizes the eligible multijurisdictional body to use teleconferencing pursuant to this section at a regular meeting in open session.

(2) At least a quorum of the members of the eligible multijurisdictional body shall participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

(3) A member of the eligible multijurisdictional body who receives compensation for their service on the eligible multijurisdictional body shall participate from a physical location that is open to the public. For purposes of this paragraph, "compensation" does not include reimbursement for actual and necessary expenses.

(4) A member of the eligible multijurisdictional body may participate from a remote location provided that:

(A) The eligible multijurisdictional body identifies each member of the eligible multijurisdictional body who plans to participate remotely in the agenda.

(B) The member shall participate through both audio and visual technology.

(5) A member of the eligible multijurisdictional body shall not participate in a meeting remotely pursuant to this section, unless the location from which the member participates is more than 20 miles each way from any physical location of the meeting described in paragraph (2).

(6) The provisions of this section shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for more than the following number of meetings, as applicable:

(A) Two meetings per year, if the legislative body regularly meets once per month or less.

(B) Five meetings per year, if the legislative body regularly meets twice per month.

(C) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(D) For the purpose of counting meetings attended by teleconference under this paragraph, a "meeting" shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(b) For the purposes of this section, both of the following definitions apply:

(1) "Eligible multijurisdictional body" means a multijurisdictional board, commission, or advisory body of a multijurisdictional, cross-county agency, the membership of which board, commission, or advisory body is appointed, and the board, commission, or advisory body is otherwise subject to this chapter.

(2) "Multijurisdictional" means either of the following:

(A) A legislative body that includes representatives from more than one county, city, city and county, or special district.

(B) A legislative body of a joint powers entity formed pursuant to an agreement entered into in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Added by Stats. 2025, Ch. 327, Sec. 15. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

**54954.** (a) Each legislative body of a local agency, except for advisory committees or standing committees, shall provide, by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body, the time and place for holding regular meetings. Meetings of advisory committees or standing committees, for which an agenda is posted at least 72 hours in advance of the meeting pursuant to subdivision (a) of Section 54954.2, shall be considered for purposes of this chapter as regular meetings of the legislative body.

(b) Regular and special meetings of the legislative body shall be held within the boundaries of the territory over which the local agency exercises jurisdiction, except to do any of the following:

(1) Comply with state or federal law or court order, or attend a judicial or administrative proceeding to which the local agency is a party.

(2) Inspect real or personal property which cannot be conveniently brought within the boundaries of the territory over which the local agency exercises jurisdiction provided that the topic of the meeting is limited to items directly related to the real or personal property.

(3) Participate in meetings or discussions of multiagency significance that are outside the boundaries of a local agency's jurisdiction. However, any meeting or discussion held pursuant to this subdivision shall take place within the jurisdiction of one of the participating local agencies and be noticed by all participating agencies as provided for in this chapter.

(4) Meet in the closest meeting facility if the local agency has no meeting facility within the boundaries of the territory over which the local agency exercises jurisdiction, or at the principal office of the local agency if that office is located outside the territory over which the agency exercises jurisdiction.

(5) Meet outside their immediate jurisdiction with elected or appointed officials of the United States or the State of California when a local meeting would be impractical, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(6) Meet outside their immediate jurisdiction if the meeting takes place in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(7) Visit the office of the local agency's legal counsel for a closed session on pending litigation held pursuant to Section 54956.9, when to do so would reduce legal fees or costs.

(c) Meetings of the governing board of a school district shall be held within the district, except under the circumstances enumerated in subdivision (b), or to do any of the following:

(1) Attend a conference on nonadversarial collective bargaining techniques.

(2) Interview members of the public residing in another district with reference to the trustees' potential employment of an applicant for the position of the superintendent of the district.

(3) Interview a potential employee from another district.

(d) Meetings of a joint powers authority shall occur within the territory of at least one of its member agencies, or as provided in subdivision (b). However, a joint powers authority which has members throughout the state may meet at any facility in the state which complies with the requirements of Section 54961.

(e) If, by reason of fire, flood, earthquake, or other emergency, it shall be unsafe to meet in the place designated, the meetings shall be held for the duration of the emergency at the place designated by the presiding officer of the legislative body or his or her designee in a notice to the local media that have requested notice pursuant to Section 54956, by the most rapid means of communication available at the time.

*(Amended by Stats. 2004, Ch. 257, Sec. 1. Effective January 1, 2005.)*

**54954.1.** Any person may request that a copy of the agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. If a local agency has an internet website, the legislative body or its designee shall email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the item or items be delivered by email. If the local agency determines it is technologically infeasible to send a copy of all documents constituting the agenda packet or

a link to a website that contains the documents by email or by other electronic means, the legislative body or its designee shall send by mail a copy of the agenda or a website link to the agenda and mail a copy of all other documents constituting the agenda packet in accordance with the mailing requirements established pursuant to this section. If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Upon receipt of the written request, the legislative body or its designee shall cause the requested materials to be mailed at the time the agenda is posted pursuant to Section 54954.2 and 54956 or upon distribution to all, or a majority of all, of the members of a legislative body, whichever occurs first. Any request for mailed copies of agendas or agenda packets shall be valid for the calendar year in which it is filed, and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service. Failure of the requesting person to receive the agenda or agenda packet pursuant to this section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received.

*(Amended by Stats. 2021, Ch. 763, Sec. 1. (SB 274) Effective January 1, 2022.)*

**54954.2.** (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda that meets all of the following requirements:

(A) The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words.

(B) The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one.

(C) (i) If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(ii) The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

## Attachment 1

(i) A direct link to the integrated agenda management platform shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an internet website with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(E) For purposes of this paragraph, both of the following definitions apply:

(1) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(2) "Legislative body" means a legislative body that meets the definition of subdivision (a) of Section 54952.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's internet website, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

*(Amended (as amended by Stats. 2023, Ch. 131, Sec. 92) by Stats. 2025, Ch. 327, Sec. 16. (SB 707) Effective January 1, 2026.)*

**54954.3.** (a) (1) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2.

(2) (A) Notwithstanding paragraph (1), the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item.

(B) Subparagraph (A) shall not apply if any of the following conditions are met:

(i) The item has been substantially changed since the committee heard the item, as determined by the legislative body.

(ii) When considering the item, a quorum of the committee members did not participate from a singular physical location, that was clearly identified on the agenda, open to the public, and situated within the boundaries of the territory over which the local agency exercises jurisdiction.

(iii) The committee has primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals. This clause shall not apply to an item if the local agency has adopted a law applicable to the meeting of the committee at which the item that was considered prohibits the committee from placing a limit on the total amount of time for public comment on the item.

(3) Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b) (1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

(2) Notwithstanding paragraph (1), when the legislative body of a local agency limits time for public comment, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency.

(3) Paragraph (2) shall not apply if the legislative body of a local agency utilizes simultaneous translation equipment in a manner that allows the legislative body of a local agency to hear the translated public testimony simultaneously.

(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

*(Amended by Stats. 2025, Ch. 327, Sec. 17. (SB 707) Effective January 1, 2026.)*

**54954.4.** (a) The Legislature hereby finds and declares that Section 12 of Chapter 641 of the Statutes of 1986, authorizing reimbursement to local agencies and school districts for costs mandated by the state pursuant to that act, shall be interpreted strictly. The intent of the Legislature is to provide reimbursement for only those costs

which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986.

(b) In this regard, the Legislature directs all state employees and officials involved in reviewing or authorizing claims for reimbursement, or otherwise participating in the reimbursement process, to rigorously review each claim and authorize only those claims, or parts thereof, which represent costs which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986 and for which complete documentation exists. For purposes of Section 54954.2, costs eligible for reimbursement shall only include the actual cost to post a single agenda for any one meeting.

(c) The Legislature hereby finds and declares that complete, faithful, and uninterrupted compliance with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) is a matter of overriding public importance. Unless specifically stated, no future Budget Act, or related budget enactments, shall, in any manner, be interpreted to suspend, eliminate, or otherwise modify the legal obligation and duty of local agencies to fully comply with Chapter 641 of the Statutes of 1986 in a complete, faithful, and uninterrupted manner.

*(Added by Stats. 1991, Ch. 238, Sec. 1.)*

**54954.5.** For purposes of describing closed session items pursuant to Section 54954.2, the agenda may describe closed sessions as provided below. No legislative body or elected official shall be in violation of Section 54954.2 or 54956 if the closed session items were described in substantial compliance with this section. Substantial compliance is satisfied by including the information provided below, irrespective of its format.

(a) With respect to a closed session held pursuant to Section 54956.7:

LICENSE/PERMIT DETERMINATION

Applicant(s): (Specify number of applicants)

(b) With respect to every item of business to be discussed in closed session pursuant to Section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: (Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation)

Agency negotiator: (Specify names of negotiators attending the closed session) (If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Negotiating parties: (Specify name of party (not agent))

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

(c) With respect to every item of business to be discussed in closed session pursuant to Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: (Specify by reference to claimant's name, names of parties, case or claim numbers)

or

Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Specify number of potential cases)

(In addition to the information noticed above, the agency may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to paragraphs (2) to (5), inclusive, of subdivision (e) of Section 54956.9.)

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (Specify number of potential cases)

(d) With respect to every item of business to be discussed in closed session pursuant to Section 54956.95:

LIABILITY CLAIMS

Claimant: (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: (Specify name)

(e) With respect to every item of business to be discussed in closed session pursuant to Section 54957:

THREAT TO PUBLIC SERVICES OR FACILITIES

Consultation with: (Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title)

PUBLIC EMPLOYEE APPOINTMENT

Title: (Specify description of position to be filled)

PUBLIC EMPLOYMENT

Title: (Specify description of position to be filled)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: (Specify position title of employee being reviewed)

PUBLIC EMPLOYEE DISCIPLINE/DISSMISSAL/RELEASE

(No additional information is required in connection with a closed session to consider discipline, dismissal, or release of a public employee. Discipline includes potential reduction of compensation.)

(f) With respect to every item of business to be discussed in closed session pursuant to Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: (Specify names of designated representatives attending the closed session) (If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee organization: (Specify name of organization representing employee or employees in question)

or

Unrepresented employee: (Specify position title of unrepresented employee who is the subject of the negotiations)

(g) With respect to closed sessions called pursuant to Section 54957.8:

CASE REVIEW/PLANNING

(No additional information is required in connection with a closed session to consider case review or planning.)

(h) With respect to every item of business to be discussed in closed session pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code:

REPORT INVOLVING TRADE SECRET

Discussion will concern: (Specify whether discussion will concern proposed new service, program, or facility)

Estimated date of public disclosure: (Specify month and year)

HEARINGS

Subject matter: (Specify whether testimony/deliberation will concern staff privileges, report of medical audit committee, or report of quality assurance committee)

(i) With respect to every item of business to be discussed in closed session pursuant to Section 54956.86:

CHARGE OR COMPLAINT INVOLVING INFORMATION PROTECTED BY FEDERAL LAW

(No additional information is required in connection with a closed session to discuss a charge or complaint pursuant to Section 54956.86.)

(j) With respect to every item of business to be discussed in closed session pursuant to Section 54956.96:

CONFERENCE INVOLVING A JOINT POWERS AGENCY (Specify by name)

Discussion will concern: (Specify closed session description used by the joint powers agency)

Name of local agency representative on joint powers agency board: (Specify name)

(Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives.)

(k) With respect to every item of business to be discussed in closed session pursuant to Section 54956.75:

AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE

*(Amended by Stats. 2012, Ch. 759, Sec. 6.1. (AB 2690) Effective January 1, 2013.)*

**54954.6.** (a) (1) Before adopting any new or increased general tax or any new or increased assessment, the legislative body of a local agency shall conduct at least one public meeting at which local officials shall allow public testimony regarding the proposed new or increased general tax or new or increased assessment in addition to the noticed public hearing at which the legislative body proposes to enact or increase the general tax or assessment.

For purposes of this section, the term "new or increased assessment" does not include any of the following:

(A) A fee that does not exceed the reasonable cost of providing the services, facilities, or regulatory activity for which the fee is charged.

(B) A service charge, rate, or charge, unless a special district's principal act requires the service charge, rate, or charge to conform to the requirements of this section.

(C) An ongoing annual assessment if it is imposed at the same or lower amount as any previous year.

(D) An assessment that does not exceed an assessment formula or range of assessments previously specified in the notice given to the public pursuant to subparagraph (G) of paragraph (2) of subdivision (c) and that was previously adopted by the agency or approved by the voters in the area where the assessment is imposed.

(E) Standby or immediate availability charges.

(2) The legislative body shall provide at least 45 days' public notice of the public hearing at which the legislative body proposes to enact or increase the general tax or assessment. The legislative body shall provide notice for the public meeting at the same time and in the same document as the notice for the public hearing, but the meeting shall occur prior to the hearing.

(b) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased general tax shall be accomplished by placing a display advertisement of at least one-eighth page in a newspaper of general circulation for three weeks pursuant to Section 6063 and by a first-class mailing to those interested parties who have filed a written request with the local agency for mailed notice of public meetings or hearings on new or increased general taxes. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the first publication of the joint notice pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. Notwithstanding paragraph (2) of subdivision (a), the joint notice need not include notice of the public meeting after the meeting has taken place. The public hearing pursuant to subdivision (a) shall take place no earlier than 45 days after the first publication of the joint notice pursuant to this subdivision. Any written request for mailed notices shall be effective for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service.

(2) The notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) The amount or rate of the tax. If the tax is proposed to be increased from any previous year, the joint notice shall separately state both the existing tax rate and the proposed tax rate increase.

(B) The activity to be taxed.

(C) The estimated amount of revenue to be raised by the tax annually.

(D) The method and frequency for collecting the tax.

(E) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(F) The telephone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the tax.

(c) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased assessment on real property or businesses shall be accomplished through a mailing, postage prepaid, in the United States mail and shall be deemed given when so deposited. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the joint mailing pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this

subdivision. The envelope or the cover of the mailing shall include the name of the local agency and the return address of the sender. This mailed notice shall be in at least 10-point type and shall be given to all property owners or business owners proposed to be subject to the new or increased assessment by a mailing by name to those persons whose names and addresses appear on the last equalized county assessment roll, the State Board of Equalization assessment roll, or the local agency's records pertaining to business ownership, as the case may be.

(2) The joint notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) In the case of an assessment proposed to be levied on property, the estimated amount of the assessment per parcel. In the case of an assessment proposed to be levied on businesses, the proposed method and basis of levying the assessment in sufficient detail to allow each business owner to calculate the amount of assessment to be levied against each business. If the assessment is proposed to be increased from any previous year, the joint notice shall separately state both the amount of the existing assessment and the proposed assessment increase.

(B) A general description of the purpose or improvements that the assessment will fund.

(C) The address to which property owners may mail a protest against the assessment.

(D) The telephone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the assessment.

(E) A statement that a majority protest will cause the assessment to be abandoned if the assessment act used to levy the assessment so provides. Notice shall also state the percentage of protests required to trigger an election, if applicable.

(F) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(G) A proposed assessment formula or range as described in subparagraph (D) of paragraph (1) of subdivision (a) if applicable and that is noticed pursuant to this section.

(3) Notwithstanding paragraph (1), in the case of an assessment that is proposed exclusively for operation and maintenance expenses imposed throughout the entire local agency, or exclusively for operation and maintenance assessments proposed to be levied on 50,000 parcels or more, notice may be provided pursuant to this subdivision or pursuant to paragraph (1) of subdivision (b) and shall include the estimated amount of the assessment of various types, amounts, or uses of property and the information required by subparagraphs (B) to (G), inclusive, of paragraph (2) of subdivision (c).

(4) Notwithstanding paragraph (1), in the case of an assessment proposed to be levied pursuant to Part 2 (commencing with Section 22500) of Division 2 of the Streets and Highways Code by a regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 of Division 5 of, or pursuant to Division 26 (commencing with Section 35100) of, the Public Resources Code, notice may be provided pursuant to paragraph (1) of subdivision (b).

(d) The notice requirements imposed by this section shall be construed as additional to, and not to supersede, existing provisions of law, and shall be applied concurrently with the existing provisions so as to not delay or prolong the governmental decisionmaking process.

(e) This section shall not apply to any new or increased general tax or any new or increased assessment that requires an election of either of the following:

(1) The property owners subject to the assessment.

(2) The voters within the local agency imposing the tax or assessment.

(f) Nothing in this section shall prohibit a local agency from holding a consolidated meeting or hearing at which the legislative body discusses multiple tax or assessment proposals.

(g) The local agency may recover the reasonable costs of public meetings, public hearings, and notice required by this section from the proceeds of the tax or assessment. The costs recovered for these purposes, whether recovered pursuant to this subdivision or any other provision of law, shall not exceed the reasonable costs of the public meetings, public hearings, and notice.

(h) Any new or increased assessment that is subject to the notice and hearing provisions of Article XIII C or XIII D of the California Constitution is not subject to the notice and hearing requirements of this section.

*(Amended by Stats. 2011, Ch. 382, Sec. 3.5. (SB 194) Effective January 1, 2012.)*

**54955.** The legislative body of a local agency may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting the clerk or secretary of the legislative body may declare the meeting adjourned to a stated time and place and he shall cause a written notice of the adjournment to be given in the same manner as provided in Section 54956 for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings by ordinance, resolution, bylaw, or other rule.

*(Amended by Stats. 1959, Ch. 647.)*

**54955.1.** Any hearing being held, or noticed or ordered to be held, by a legislative body of a local agency at any meeting may by order or notice of continuance be continued or recontinued to any subsequent meeting of the legislative body in the same manner and to the same extent set forth in Section 54955 for the adjournment of meetings; provided, that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or declaration of continuance was adopted or made.

*(Added by Stats. 1965, Ch. 469.)*

**54956.** (a) (1) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's internet website, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telephone or electronic mail. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

(2) The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.

(b) Notwithstanding any other law, a legislative body shall not call a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of the legislative body or of a local agency executive, as defined in subdivision (d) of Section 3511.1. However, this subdivision does not apply to a local agency calling a special meeting to discuss the local agency's budget.

*(Amended by Stats. 2025, Ch. 327, Sec. 18. (SB 707) Effective January 1, 2026.)*

**54956.5.** (a) For purposes of this section, "emergency situation" means both of the following:

(1) An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.

(2) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both, as determined by a majority of the members of the legislative body.

(b) (1) Subject to paragraph (2), in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a legislative body may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of Section 54956 or both of the notice and posting requirements.

(2) Each local newspaper of general circulation and radio or television station that has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the legislative body, or designee thereof, one hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the presiding officer or designee notifies the members of the legislative body of the emergency meeting.

(A) Except as provided in subparagraph (B), the notice required by this paragraph shall be given by telephone and all telephone numbers provided in the most recent request of a newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(B) For an emergency meeting held pursuant to this section, the presiding officer of the legislative body, or designee thereof, may send the notifications required by this paragraph by email instead of by telephone, as provided in subparagraph (A), to all local newspapers of general circulation, and radio or television stations, that have requested those notifications by email, and all email addresses provided by representatives of those newspapers or stations shall be exhausted. In the event that internet services and telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(c) During a meeting held pursuant to this section, the legislative body may meet in closed session pursuant to Section 54957 if agreed to by a two-thirds vote of the members of the legislative body present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present.

(d) All special meeting requirements, as prescribed in Section 54956 shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.

(e) The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body, or designee of the legislative body, notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

*(Amended by Stats. 2025, Ch. 327, Sec. 19. (SB 707) Effective January 1, 2026.)*

**54956.6.** No fees may be charged by the legislative body of a local agency for carrying out any provision of this chapter, except as specifically authorized by this chapter.

*(Added by Stats. 1980, Ch. 1284.)*

**54956.7.** Whenever a legislative body of a local agency determines that it is necessary to discuss and determine whether an applicant for a license or license renewal, who has a criminal record, is sufficiently rehabilitated to obtain the license, the legislative body may hold a closed session with the applicant and the applicant's attorney, if any, for the purpose of holding the discussion and making the determination. If the legislative body determines, as a result of the closed session, that the issuance or renewal of the license should be denied, the applicant shall be offered the opportunity to withdraw the application. If the applicant withdraws the application, no record shall be kept of the discussions or decisions made at the closed session and all matters relating to the closed session shall be confidential. If the applicant does not withdraw the application, the legislative body shall take action at the public meeting during which the closed session is held or at its next public meeting denying the application for the license but all matters relating to the closed session are confidential and shall not be disclosed without the consent of the applicant, except in an action by an applicant who has been denied a license challenging the denial of the license.

*(Added by Stats. 1982, Ch. 298, Sec. 1.)*

**54956.75.** (a) Nothing contained in this chapter shall be construed to prevent the legislative body of a local agency that has received a confidential final draft audit report from the Bureau of State Audits from holding closed sessions to discuss its response to that report.

(b) After the public release of an audit report by the Bureau of State Audits, if a legislative body of a local agency meets to discuss the audit report, it shall do so in an open session unless exempted from that requirement by some other provision of law.

*(Added by Stats. 2004, Ch. 576, Sec. 4. Effective January 1, 2005.)*

**54956.8.** Notwithstanding any other provision of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.

However, prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its negotiators, the real property or real properties which the negotiations may concern, and the person or persons with whom its negotiators may negotiate.

For purposes of this section, negotiators may be members of the legislative body of the local agency.

For purposes of this section, "lease" includes renewal or renegotiation of a lease.

Nothing in this section shall preclude a local agency from holding a closed session for discussions regarding eminent domain proceedings pursuant to Section 54956.9.

*(Amended by Stats. 1998, Ch. 260, Sec. 3. Effective January 1, 1999.)*

**54956.81.** Notwithstanding any other provision of this chapter, a legislative body of a local agency that invests pension funds may hold a closed session to consider the purchase or sale of particular, specific pension fund investments. All investment transaction decisions made during the closed session shall be made by rollcall vote entered into the minutes of the closed session as provided in subdivision (a) of Section 54957.2.

*(Added by Stats. 2004, Ch. 533, Sec. 20. Effective January 1, 2005.)*

**54956.86.** Notwithstanding any other provision of this chapter, a legislative body of a local agency which provides services pursuant to Section 14087.3 of the Welfare and Institutions Code may hold a closed session to hear a charge or complaint from a member enrolled in its health plan if the member does not wish to have his or her name, medical status, or other information that is protected by federal law publicly disclosed. Prior to holding a closed session pursuant to this section, the legislative body shall inform the member, in writing, of his or her right to have the charge or complaint heard in an open session rather than a closed session.

*(Added by Stats. 1996, Ch. 182, Sec. 2. Effective January 1, 1997.)*

**54956.87.** (a) Notwithstanding any other provision of this chapter, the records of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors, whether paper records, records maintained in the management information system, or records in any other form, that relate to provider rate or payment determinations, allocation or distribution methodologies for provider payments, formulas or calculations for these payments, and contract negotiations with providers of health care for alternative rates are exempt from disclosure for a period of three years after the contract is fully executed. The transmission of the records, or the information contained therein in an alternative form, to the board of supervisors shall not constitute a waiver of exemption from disclosure, and the records and information once transmitted to the board of supervisors shall be subject to this same exemption.

(b) Notwithstanding any other provision of law, the governing board of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors may order that a meeting held solely for the purpose of discussion or taking action on health plan trade secrets, as defined in subdivision (f), shall be held in closed session. The requirements of making a public report of action taken in closed session, and the vote or abstention of every member present, may be limited to a brief general description without the information constituting the trade secret.

(c) Notwithstanding any other provision of law, the governing board of a health plan may meet in closed session to consider and take action on matters pertaining to contracts and contract negotiations by the health plan with providers of health care services concerning all matters related to rates of payment. The governing board may delete the portion or portions containing trade secrets from any documents that were finally approved in the closed session held pursuant to subdivision (b) that are provided to persons who have made the timely or standing request.

(d) Nothing in this section shall be construed as preventing the governing board from meeting in closed session as otherwise provided by law.

(e) The provisions of this section shall not prevent access to any records by the Joint Legislative Audit Committee in the exercise of its powers pursuant to Article 1 (commencing with Section 10500) of Chapter 4 of Part 2 of Division 2 of Title 2. The provisions of this section also shall not prevent access to any records by the Department of Managed Health Care in the exercise of its powers pursuant to Article 1 (commencing with Section 1340) of Chapter 2.2 of Division 2 of the Health and Safety Code.

(f) For purposes of this section, "health plan trade secret" means a trade secret, as defined in subdivision (d) of Section 3426.1 of the Civil Code, that also meets both of the following criteria:

(1) The secrecy of the information is necessary for the health plan to initiate a new service, program, marketing strategy, business plan, or technology, or to add a benefit or product.

(2) Premature disclosure of the trade secret would create a substantial probability of depriving the health plan of a substantial economic benefit or opportunity.

*(Amended by Stats. 2015, Ch. 190, Sec. 65. (AB 1517) Effective January 1, 2016.)*

**54956.9.** (a) Nothing in this chapter shall be construed to prevent a legislative body of a local agency, based on advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the local agency in the litigation.

(b) For purposes of this chapter, all expressions of the lawyer-client privilege other than those provided in this section are hereby abrogated. This section is the exclusive expression of the lawyer-client privilege for purposes of conducting closed-session meetings pursuant to this chapter.

(c) For purposes of this section, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(d) For purposes of this section, litigation shall be considered pending when any of the following circumstances exist:

(1) Litigation, to which the local agency is a party, has been initiated formally.

(2) A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.

(3) Based on existing facts and circumstances, the legislative body of the local agency is meeting only to decide whether a closed session is authorized pursuant to paragraph (2).

(4) Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.

(e) For purposes of paragraphs (2) and (3) of subdivision (d), "existing facts and circumstances" shall consist only of one of the following:

(1) Facts and circumstances that might result in litigation against the local agency but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed.

(2) Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced.

(3) The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5.

(4) A statement made by a person in an open and public meeting threatening litigation on a specific matter within the responsibility of the legislative body.

(5) A statement threatening litigation made by a person outside an open and public meeting on a specific matter within the responsibility of the legislative body so long as the official or employee of the local agency receiving knowledge of the threat makes a contemporaneous or other record of the statement prior to the meeting, which

record shall be available for public inspection pursuant to Section 54957.5. The records so created need not identify the alleged victim of unlawful or tortious sexual conduct or anyone making the threat on their behalf, or identify a public employee who is the alleged perpetrator of any unlawful or tortious conduct upon which a threat of litigation is based, unless the identity of the person has been publicly disclosed.

(f) Nothing in this section shall require disclosure of written communications that are privileged and not subject to disclosure pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1).

(g) Prior to holding a closed session pursuant to this section, the legislative body of the local agency shall state on the agenda or publicly announce the paragraph of subdivision (d) that authorizes the closed session. If the session is closed pursuant to paragraph (1) of subdivision (d), the body shall state the title of or otherwise specifically identify the litigation to be discussed, unless the body states that to do so would jeopardize the agency's ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(h) A local agency shall be considered to be a "party" or to have a "significant exposure to litigation" if an officer or employee of the local agency is a party or has significant exposure to litigation concerning prior or prospective activities or alleged activities during the course and scope of that office or employment, including litigation in which it is an issue whether an activity is outside the course and scope of the office or employment.

*(Amended by Stats. 2021, Ch. 615, Sec. 206. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)*

**54956.95.** (a) Nothing in this chapter shall be construed to prevent a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, for purposes of insurance pooling, or a local agency member of the joint powers agency, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the joint powers agency or a local agency member of the joint powers agency.

(b) Nothing in this chapter shall be construed to prevent the Local Agency Self-Insurance Authority formed pursuant to Chapter 5.5 (commencing with Section 6599.01) of Division 7 of Title 1, or a local agency member of the authority, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the authority or a local agency member of the authority.

(c) Nothing in this section shall be construed to affect Section 54956.9 with respect to any other local agency.

*(Added by Stats. 1989, Ch. 882, Sec. 3.)*

**54956.96.** (a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(B) Other members of the legislative body of the local agency present in a closed session of that local agency member.

(2) Any designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) (1) In addition to the authority described in subdivision (a), the Clean Power Alliance of Southern California, or its successor entity, may adopt a policy or a bylaw or include in its joint powers agreement a provision that authorizes both of the following:

(A) A designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member and who is

attending a properly noticed meeting of the Clean Power Alliance of Southern California, or its successor entity, in lieu of a local agency member's regularly appointed member, to attend closed sessions of the Clean Power Alliance of Southern California, or its successor entity.

(B) All information that is received by a designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member, and that is presented to the Clean Power Alliance of Southern California, or its successor entity, in closed session, shall be confidential. However, the designated alternate member may disclose information obtained in a closed session that has direct financial or liability implications for the local agency member for which the designated alternate member attended the closed session, to the following individuals:

(i) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(ii) Members of the legislative body of the local agency present in a closed session of that local agency member.

(2) If the Clean Power Alliance of Southern California, or its successor entity, adopts a policy or bylaw or includes in its joint powers agreement a provision authorized pursuant to paragraph (1), the Clean Power Alliance of Southern California, or its successor entity, shall establish policies to prevent conflicts of interest and to address breaches of confidentiality that apply to a designated alternate member who is not a member of the legislative body of a local agency member who attends a closed session of the Clean Power Alliance of Southern California, or its successor entity.

(c) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a) or (b), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a) or paragraph (1) of subdivision (b).

(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

*(Amended (as amended by Stats. 2019, Ch. 248, Sec. 1) by Stats. 2024, Ch. 24, Sec. 1. (AB 1852) Effective January 1, 2025. Repealed as of January 1, 2030, by its own provisions. See later operative version, as amended by Sec. 2 of Stats. 2024, Ch. 24.)*

**54956.96.** (a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that local agency member.

(B) Other members of the legislative body of the local agency present in a closed session of that local agency member.

(2) A designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a).

(c) This section shall become operative on January 1, 2030.

*(Amended (as added by Stats. 2019, Ch. 248, Sec. 2) by Stats. 2024, Ch. 24, Sec. 2. (AB 1852) Effective January 1, 2025. Section operative January 1, 2030, by its own provisions.)*

**54956.97.** Notwithstanding any provision of law, the governing board, or a committee of the governing board, of a public bank, as defined in Section 57600 of the Government Code, may meet in closed session to consider and take action on matters pertaining to all of the following:

- (a) A loan or investment decision.
- (b) A decision of the internal audit committee, the compliance committee, or the governance committee.
- (c) A meeting with a state or federal regulator.

*(Added by Stats. 2019, Ch. 442, Sec. 14. (AB 857) Effective January 1, 2020.)*

**54956.98.** (a) For purposes of this section, the following definitions shall apply:

(1) "Shareholder, member, or owner local agency" or "shareholder, member, or owner" means a local agency that is a shareholder of a public bank.

(2) "Public bank" has the same meaning as defined in Section 57600.

(b) The governing board of a public bank may adopt a policy or a bylaw or include in its governing documents provisions that authorize any of the following:

(1) All information received by a shareholder, member, or owner of the public bank in a closed session related to the information presented to the governing board of a public bank in closed session shall be confidential. However, a member of the governing board of a shareholder, member, or owner local agency may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that shareholder, member, or owner local agency for purposes of obtaining advice on whether the matter has direct financial or liability implications for that shareholder local agency.

(B) Other members of the governing board of the local agency present in a closed session of that shareholder, member, or owner local agency.

(2) A designated alternate member of the governing board of the public bank who is also a member of the governing board of a shareholder, member, or owner local agency and who is attending a properly noticed meeting of the public bank governing board in lieu of a shareholder, member, or owner local agency's regularly appointed member may attend a closed session of the public bank governing board.

(c) If the governing board of a public bank adopts a policy or a bylaw or includes provisions in its governing documents pursuant to subdivision (b), then the governing board of the shareholder, member, or owner local agency, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the public bank governing board pursuant to paragraph (1) of subdivision (b).

*(Added by Stats. 2019, Ch. 442, Sec. 15. (AB 857) Effective January 1, 2020.)*

**54957.** (a) (1) This chapter does not prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or other law enforcement or security personnel, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, a threat to the public's right of access to public services or public facilities, or a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity.

(2) For purposes of this subdivision, the following definitions apply:

(A) "Critical infrastructure controls" means networks and systems controlling assets so vital to the local agency that the incapacity or destruction of those networks, systems, or assets would have a debilitating impact on public health, safety, economic security, or any combination thereof.

(B) "Critical infrastructure information" means information not customarily in the public domain pertaining to any of the following:

(i) Actual, potential, or threatened interference with, or an attack on, compromise of, or incapacitation of critical infrastructure controls by either physical or computer-based attack or other similar conduct, including, but not limited to, the misuse of, or unauthorized access to, all types of communications and data transmission systems, that violates federal, state, or local law or harms public health, safety, or economic security, or any combination thereof.

(ii) The ability of critical infrastructure controls to resist any interference, compromise, or incapacitation, including, but not limited to, any planned or past assessment or estimate of the vulnerability of critical infrastructure.

(iii) Any planned or past operational problem or solution regarding critical infrastructure controls, including, but not limited to, repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to interference, compromise, or incapacitation of critical infrastructure controls.

(b) (1) Subject to paragraph (2), this chapter does not prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.

(2) As a condition to holding a closed session on specific complaints or charges brought against an employee by another person or employee, the employee shall be given written notice of their right to have the complaints or charges heard in an open session rather than a closed session, which notice shall be delivered to the employee personally or by mail at least 24 hours before the time for holding the session. If notice is not given, any disciplinary or other action taken by the legislative body against the employee based on the specific complaints or charges in the closed session shall be null and void.

(3) The legislative body also may exclude from the public or closed meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the legislative body.

(4) For the purposes of this subdivision, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee but shall not include any elected official, member of a legislative body or other independent contractors. This subdivision shall not limit local officials' ability to hold closed session meetings pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code. Closed sessions held pursuant to this subdivision shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline.

*(Amended by Stats. 2024, Ch. 243, Sec. 1. (AB 2715) Effective January 1, 2025.)*

**54957.1.** (a) The legislative body of any local agency shall publicly report any action taken in closed session and the vote or abstention on that action of every member present, as follows:

(1) Approval of an agreement concluding real estate negotiations pursuant to Section 54956.8 shall be reported after the agreement is final, as follows:

(A) If its own approval renders the agreement final, the body shall report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with the other party to the negotiations, the local agency shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the local agency of its approval.

(2) Approval given to its legal counsel to defend, or seek or refrain from seeking appellate review or relief, or to enter as an amicus curiae in any form of litigation as the result of a consultation under Section 54956.9 shall be reported in open session at the public meeting during which the closed session is held. The report shall identify, if known, the adverse party or parties and the substance of the litigation. In the case of approval given to initiate or intervene in an action, the announcement need not identify the action, the defendants, or other particulars, but shall specify that the direction to initiate or intervene in an action has been given and that the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(3) Approval given to its legal counsel of a settlement of pending litigation, as defined in Section 54956.9, at any stage prior to or during a judicial or quasi-judicial proceeding shall be reported after the settlement is final, as follows:

(A) If the legislative body accepts a settlement offer signed by the opposing party, the body shall report its acceptance and identify the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with some other party to the litigation or with the court, then as soon as the settlement becomes final, and upon inquiry by any person, the local agency shall disclose the fact of that approval, and identify the substance of the agreement.

(4) Disposition reached as to claims discussed in closed session pursuant to Section 54956.95 shall be reported as soon as reached in a manner that identifies the name of the claimant, the name of the local agency claimed against, the substance of the claim, and any monetary amount approved for payment and agreed upon by the claimant.

(5) Action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed session pursuant to Section 54957 shall be reported at the public meeting during which the closed session is held. Any report required by this paragraph shall identify the title of the position. The general requirement of this paragraph notwithstanding, the report of a dismissal or of the nonrenewal of an employment contract shall be deferred until the first public meeting following the exhaustion of administrative remedies, if any.

(6) Approval of an agreement concluding labor negotiations with represented employees pursuant to Section 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. The report shall identify the item approved and the other party or parties to the negotiation.

(7) Pension fund investment transaction decisions made pursuant to Section 54956.81 shall be disclosed at the first open meeting of the legislative body held after the earlier of the close of the investment transaction or the transfer of pension fund assets for the investment transaction.

(b) Reports that are required to be made pursuant to this section may be made orally or in writing. The legislative body shall provide to any person who has submitted a written request to the legislative body within 24 hours of the posting of the agenda, or to any person who has made a standing request for all documentation as part of a request for notice of meetings pursuant to Section 54954.1 or 54956, if the requester is present at the time the closed session ends, copies of any contracts, settlement agreements, or other documents that were finally approved or adopted in the closed session. If the action taken results in one or more substantive amendments to the related documents requiring retyping, the documents need not be released until the retyping is completed during normal business hours, provided that the presiding officer of the legislative body or his or her designee orally summarizes the substance of the amendments for the benefit of the document requester or any other person present and requesting the information.

(c) The documentation referred to in subdivision (b) shall be available to any person on the next business day following the meeting in which the action referred to is taken or, in the case of substantial amendments, when any necessary retyping is complete.

(d) Nothing in this section shall be construed to require that the legislative body approve actions not otherwise subject to legislative body approval.

(e) No action for injury to a reputational, liberty, or other personal interest may be commenced by or on behalf of any employee or former employee with respect to whom a disclosure is made by a legislative body in an effort to comply with this section.

(f) This section is necessary to implement, and reasonably within the scope of, paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

*(Amended by Stats. 2006, Ch. 538, Sec. 311. Effective January 1, 2007.)*

**54957.2.** (a) The legislative body of a local agency may, by ordinance or resolution, designate a clerk or other officer or employee of the local agency who shall then attend each closed session of the legislative body and keep and enter in a minute book a record of topics discussed and decisions made at the meeting. The minute book made pursuant to this section is not a public record subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be kept confidential. The minute book shall be available only to members of the legislative body or, if a violation of this chapter is alleged to have occurred at a

closed session, to a court of general jurisdiction wherein the local agency lies. The minute book may, but need not, consist of a recording of the closed session.

(b) An elected legislative body of a local agency may require that each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body keep a minute book as prescribed under subdivision (a).

*(Amended by Stats. 2021, Ch. 615, Sec. 207. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)*

**54957.5.** (a) Agendas of public meetings are disclosable public records under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be made available upon request without delay and in compliance with Section 54954.2 or Section 54956, as applicable. However, this section shall not apply to a writing, or portion thereof, that is exempt from public disclosure.

(b) (1) If a writing is a public record related to an agenda item for an open session of a regular meeting of the legislative body of a local agency and is distributed to all, or a majority of all, of the members of a legislative body of a local agency by a person in connection with a matter subject to discussion or consideration at an open meeting of the body less than 72 hours before that meeting, the writing shall be made available for public inspection pursuant to paragraph (2) at the time the writing is distributed to all, or a majority of all, of the members of the body.

(2) (A) Except as provided in subparagraph (B), a local agency shall comply with both of the following requirements:

(i) A local agency shall make any writing described in paragraph (1) available for public inspection at a public office or location that the agency shall designate for this purpose.

(ii) A local agency shall list the address of the office or location designated pursuant to clause (i) on the agendas for all meetings of the legislative body of that agency.

(B) A local agency shall not be required to comply with the requirements of subparagraph (A) if all of the following requirements are met:

(i) An initial staff report or similar document containing an executive summary and the staff recommendation, if any, relating to that agenda item is made available for public inspection at the office or location designated pursuant to clause (i) of subparagraph (A) at least 72 hours before the meeting.

(ii) The local agency immediately posts any writing described in paragraph (1) on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

(iii) The local agency lists the web address of the local agency's internet website on the agendas for all meetings of the legislative body of that agency.

(iv) (I) Subject to subclause (II), the local agency makes physical copies available for public inspection, beginning the next regular business hours for the local agency, at the office or location designated pursuant to clause (i) of subparagraph (A).

(II) This clause is satisfied only if the next regular business hours of the local agency commence at least 24 hours before that meeting.

(c) Writings that are public records described in subdivision (b) and distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the local agency or a member of its legislative body, or after the meeting if prepared by some other person. These writings shall be made available in appropriate alternative formats upon request by a person with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(d) This chapter shall not be construed to prevent the legislative body of a local agency from charging a fee or deposit for a copy of a public record pursuant to Section 7922.530, except that a surcharge shall not be imposed on persons with disabilities in violation of Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(e) This section shall not be construed to limit or delay the public's right to inspect or obtain a copy of any record required to be disclosed under the requirements of the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), including, but not limited to, the ability of the public to inspect public records pursuant to Section 7922.525 and obtain copies of public records pursuant to either subdivision (b) of Section 7922.530 or Section 7922.535. This chapter shall not be construed to require a legislative body of a local agency to place any paid advertisement or any other paid notice in any publication.

*(Amended (as amended by Stats. 2021, Ch. 615, Sec. 208) by Stats. 2022, Ch. 971, Sec. 1. (AB 2647) Effective January 1, 2023.)*

**54957.6.** (a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation, subject to all of the following conditions:

(1) Prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives.

(2) The closed session shall be for the purpose of reviewing its position and instructing the local agency's designated representatives.

(3) The closed session may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.

(4) Any closed session with the local agency's designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussion of an agency's available funds and funding priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative.

(5) The closed session shall not include final action on the proposed compensation of one or more unrepresented employees.

(6) For the purposes enumerated in this section, a legislative body of a local agency may also meet with a state conciliator who has intervened in the proceedings.

(b) For the purposes of this section, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee, but shall not include any elected official, member of a legislative body, or other independent contractors.

*(Amended by Stats. 2025, Ch. 327, Sec. 20. (SB 707) Effective January 1, 2026.)*

**54957.7.** (a) Prior to holding any closed session, the legislative body of the local agency shall disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the legislative body may consider only those matters covered in its statement. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.

(b) After any closed session, the legislative body shall reconvene into open session prior to adjournment and shall make any disclosures required by Section 54957.1 of action taken in the closed session.

(c) The announcements required to be made in open session pursuant to this section may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing the announcements.

*(Amended by Stats. 1993, Ch. 1137, Sec. 15. Effective January 1, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 1137.)*

**54957.8.** (a) For purposes of this section, "multijurisdictional law enforcement agency" means a joint powers entity formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 that provides law enforcement services for the parties to the joint powers agreement for the purpose of investigating criminal activity involving drugs; gangs; sex crimes; firearms trafficking or felony possession of a firearm; high technology, computer, or identity theft; human trafficking; or vehicle theft.

(b) Nothing contained in this chapter shall be construed to prevent the legislative body of a multijurisdictional law enforcement agency, or an advisory body of a multijurisdictional law enforcement agency, from holding closed sessions to discuss the case records of any ongoing criminal investigation of the multijurisdictional law enforcement agency or of any party to the joint powers agreement, to hear testimony from persons involved in the investigation, and to discuss courses of action in particular cases.

*(Amended by Stats. 2006, Ch. 427, Sec. 1. Effective September 22, 2006.)*

**54957.9.** In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

*(Amended by Stats. 2025, Ch. 327, Sec. 21. (SB 707) Effective January 1, 2026.)*

**54957.95.** (a) (1) In addition to authority exercised pursuant to Sections 54954.3 and 54957.9, the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting, including any teleconferenced meeting.

(2) Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b).

(b) As used in this section:

(1) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:

(A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.

(B) Engaging in behavior that constitutes use of force or a true threat of force.

(2) "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

*(Amended by Stats. 2025, Ch. 327, Sec. 22. (SB 707) Effective January 1, 2026.)*

**54957.96.** (a) The existing authority of a legislative body or its presiding officer to remove or limit participation by persons who engage in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, including existing limitations upon that authority, shall apply to members of the public participating in a meeting via a two-way telephonic service or a two-way audiovisual platform.

(b) For purposes of this section, the following definitions apply:

(1) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(2) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

*(Added by Stats. 2025, Ch. 327, Sec. 23. (SB 707) Effective January 1, 2026.)*

**54957.10.** Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions to discuss a local agency employee's application for early withdrawal of funds in a deferred compensation plan when

the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan.

*(Added by Stats. 2001, Ch. 45, Sec. 1. Effective January 1, 2002.)*

**54958.** The provisions of this chapter shall apply to the legislative body of every local agency notwithstanding the conflicting provisions of any other state law.

*(Added by Stats. 1953, Ch. 1588.)*

**54959.** Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor.

*(Amended by Stats. 1994, Ch. 32, Sec. 18. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)*

**54960.** (a) The district attorney or any interested person may commence an action by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body, or to determine the applicability of this chapter to past actions of the legislative body, subject to Section 54960.2, or to determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid or invalid under the laws of this state or of the United States, or to compel the legislative body to audio record its closed sessions as hereinafter provided.

(b) The court in its discretion may, upon a judgment of a violation of Section 54956.7, 54956.8, 54956.9, 54956.95, 54957, or 54957.6, order the legislative body to audio record its closed sessions and preserve the audio recordings for the period and under the terms of security and confidentiality the court deems appropriate.

(c) (1) Each recording so kept shall be immediately labeled with the date of the closed session recorded and the title of the clerk or other officer who shall be custodian of the recording.

(2) The audio recordings shall be subject to the following discovery procedures:

(A) In any case in which discovery or disclosure of the audio recording is sought by either the district attorney or the plaintiff in a civil action pursuant to Section 54959, 54960, or 54960.1 alleging that a violation of this chapter has occurred in a closed session that has been recorded pursuant to this section, the party seeking discovery or disclosure shall file a written notice of motion with the appropriate court with notice to the governmental agency that has custody and control of the audio recording. The notice shall be given pursuant to subdivision (b) of Section 1005 of the Code of Civil Procedure.

(B) The notice shall include, in addition to the items required by Section 1010 of the Code of Civil Procedure, all of the following:

(i) Identification of the proceeding in which discovery or disclosure is sought, the party seeking discovery or disclosure, the date and time of the meeting recorded, and the governmental agency that has custody and control of the recording.

(ii) An affidavit that contains specific facts indicating that a violation of the act occurred in the closed session.

(3) If the court, following a review of the motion, finds that there is good cause to believe that a violation has occurred, the court may review, in camera, the recording of that portion of the closed session alleged to have violated the act.

(4) If, following the in camera review, the court concludes that disclosure of a portion of the recording would be likely to materially assist in the resolution of the litigation alleging violation of this chapter, the court shall, in its discretion, make a certified transcript of the portion of the recording a public exhibit in the proceeding.

(5) This section shall not permit discovery of communications that are protected by the attorney-client privilege.

*(Amended by Stats. 2012, Ch. 732, Sec. 1. (SB 1003) Effective January 1, 2013.)*

**54960.1.** (a) The district attorney or any interested person may commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 is null and void under this section. Nothing in this chapter shall be construed to prevent a legislative body from curing or correcting an action challenged pursuant to this section.

(b) Prior to any action being commenced pursuant to subdivision (a), the district attorney or interested person shall make a demand of the legislative body to cure or correct the action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5. The demand shall be in writing and clearly describe the challenged action of the legislative body and nature of the alleged violation.

(c) (1) The written demand shall be made within 90 days from the date the action was taken unless the action was taken in an open session but in violation of Section 54954.2, in which case the written demand shall be made within 30 days from the date the action was taken.

(2) Within 30 days of receipt of the demand, the legislative body shall cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct or inform the demanding party in writing of its decision not to cure or correct the challenged action.

(3) If the legislative body takes no action within the 30-day period, the inaction shall be deemed a decision not to cure or correct the challenged action, and the 15-day period to commence the action described in subdivision (a) shall commence to run the day after the 30-day period to cure or correct expires.

(4) Within 15 days of receipt of the written notice of the legislative body's decision to cure or correct, or not to cure or correct, or within 15 days of the expiration of the 30-day period to cure or correct, whichever is earlier, the demanding party shall be required to commence the action pursuant to subdivision (a) or thereafter be barred from commencing the action.

(d) An action taken that is alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 shall not be determined to be null and void if any of the following conditions exist:

(1) The action taken was in substantial compliance with Sections 54953, 54954.2, 54954.5, 54954.6, 54956, and 54956.5.

(2) The action taken was in connection with the sale or issuance of notes, bonds, or other evidences of indebtedness or any contract, instrument, or agreement thereto.

(3) The action taken gave rise to a contractual obligation, including a contract let by competitive bid other than compensation for services in the form of salary or fees for professional services, upon which a party has, in good faith and without notice of a challenge to the validity of the action, detrimentally relied.

(4) The action taken was in connection with the collection of any tax.

(5) Any person, city, city and county, county, district, or any agency or subdivision of the state alleging noncompliance with subdivision (a) of Section 54954.2, Section 54956, or Section 54956.5, because of any defect, error, irregularity, or omission in the notice given pursuant to those provisions, had actual notice of the item of business at least 72 hours prior to the meeting at which the action was taken, if the meeting was noticed pursuant to Section 54954.2, or 24 hours prior to the meeting at which the action was taken if the meeting was noticed pursuant to Section 54956, or prior to the meeting at which the action was taken if the meeting is held pursuant to Section 54956.5.

(e) During any action seeking a judicial determination pursuant to subdivision (a) if the court determines, pursuant to a showing by the legislative body that an action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 has been cured or corrected by a subsequent action of the legislative body, the action filed pursuant to subdivision (a) shall be dismissed with prejudice.

(f) The fact that a legislative body takes a subsequent action to cure or correct an action taken pursuant to this section shall not be construed or admissible as evidence of a violation of this chapter.

*(Amended by Stats. 2002, Ch. 454, Sec. 23. Effective January 1, 2003.)*

**54960.2.** (a) The district attorney or any interested person may file an action to determine the applicability of this chapter to past actions of the legislative body pursuant to subdivision (a) of Section 54960 only if all of the following conditions are met:

(1) The district attorney or interested person alleging a violation of this chapter first submits a cease and desist letter by postal mail or facsimile transmission to the clerk or secretary of the legislative body being accused of the violation, as designated in the statement pertaining to that public agency on file pursuant to Section 53051, or if the agency does not have a statement on file designating a clerk or a secretary, to the chief executive officer of that agency, clearly describing the past action of the legislative body and nature of the alleged violation.

(2) The cease and desist letter required under paragraph (1) is submitted to the legislative body within nine months of the alleged violation.

(3) The time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b) has expired and the legislative body has not provided an unconditional commitment pursuant to subdivision (c).

(4) Within 60 days of receipt of the legislative body’s response to the cease and desist letter, other than an unconditional commitment pursuant to subdivision (c), or within 60 days of the expiration of the time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b), whichever is earlier, the party submitting the cease and desist letter shall commence the action pursuant to subdivision (a) of Section 54960 or thereafter be barred from commencing the action.

(b) The legislative body may respond to a cease and desist letter submitted pursuant to subdivision (a) within 30 days of receiving the letter. This subdivision shall not be construed to prevent the legislative body from providing an unconditional commitment pursuant to subdivision (c) at any time after the 30-day period has expired, except that in that event the court shall award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to this section, in accordance with Section 54960.5.

(c) (1) If the legislative body elects to respond to the cease and desist letter with an unconditional commitment to cease, desist from, and not repeat the past action that is alleged to violate this chapter, that response shall be in substantially the following form:

To \_\_\_\_\_:

The [name of legislative body] has received your cease and desist letter dated [date] alleging that the following described past action of the legislative body violates the Ralph M. Brown Act:

[Describe alleged past action, as set forth in the cease and desist letter submitted pursuant to subdivision (a)]

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the [name of legislative body] hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above.

The [name of legislative body] may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as “Rescission of Brown Act Commitment.” You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address or addresses you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this commitment, or may be mailed to an address that you have designated in writing.

Very truly yours,

\_\_\_\_\_  
[Chairperson or acting chairperson of the legislative body]

(2) An unconditional commitment pursuant to this subdivision shall be approved by the legislative body in open session at a regular or special meeting as a separate item of business, and not on its consent agenda.

(3) An action shall not be commenced to determine the applicability of this chapter to any past action of the legislative body for which the legislative body has provided an unconditional commitment pursuant to this subdivision. During any action seeking a judicial determination regarding the applicability of this chapter to any past action of the legislative body pursuant to subdivision (a), if the court determines that the legislative body has provided an unconditional commitment pursuant to this subdivision, the action shall be dismissed with prejudice. Nothing in this subdivision shall be construed to modify or limit the existing ability of the district attorney or any interested person to commence an action to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body.

(4) Except as provided in subdivision (d), the fact that a legislative body provides an unconditional commitment shall not be construed or admissible as evidence of a violation of this chapter.

(d) If the legislative body provides an unconditional commitment as set forth in subdivision (c), the legislative body shall not thereafter take or engage in the challenged action described in the cease and desist letter, except as provided in subdivision (e). Violation of this subdivision shall constitute an independent violation of this chapter, without regard to whether the challenged action would otherwise violate this chapter. An action alleging past violation or threatened future violation of this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

(e) The legislative body may resolve to rescind an unconditional commitment made pursuant to subdivision (c) by a majority vote of its membership taken in open session at a regular meeting as a separate item of business not on its consent agenda, and noticed on its posted agenda as "Rescission of Brown Act Commitment," provided that not less than 30 days prior to such regular meeting, the legislative body provides written notice of its intent to consider the rescission to each person to whom the unconditional commitment was made, and to the district attorney. Upon rescission, the district attorney or any interested person may commence an action pursuant to subdivision (a) of Section 54960. An action under this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

*(Added by Stats. 2012, Ch. 732, Sec. 2. (SB 1003) Effective January 1, 2013.)*

**54960.5.** A court may award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to Section 54960, 54960.1, or 54960.2 where it is found that a legislative body of the local agency has violated this chapter. Additionally, when an action brought pursuant to Section 54960.2 is dismissed with prejudice because a legislative body has provided an unconditional commitment pursuant to paragraph (1) of subdivision (c) of that section at any time after the 30-day period for making such a commitment has expired, the court shall award court costs and reasonable attorney fees to the plaintiff if the filing of that action caused the legislative body to issue the unconditional commitment. The costs and fees shall be paid by the local agency and shall not become a personal liability of any public officer or employee of the local agency.

A court may award court costs and reasonable attorney fees to a defendant in any action brought pursuant to Section 54960 or 54960.1 where the defendant has prevailed in a final determination of such action and the court finds that the action was clearly frivolous and totally lacking in merit.

*(Amended by Stats. 2012, Ch. 732, Sec. 3. (SB 1003) Effective January 1, 2013.)*

**54961.** (a) No legislative body of a local agency shall conduct any meeting in any facility that prohibits the admittance of any person, or persons, on the basis of ancestry or any characteristic listed or defined in Section 11135, or which is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase. This section shall apply to every local agency as defined in Section 54951.

(b) No notice, agenda, announcement, or report required under this chapter need identify any victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.

*(Amended by Stats. 2007, Ch. 568, Sec. 35. Effective January 1, 2008.)*

**54962.** Except as expressly authorized by this chapter, or by Sections 1461, 1462, 32106, and 32155 of the Health and Safety Code, or by Sections 37606, 37606.1, and 37624.3 of the Government Code as they apply to hospitals, or by any provision of the Education Code pertaining to school districts and community college districts, no closed session may be held by any legislative body of any local agency.

*(Amended by Stats. 2006, Ch. 157, Sec. 2. Effective January 1, 2007.)*

**54963.** (a) A person may not disclose confidential information that has been acquired by being present in a closed session authorized by Section 54956.7, 54956.8, 54956.86, 54956.87, 54956.9, 54957, 54957.6, 54957.8, or 54957.10 to a person not entitled to receive it, unless the legislative body authorizes disclosure of that confidential information.

(b) For purposes of this section, "confidential information" means a communication made in a closed session that is specifically related to the basis for the legislative body of a local agency to meet lawfully in closed session under this chapter.

(c) Violation of this section may be addressed by the use of such remedies as are currently available by law, including, but not limited to:

(1) Injunctive relief to prevent the disclosure of confidential information prohibited by this section.

(2) Disciplinary action against an employee who has willfully disclosed confidential information in violation of this section.

(3) Referral of a member of a legislative body who has willfully disclosed confidential information in violation of this section to the grandjury.

(d) Disciplinary action pursuant to paragraph (2) of subdivision (c) shall require that the employee in question has either received training as to the requirements of this section or otherwise has been given notice of the requirements of this section.

(e) A local agency may not take any action authorized by subdivision (c) against a person, nor shall it be deemed a violation of this section, for doing any of the following:

(1) Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury that are necessary to establish the illegality of an action taken by a legislative body of a local agency or the potential illegality of an action that has been the subject of deliberation at a closed session if that action were to be taken by a legislative body of a local agency.

(2) Expressing an opinion concerning the propriety or legality of actions taken by a legislative body of a local agency in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action.

(3) Disclosing information acquired by being present in a closed session under this chapter that is not confidential information.

(f) Nothing in this section shall be construed to prohibit disclosures under the whistleblower statutes contained in Section 1102.5 of the Labor Code or Article 4.5 (commencing with Section 53296) of Chapter 2 of this code.

*(Added by Stats. 2002, Ch. 1119, Sec. 1. Effective January 1, 2003.)*



**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 9a (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Tracy A. Schulze, County of Napa Auditor-Controller

**MEETING DATE:** February 2, 2026

**SUBJECT:** Financial Audit for Fiscal Year Ending June 30, 2025

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**RECOMMENDATION**

Receive and file the financial audit report for the fiscal year ending June 30, 2025.

**SUMMARY**

Brown Armstrong was retained to conduct an independent audit of the agency's financial statements for the 2024-25 fiscal year. Brown Armstrong completed their audit in November 2025 and found no material misstatements. The audit also found no instances of significant or unusual changes in reporting practices and does not include any suggestions for improvements (Attachments 1 and 2).

Brown Armstrong's audit provides an unqualified opinion that the Commission's financial statements are reliable representations of the agency's financial position as of June 30, 2024.5. This "clean" opinion affirms the Commission maintains an effective level of internal control in managing its financial records and transactions which helps to ensure maximum accountability with respect to the agency's use of public funds. The audit also affirms that the Commission is in relatively strong financial position given it finished the fiscal year with an available/unrestricted fund balance of \$472,629; an amount representing approximately 64.4% of the agency's actual expenditures for the 2024-25 fiscal year and 54.9% of the fiscal year 2025-26 adopted budget amount of \$859,655.

A financial summary chart (Attachment 3) depicts changes in the Commission's audited fund balance for the past 15 fiscal years, beginning with 2010-11.

**ATTACHMENTS**

- 1) LAFCO Financial Audit Report for the Fiscal Year Ended June 30, 2025
- 2) Communications Letter from Brown Armstrong to the Commissioners
- 3) LAFCO Financial Summary Chart Fiscal Years 2010-11 to 2024-25

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Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st 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**

**FINANCIAL STATEMENTS  
AND  
INDEPENDENT AUDITOR'S REPORT**

**FOR THE YEAR ENDED  
JUNE 30, 2025**

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
JUNE 30, 2025**

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**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
COMMISSION MEMBERSHIP  
FOR THE YEAR ENDED JUNE 30, 2025**

<u>Name</u>	<u>Title</u>	<u>Term Expiration</u>
Kenneth Leary	Chair Public Member	May 2026
Beth Painter	Vice Chair City Selection Committee	May 2027
Belia Ramos	Commissioner Napa County Board of Supervisors	May 2026
Paul Dohring	Commissioner City Selection Committee	May 2029
Anne Cottrell	Commissioner Napa County Board of Supervisors	May 2028
David Oro	Alternate Commissioner City Selection Committee	May 2027
Joelle Gallagher	Alternate Commissioner Napa County Board of Supervisors	May 2029
Eve Kahn	Alternate Commissioner Public Member	May 2028

**FINANCIAL SECTION**

## INDEPENDENT AUDITOR'S REPORT

Board of Commissioners  
Local Agency Formation Commission of Napa County  
Napa, California

### Report on the Audit of the Basic Financial Statements

#### **Opinions**

We have audited the accompanying basic financial statements of the governmental activities and the major fund of the Local Agency Formation Commission of Napa County (the Commission), as of and for the year ended June 30, 2025, and the related notes to the basic financial statements, which collectively comprise the Commission's basic financial statements as listed in the table of contents.

In our opinion, the basic financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the major fund of the Commission, as of June 30, 2025, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### **Basis for Opinions**

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Basic Financial Statements section of our report. We are required to be independent of the Commission and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### **Responsibilities of Management for the Basic Financial Statements**

Management is responsible for the preparation and fair presentation of the basic financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of basic financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the basic financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Commission's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

***Auditor's Responsibilities for the Audit of the Basic Financial Statements***

Our objectives are to obtain reasonable assurance about whether the basic financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the basic financial statements.

In performing an audit in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the basic financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the basic financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the basic financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Commission's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

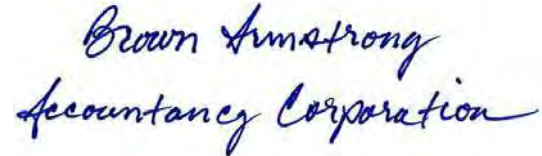
***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 4–7 and 20–21 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

**Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated October 22, 2025, on our consideration of the Commission's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Commission's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Commission's internal control over financial reporting and compliance.

BROWN ARMSTRONG  
ACCOUNTANCY CORPORATION

A handwritten signature in blue ink that reads "Brown Armstrong Accountancy Corporation". The signature is written in a cursive style and is positioned below the printed name of the firm.

Bakersfield, California  
October 22, 2025

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2025**

The Local Agency Formation Commission of Napa County (the Commission) administers a section of California Government Code known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The Commission is delegated regulatory and planning responsibilities to coordinate the logical formation and development of local agencies in a manner preserving agricultural and open-space resources, promoting the orderly extension of municipal services, and discouraging urban sprawl. Key duties include regulating boundary changes through annexations or detachments; approving city incorporations or disincorporations; and forming, consolidating, or dissolving special districts. The Commission is also responsible for preparing studies in order to knowledgeably perform its regulatory activities, including establishing and updating spheres of influence for all cities and special districts within its jurisdiction. Spheres are planning tools used by the Commission to designate the territory it believes represents the appropriate and probable future service area of the affected agency. All jurisdictional changes, such as annexations, must be consistent with the spheres of the affected agencies with limited exceptions. As of June 30, 2025, there are currently 23 total cities and special districts subject to Commission jurisdiction in Napa County (the County).

The Commission was first established in 1963 as an office within the County. From 1963 to 2000, 100% of the Commission's annual budget was funded by the County. On July 1, 2001, in conjunction with the enactment of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the Commission became autonomous of the County in terms of fulfilling its statutory duties and responsibilities. This transition was highlighted by the Commission appointing its own executive officer and counsel as well as altering its funding to include contributions from the cities of American Canyon, Calistoga, Napa, and St. Helena and the Town of Yountville. The County is now responsible for funding 50% of the Commission's annual budget with the remaining portion divided among the four cities and town based on a locally adopted formula as provided under Government Code Section 56381.

This narrative overview and analysis of the financial activities for the fiscal year ended June 30, 2025, is offered by the Commission's manager, the Executive Officer, to provide greater context to the audit performed by the Commission's independent auditor, Brown Armstrong Accountancy Corporation. Please read it in conjunction with the Commission's basic financial statements, which follow this section.

### **OVERVIEW OF THE BASIC FINANCIAL STATEMENTS**

This discussion and analysis are intended to serve as an introduction to the Commission's basic financial statements. The following Statement of Net Position and Governmental Fund Balance Sheet, and the Statement of Activities and Governmental Fund Statement of Revenues, Expenditures, and Changes in Fund Balance, provide information about the activities of the Commission. The financial statements also include various note disclosures, which further describe the Commission's activities.

#### **Government-Wide Statements**

The government-wide financial statements are designed to provide readers with a broad overview of the Commission's finances, in a manner similar to a private sector business.

The Statement of Net Position presents information on all of the Commission's assets and liabilities, with the difference between the two reported as net position.

The Statement of Activities presents information showing how the Commission's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in the statement for some items that will only result in cash flows in future fiscal periods (e.g., earned but unused vacation leave).

## Fund Financial Statements

A fund is a grouping of related accounts used to maintain control over resources segregated for specific activities or objectives. The Commission, like other local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. Fund financial statements report essentially the same functions as those reported in the government-wide financial statements. However, unlike the government-wide financial statements, fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year.

Because the focus of governmental funds is narrower than government-wide financial statements, it is useful to compare the information presented. Both the Governmental Fund Balance Sheet and the Governmental Fund Statement of Revenues, Expenditures, and Changes in Fund Balance provide reconciliations to facilitate the comparison between governmental funds and government-wide statements.

## Notes to the Basic Financial Statements

The notes provide additional information essential to a full understanding of the data provided in the government-wide and fund financial statements.

## Required Supplementary Information (RSI)

RSI is presented concerning the Commission's General Fund budgetary comparison schedule. The Commission adopts an annual appropriated budget for its General Fund. A budgetary comparison schedule has been provided for the General Fund to demonstrate compliance with this budget.

## FINANCIAL ANALYSIS OF THE COMMISSION

### Net Position

The Commission has presented its basic financial statements under the reporting model required by Governmental Accounting Standards Board (GASB) Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis (MD&A) – for State and Local Governments*.

### Condensed Statement of Net Position As of June 30, 2025 and 2024

	2025	2024	Variance
<b>Assets</b>			
Current Assets	\$ 476,146	\$ 421,110	\$ 55,036
Noncurrent Assets	28,845	55,903	(27,058)
<b>Total Assets</b>	<u>504,991</u>	<u>477,013</u>	<u>27,978</u>
<b>Liabilities</b>			
Current Liabilities	3,517	3,533	(16)
Long-Term Liabilities	31,829	60,455	(28,626)
<b>Total Liabilities</b>	<u>35,346</u>	<u>63,988</u>	<u>(28,642)</u>
<b>Net Position</b>			
Net Investment in Capital Assets (Leased Assets)	(2,984)	(4,552)	1,568
Unrestricted	472,629	417,577	55,052
<b>Total Net Position</b>	<u>\$ 469,645</u>	<u>\$ 413,025</u>	<u>\$ 56,620</u>

Net position may serve over time as a useful indicator of a government's financial position. In the case of the Commission, total assets exceeded total liabilities by \$469,645 as of June 30, 2025. This is primarily due to the Commission maintaining a strong cash balance to be used for unanticipated emergencies and cash flow purposes.

### Changes in Net Position

The government-wide financial statement presented below represents an analysis of the Commission's governmental activities.

#### Condensed Statement of Activities For the Years Ended June 30, 2025 and 2024

	2025	2024	Variance
<b>Revenues:</b>			
Intergovernmental	\$ 737,949	\$ 679,476	\$ 58,473
Charges for Services	30,996	44,320	(13,324)
Interest Income	20,832	18,168	2,664
<b>Total Revenues</b>	<b>789,777</b>	<b>741,964</b>	<b>47,813</b>
<b>Expenses:</b>			
Contracted Administrative Services	477,998	581,932	(103,934)
Services and Supplies	254,258	152,738	101,520
Debt Service:			
Interest	901	1,432	(531)
<b>Total Expenses</b>	<b>733,157</b>	<b>736,102</b>	<b>(2,945)</b>
<b>Change in Net Position</b>	<b>56,620</b>	<b>5,862</b>	<b>50,758</b>
<b>Net Position - Beginning of Year</b>	<b>413,025</b>	<b>407,163</b>	<b>5,862</b>
<b>Net Position - End of Year</b>	<b>\$ 469,645</b>	<b>\$ 413,025</b>	<b>\$ 56,620</b>

### Financial Analysis of the Commission's Governmental Fund (see pages 10-13)

As noted earlier, fund accounting is used by the Commission to ensure and demonstrate compliance with finance-related legal requirements.

For the year ending June 30, 2025, the Commission reported an ending fund balance of \$472,629, for an increase of \$55,052 from the prior year.

### BUDGETARY HIGHLIGHTS

The Commission practices bottom-line accounting, giving management the discretion to use excess funds in one account to offset deficits in other accounts. This allows management to minimize the fiscal impact of unanticipated increases in contracted administrative services by controlling spending in other accounts.

State law requires that the County, and the four cities and town within the County, fund the Commission's budget each year. The Commission is also authorized to establish and collect fees for the purposes of offsetting agency contributions. It is also the practice of the Commission to make use of its unrestricted fund balance to help cover operating costs to help minimize the fiscal impact on local agencies as long as the balance does not fall below the equivalent of four months of operating expenses. This practice of using the unrestricted fund balance to help cover operating costs occasionally results in budgeting an

operating shortfall. For the year ending June 30, 2025, the Commission budgeted an operating shortfall of \$142,754. The actual change in fund balance was a surplus of \$55,052, primarily due to a vacancy in a fully budgeted Assistant Executive Officer position throughout the fiscal year. In addition, consulting expenditures were not as high as budgeted, due to a fully budgeted contract with AP Triton that was not fully expended by year end. Budget for this contract has been carried forward into fiscal year 2025-26.

It should be noted that Intergovernmental Revenues represent the amount each agency was required to contribute to the Commission's budget.

### **CAPITAL ASSETS**

During fiscal year 2008-09, the Commission purchased an electronic document management system with a cost of \$19,657. This asset was depreciated over an estimated useful life of 5 years, using the straight-line depreciation method, and therefore, was fully depreciated as of fiscal year 2013-14. During the fiscal year, the Commission fully removed the system from its capital assets records. As the asset was fully depreciated, no gain or loss was recognized upon removal and no proceeds were received.

During fiscal year 2021-22, the Commission implemented GASB Statement No. 87, *Leases*. The Commission recognized two (2) right-to-use leased assets for a building lease and a Xerox copier machine. Right-to-use leased assets totaled \$28,845 (net of accumulated amortization) as of June 30, 2025. Refer to Note 3 for additional details.

### **DEBT ADMINISTRATION**

The Commission's long-term obligations were for lease liabilities. The Commission's obligations totaled \$31,829 as of June 30, 2025. Refer to Note 4 for additional details.

### **ECONOMIC FACTORS AND NEXT YEAR'S BUDGET**

The Commission is committed to fulfilling its state-mandated mission with as little fiscal impact on local agencies as possible. In preparing the budget for fiscal year 2025-26, the Commission used a spending baseline to estimate how much it would cost to continue the level of its activities and services at next year's price for labor and supplies. The Commission's adopted fiscal year 2025-26 budget is \$859,655, an overall percentage increase of 5% from prior year's original adopted budget. This slight increase is due to administrative services, and training and conference expense increases.

### **CONTACTING THE COMMISSION**

These financial statements are designed to provide a general overview of the Commission's finances for all those interested. Through a memorandum of understanding, the County provides certain management and administrative functions, including financial management and accounting. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to:

Local Agency Formation Commission of Napa County  
1754 Second Street, Suite C  
Napa, California 94559

**BASIC FINANCIAL STATEMENTS**

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY**  
**STATEMENT OF NET POSITION**  
**JUNE 30, 2025**

<b>Assets</b>	
Cash in County Treasury	\$ 471,596
Deposits with Others	2,200
Prepays	2,350
Leased Assets	
Right-to-Use Assets, Net of Accumulated Amortization	<u>28,845</u>
<b>Total Assets</b>	<u>504,991</u>
<b>Liabilities</b>	
Accounts Payable	3,517
Long-Term Liabilities	
Due Within One Year:	
Lease Liabilities	29,485
Due in More Than One Year:	
Lease Liabilities	<u>2,344</u>
<b>Total Liabilities</b>	<u>35,346</u>
<b>Net Position</b>	
Net Investment in Capital Assets (Leased Assets)	(2,984)
Unrestricted	<u>472,629</u>
<b>Total Net Position</b>	<u><u>\$ 469,645</u></u>

The accompanying notes are an integral part of these financial statements.

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
STATEMENT OF ACTIVITIES  
FOR THE YEAR ENDED JUNE 30, 2025**

<b>Program Expenses</b>	
Contracted Administrative Services	\$ 477,998
Services and Supplies	254,258
Debt Service:	
Interest	901
	<hr/>
<b>Total Program Expenses</b>	<b>733,157</b>
<b>Program Revenues</b>	
Intergovernmental Revenues:	
County of Napa	368,975
Other Governmental Agencies	368,974
Charges for Services	30,996
	<hr/>
<b>Total Program Revenues</b>	<b>768,945</b>
	<hr/>
Net Program Revenue	35,788
<b>General Revenues</b>	
Interest Income	20,832
	<hr/>
<b>Change in Net Position</b>	<b>56,620</b>
	<hr/>
<b>Net Position - Beginning of Year</b>	<b>413,025</b>
	<hr/>
<b>Net Position - End of Year</b>	<b>\$ 469,645</b>
	<hr/> <hr/>

The accompanying notes are an integral part of these financial statements.

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
BALANCE SHEET  
GOVERNMENTAL FUND  
JUNE 30, 2025**

<b>Assets</b>	
Cash in County Treasury	\$ 471,596
Deposits with Others	2,200
Prepays	<u>2,350</u>
<b>Total Assets</b>	<u><u>\$ 476,146</u></u>
<b>Liabilities</b>	
Accounts Payable	<u>\$ 3,517</u>
<b>Total Liabilities</b>	<u>3,517</u>
<b>Fund Balance</b>	
Unassigned	<u>472,629</u>
<b>Total Fund Balance</b>	<u>472,629</u>
<b>Total Liabilities and Fund Balance</b>	<u><u>\$ 476,146</u></u>

The accompanying notes are an integral part of these financial statements.

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
RECONCILIATION OF THE GOVERNMENTAL FUND  
BALANCE SHEET TO THE STATEMENT OF NET POSITION  
JUNE 30, 2025**

**Reconciliation of the Balance Sheet to the Statement of Net Position**

Total fund balance - governmental fund (page 10)	\$ 472,629
Amounts reported for governmental activities in the statement of net position are different because:	
Right-to-use leased assets used for governmental activities are not reported as assets in the governmental fund.	28,845
Lease liabilities are not reported in the governmental fund.	<u>(31,829)</u>
Net position of governmental activities (page 8)	<u><u>\$ 469,645</u></u>

The accompanying notes are an integral part of these financial statements.

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCE  
GOVERNMENTAL FUND  
FOR THE YEAR ENDED JUNE 30, 2025**

**Revenues**

## Intergovernmental Revenues:

County of Napa	\$ 368,975
Other Governmental Agencies	368,974
Charges for Services	30,996
Interest Income	20,832

**Total Revenues**


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 789,777
**Expenditures**

Contracted Administrative Services	477,998
Services and Supplies	227,200
Debt Service:	
Principal	28,626
Interest	901

**Total Expenditures**


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 734,725
**Change in Fund Balance**

55,052

**Fund Balance - Beginning of Year**


---

 417,577
**Fund Balance - End of Year**


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 \$ 472,629
 

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The accompanying notes are an integral part of these financial statements.

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
RECONCILIATION OF THE GOVERNMENTAL FUND STATEMENT OF REVENUES,  
EXPENDITURES, AND CHANGES IN FUND BALANCE TO THE STATEMENT OF ACTIVITIES  
FOR THE YEAR ENDED JUNE 30, 2025**

**Reconciliation of Statement of Revenues, Expenditures, and  
Changes in Fund Balance to the Statement of Activities**

Net change in fund balance - governmental fund (page 12)	\$ 55,052
Amounts reported for governmental activities in the statement of activities are different because:	
Lease amortization expense does not use current financial resources but has an effect on net position.	(27,058)
Lease principal payments on long-term debt use current financial resources but have no effect on net position.	<u>28,626</u>
Change in net position of governmental activities (page 9)	<u><u>\$ 56,620</u></u>

The accompanying notes are an integral part of these financial statements.

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
NOTES TO THE BASIC FINANCIAL STATEMENTS  
JUNE 30, 2025**

**NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

A. Reporting Entity

The Local Agency Formation Commission of Napa County (the Commission) was created in 1963 by the California Legislature to encourage the orderly formation and development of local agencies, promote the efficient extension of municipal services, and protect against the premature conversion of agricultural and open-space lands. In 2001, following the enactment of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the Commission became an independent agency separate from the County of Napa (the County). As of June 30, 2025, there are five cities and 18 special districts under the jurisdiction of the Commission in the County.

The Board of Commissioners is comprised of five regular and three alternate members. Each member is appointed pursuant to California Government Code Section 56000 et. seq. and represents one of the following three interests:

- **County Members:** Two regular and one alternate member represent the County. These members are members of the County Board of Supervisors. Appointments are made by the Board of Supervisors.
- **City Members:** Two regular and one alternate member represent the four cities and town in the County. The members are mayors or council members. Appointments are made by the City Selection Committee.
- **Public Members:** One regular and one alternate member represent the general public. Appointments are made by the County and City Members on the Commission.

The Commission includes all activities (operations of its administrative staff and commission officers) considered to be a part of the Commission. The Commission reviewed the criteria developed by the Governmental Accounting Standards Board (GASB) in its issuance of Statement No. 14 and amended by Statement No. 61, relating to the financial reporting entity, to determine whether the Commission is financially accountable for other entities. The Commission has determined that no other outside entity meets the above criteria and, therefore, no agency has been included as a component unit in the financial statements. In addition, the Commission is not aware of any entity that would be financially accountable for the Commission that would result in the Commission being considered a component unit of that entity.

B. Basis of Presentation and Accounting

*Government-Wide Financial Statements*

The Statement of Net Position and Statement of Activities display information about the primary government (the Commission). These statements include the financial activities of the overall Commission.

The Statement of Activities presents a comparison between direct expenses and program revenues for the Commission's governmental activities. Direct expenses are those that are specifically associated with the Commission's governmental activities. Program revenues include grants and contributions that are restricted to meeting the operational or capital requirements of the Commission. Revenues that are not classified as program revenues, including all taxes and investment income, are presented as general revenues.

**NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES** (Continued)**B. Basis of Presentation and Accounting** (Continued)*Government-Wide Financial Statements* (Continued)

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of when the related cash flows take place. Nonexchange transactions are those in which the Commission gives (or receives) value without directly receiving (or giving) equal value in exchange, including grants. Revenues from grants are recognized in the fiscal year in which all eligible requirements have been satisfied. No grants have been received or are anticipated to be received in the near future.

When both restricted and unrestricted net position are available, restricted resources are used before non-restricted resources.

*Fund Financial Statements*

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized when measurable and available (“susceptible to accrual”). Taxes, interest, certain state and federal grants, and charges for services revenues are accrued when their receipt occurs within sixty days after the end of the accounting period so as to be measurable and available. Expenditures are generally recorded when a liability is incurred, as under the accrual basis of accounting. However, debt service expenditures, as well as expenditures related to compensated absences, are recorded only when payment is due.

The General Fund is the Commission’s primary operating fund. It accounts for all financial resources of the general government.

**C. Capital Assets**

Capital assets are recorded at historical cost or estimated historical cost if actual historical cost is not available. Contributed capital assets are valued at their estimated fair market value on the date contributed. The Commission defines capital assets as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of one year. Capital assets used in operations are depreciated using the straight-line method over their estimated useful lives in the government-wide statements. Depreciation begins on the first day of the fiscal year following the period the asset is placed in service and ends in the fiscal year that it is retired from service or is fully depreciated.

**D. Use of Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

**E. Leased Assets**

Right-to-use leased assets are recorded at the amount of the initial measurement of the lease liabilities and modified by any lease payment made to the lessor at or before the commencement of the lease term, less any lease incentives received from the lessor at or before the commencement of the lease term along with any direct costs that are ancillary charges necessary to place the leased assets into service in accordance with GASB Statement No. 87, *Leases*.

Right-to-use leased assets are amortized using the straight-line method over the shorter of the lease term or the useful life on the underlying asset, unless the lease contains a purchase option that the Commission has determined is reasonably certain of being exercised.

**NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES** (Continued)F. New Accounting Pronouncements Implemented

**GASB Statement No. 101 – *Compensated Absences*.** The requirements of this statement are effective for fiscal years beginning after December 15, 2023, and all reporting periods thereafter. Earlier application is encouraged. This statement does not impact the financial statements or disclosures of the Commission as the Commission does not have these types of transactions.

**GASB Statement No. 102 – *Certain Risk Disclosures*.** The requirements of this statement are effective for fiscal years beginning after June 15, 2024, and all reporting periods thereafter. This statement does not impact the financial statements or disclosures of the Commission.

G. Future Accounting Pronouncements

**GASB Statement No. 103 – *Financial Reporting Model Improvements*.** The requirements of this statement are effective for fiscal years beginning after June 15, 2025, and all reporting periods thereafter. The Commission has not fully judged the impact of implementation of GASB Statement No. 103 on the financial statements.

**GASB Statement No. 104 – *Disclosure of Certain Capital Assets*.** The objective of this statement is to provide users of government financial statements with essential information about certain types of capital assets. The requirements of this statement are effective for fiscal years beginning after June 15, 2025, and all reporting periods thereafter. The Commission has not fully judged the impact of implementation of GASB Statement No. 104 on the financial statements.

**NOTE 2 – CASH**

Cash at June 30, 2025, consisted of the following:

Cash in County Treasury	\$ 471,596
-------------------------	------------

The Commission maintains all of its cash and investments with the County Treasurer in an investment pool. On a quarterly basis, the Treasurer allocates interest to participants based upon their average daily balances. Required disclosure information regarding categorization of investments and other deposit and investment risk disclosures can be found in the County's financial statements. The County's financial statements may be obtained by contacting the County's Auditor-Controller's Office at 1195 Third Street, Room B-10, Napa, California 94559. The County Treasury Oversight Committee oversees the Treasurer's investments and policies.

Required disclosures for the Commission's deposit and investment risks at June 30, 2025, were as follows:

Credit risk	Not rated
Custodial risk	Not applicable
Concentration of credit risk	Not applicable
Interest rate risk	Not available

Investments held in the County's investment pool are available on demand and are stated at cost plus accrued interest, which approximates fair value. The Commission has no deposit or investment policy that addresses a specific type of risk.

**NOTE 3 – CAPITAL ASSETS AND RIGHT-TO-USE LEASED ASSETS**

Capital assets and right-to-use leased assets activity at June 30, 2025, were as follows:

	Balance July 1, 2024	Additions	Retirements	Balance June 30, 2025
Capital assets being depreciated:				
Equipment	\$ 19,657	\$ -	\$ (19,657)	\$ -
Total capital assets being depreciated	19,657	-	(19,657)	-
Less accumulated depreciation:				
Equipment	(19,657)	-	19,657	-
Total accumulated depreciation	(19,657)	-	19,657	-
Capital assets, net	-	-	-	-
Right-to-use leased assets being amortized:				
Building	125,943	-	-	125,943
Equipment	9,033	-	-	9,033
Total right-to-use leased assets being amortized	134,976	-	-	134,976
Less accumulated amortization:				
Building	(73,468)	(25,189)	-	(98,657)
Equipment	(5,605)	(1,869)	-	(7,474)
Total accumulated amortization	(79,073)	(27,058)	-	(106,131)
Right-to-use leased assets, net	55,903	(27,058)	-	28,845
Total capital assets and right-to-use leased assets, net	<u>\$ 55,903</u>	<u>\$ (27,058)</u>	<u>\$ -</u>	<u>\$ 28,845</u>

Amortization for right-to-use leased assets (see Note 4) for the fiscal year ended June 30, 2025, was \$27,058.

**NOTE 4 – LONG-TERM LIABILITIES**

The Commission has entered into two (2) lease agreements as follows:

The Commission has entered into a lease agreement, with a recognized inception date of August 1, 2021, as lessee for the use of 1754 Second Street, Suite C. The lease term ends on July 31, 2026. An initial lease liability of \$125,943 was recorded on August 1, 2021. As of June 30, 2025, the value of the lease liability was \$30,211. The Commission recorded \$26,719 as the principal portion of the lease payments for the year ended June 30, 2025. The Commission has a fixed base rent schedule, ranging from \$1,850 a month on August 1, 2021, to \$2,350 a month ending July 1, 2026. The Commission is utilizing the County's incremental borrowing rate of 1.9%.

The Commission has entered into a lease agreement, with a recognized inception date of July 1, 2021, as lessee for the use of a Xerox copier machine. The lease term ends on April 28, 2026. An initial lease liability of \$9,033 was recorded on July 1, 2021. As of June 30, 2025, the value of the lease liability was \$1,617. The Commission recorded \$1,907 as the principal portion of the lease payments for the year ended June 30, 2025. The Commission has a fixed base rent of \$163 a month through the end of the term on April 28, 2026. The Commission is utilizing the County's incremental borrowing rate of 1.9%.

**NOTE 4 – LONG-TERM LIABILITIES** (Continued)

Principal and interest payments to maturity are as follows:

Year Ending June 30,	Principal	Interest
2026	\$ 29,485	\$ 346
2027	2,344	4
Total	<u>\$ 31,829</u>	<u>\$ 350</u>

**NOTE 5 – NET POSITION/FUND BALANCE****Net Position**

Net position comprises the various net earnings from operating and nonoperating revenues, expenses, and capital contributions. Net position is classified in the following three components: net investment in capital assets, net position – restricted, and net position – unrestricted. The Commission reports net investment in capital assets and net position – unrestricted balances. Net investment in capital assets consists of all capital and right-to-use leased assets, net of accumulated depreciation/amortization and reduced by outstanding debt that is attributable to the acquisition, construction, and improvement of those assets. Unrestricted net position consists of all other net position not included in the above categories.

**Fund Balance**

Governmental funds report fund balance in classifications based primarily on the extent to which the Commission is bound to honor constraints on the specific purposes for which amounts in the funds can be spent. As of June 30, 2025, fund balances for governmental funds are made up of the following:

- *Nonspendable fund balance* – amounts that are not in spendable form (such as inventory) or are required to be maintained intact.
- *Restricted fund balance* – amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions, or by enabling legislation.
- *Committed fund balance* – amounts constrained to specific purposes by the Commission itself, using its highest level of decision-making authority. To be reported as committed, amounts cannot be used for any other purpose unless the Commission takes the same highest level of action to remove or change the constraint.
- *Assigned fund balance* – amounts the Commission intends to use for a specific purpose. Intent can be expressed by the Board of Commissioners or by an official or body to which the Board of Commissioners delegates the authority.
- *Unassigned fund balance* – amounts that are available for any purpose. Positive amounts are reported only in the General Fund.

The Board of Commissioners establishes (and modifies or rescinds) fund balance commitments by adopting a final budget no later than June 15 and approving amendments as needed throughout the year. A fund balance commitment is further indicated in the budget document as a designation or commitment of the fund (such as for special incentives).

**NOTE 5 – NET POSITION/FUND BALANCE** (Continued)**Fund Balance** (Continued)

In circumstances when an expenditure is made for a purpose for which amounts are available in multiple fund balance classifications, fund balance is generally depleted in the order of restricted, committed, assigned, and unassigned.

The Commission strives to maintain an unassigned fund balance to be used for unanticipated emergencies of approximately four months of expenditures.

**NOTE 6 – RELATED PARTY TRANSACTIONS**

During the year ended June 30, 2025, the Commission paid the County, a related party, \$501,538 for employee administrative costs, accounting services, and information technology.

In addition, the Commission received \$368,975 during the year ended June 30, 2025, from the County, a related party, pursuant to Government Code Section 56381. The County provides half of the intergovernmental revenue to the Commission. The other half is funded by the City of Napa, City of St. Helena, City of American Canyon, City of Calistoga, and Town of Yountville.

**NOTE 7 – RISK MANAGEMENT**

The Commission is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Commission participates in the County's risk pool. Information about coverage can be found in the County's basic financial statements.

**NOTE 8 – SUBSEQUENT EVENTS**

Subsequent events have been evaluated through October 22, 2025, which is the date the basic financial statements were available to be issued. No events have occurred that would require disclosure.

**REQUIRED SUPPLEMENTARY INFORMATION**

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
BUDGETARY COMPARISON SCHEDULE  
FOR THE YEAR ENDED JUNE 30, 2025**

	Original Budget	Final Budget	Actual	Variance with Final Budget
<b>Revenues</b>				
Intergovernmental Revenues	\$ 737,950	\$ 737,950	\$ 737,949	\$ (1)
Charges for Services	30,000	30,000	30,996	996
Interest Income	7,000	7,000	20,832	13,832
<b>Total Revenues</b>	<b>774,950</b>	<b>774,950</b>	<b>789,777</b>	<b>14,827</b>
<b>Expenditures</b>				
Contracted Administrative Services	633,588	633,588	477,998	155,590
Services and Supplies	155,792	253,546	227,200	26,346
Debt Service:				
Principal	30,570	30,570	28,626	1,944
Interest	-	-	901	(901)
<b>Total Expenditures</b>	<b>819,950</b>	<b>917,704</b>	<b>734,725</b>	<b>182,979</b>
Change in Fund Balance	<u>\$ (45,000)</u>	<u>\$ (142,754)</u>	55,052	<u>\$ 197,806</u>
Fund Balance - Beginning of Year			<u>417,577</u>	
Fund Balance - End of Year			<u>\$ 472,629</u>	

See accompanying note to the required supplementary information.

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
NOTE TO THE REQUIRED SUPPLEMENTARY INFORMATION  
FOR THE YEAR ENDED JUNE 30, 2025**

**BUDGET AND BUDGETARY REPORTING**

The Local Agency Formation Commission of Napa County (the Commission) prepares and legally adopts a final budget on or before June 15 of each fiscal year.

After the budget is approved, the appropriations can be added to, subtracted from, or changed only by Board of Commissioners resolution. All such changes must be within the revenues and reserves estimated as available in the final budget or within revised revenue estimates as approved by the Commission.

An operating budget is adopted each fiscal year on the modified accrual basis of accounting. Additionally, encumbrance accounting is utilized to assure effective budgetary control. Encumbrances outstanding at year-end represent the estimated amount of the expenditures ultimately to result if the unperformed contracts in process at year-end are completed or purchase commitments satisfied. Such year-end encumbrances are reported as assignments of fund balance (or committed, as applicable), and do not constitute expenditures or liabilities because the commitments will be honored during the subsequent year and included in the subsequent year's budget. Unencumbered appropriations lapse at year-end. Budgets are prepared using accounting principles generally accepted in the United States of America.

The legal level of budgetary control (the level on which expenditures may not legally exceed appropriations) is at the object level. Object levels of expenditures are as follows: salaries and benefits, services and supplies, and other charges.

**OTHER REPORT**

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER  
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN  
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Board of Commissioners  
Local Agency Formation Commission of Napa County  
Napa, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the basic financial statements of the governmental activities and the major fund of the Local Agency Formation Commission of Napa County (the Commission), as of and for the year ended June 30, 2025, and the related notes to the basic financial statements, which collectively comprise the Commission's basic financial statements, and have issued our report thereon dated October 22, 2025.

**Report on Internal Control over Financial Reporting**

In planning and performing our audit of the basic financial statements, we considered the Commission's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the basic financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control. Accordingly, we do not express an opinion on the effectiveness of the Commission's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Commission's basic financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

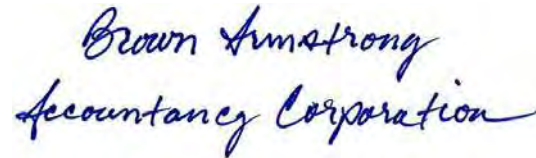
**Report on Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Commission's basic financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the basic financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

**Purpose of This Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Commission's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Commission's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

BROWN ARMSTRONG  
ACCOUNTANCY CORPORATION

A handwritten signature in blue ink that reads "Brown Armstrong Accountancy Corporation". The signature is written in a cursive, flowing style.

Bakersfield, California  
October 22, 2025

Board of Commissioners  
Local Agency Formation Commission of Napa County  
Napa, California

We have audited the financial statements of the governmental activities and the major fund of the Local Agency Formation Commission of Napa County (the Commission) for the year ended June 30, 2025. Professional standards require that we provide you with information about our responsibilities under auditing standards generally accepted in the United States of America and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated June 3, 2025. Professional standards also require that we communicate to you the following information related to our audit.

### **Significant Audit Matters**

#### *Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Commission are described in Note 1 to the financial statements. As described in Note 1 to the financial statements, the Commission adopted Governmental Accounting Standards Board (GASB) Statement No. 101, *Compensated Absences*, and GASB Statement No. 102, *Certain Risk Disclosures*, during the fiscal year ended June 30, 2025. These GASB statements did not impact the financial statements or disclosures of the Commission during the fiscal year, as there were no accounting changes or corrections made. We noted no transactions entered into by the Commission during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the Commission's financial statements was:

Management's estimate of the discount rate for the purpose of calculating the right-to-use leased assets and liabilities relating to leases. We evaluated the key factors and assumptions used to develop the estimate of the discount rate for the purpose of calculating the right-to-use leased assets and liabilities relating to leases in determining that it is reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

The disclosure of right-to-use leased assets and long-term liabilities in Notes 3 and 4, respectively, to the financial statements.

The financial statement disclosures are neutral, consistent, and clear.

#### *Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

*Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. No such misstatements were identified.

*Disagreements with Management*

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

*Management Representations*

We have requested certain representations from management that are included in the management representation letter dated October 22, 2025.

*Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Commission's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

*Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Commission's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

**Other Matters**

We applied certain limited procedures to Management's Discussion and Analysis and the Budgetary Comparison Schedule, which are required supplementary information (RSI) that supplement the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

**Restriction on Use**

This information is intended solely for the information and use of the Board of Commissioners and management of the Commission and is not intended to be, and should not be, used by anyone other than these specified parties.

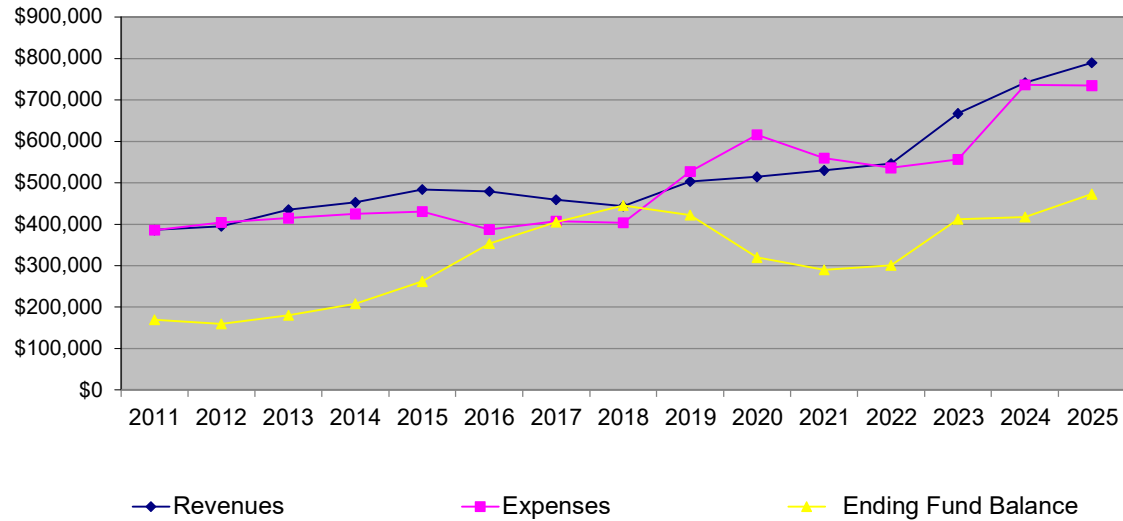
BROWN ARMSTRONG  
ACCOUNTANCY CORPORATION

*Brown Armstrong*  
*Accountancy Corporation*

Bakersfield, California  
October 22, 2025

LAFCO Financial Summary  
For the Past 15 Years

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Revenues	\$ 386,070	\$ 394,658	\$ 435,317	\$ 452,727	\$ 483,743	\$ 479,137	\$ 459,555	\$ 443,870	\$ 503,137	\$ 514,135	\$ 530,167	\$ 546,687	\$ 667,608	\$ 741,964	\$ 789,777
Expenses	385,677	404,358	414,578	424,924	430,146	387,701	407,207	403,630	526,982	616,203	559,686	536,072	556,509	736,344	734,725
Surplus/Deficit	\$ 393	\$ (9,700)	\$ 20,739	\$ 27,803	\$ 53,597	\$ 91,436	\$ 52,348	\$ 40,240	\$ (23,845)	\$ (102,068)	\$ (29,519)	\$ 10,615	\$ 111,099	\$ 5,620	\$ 55,052
<b>Fund Balance:</b>															
Beginning Fund Balance	\$ 168,819	\$ 169,212	\$ 159,512	\$ 180,251	\$ 208,054	\$ 261,651	\$ 353,087	\$ 405,435	\$ 445,675	\$ 421,830	\$ 319,762	\$ 290,243	\$ 300,858	\$ 411,957	\$ 417,577
Surplus/Deficit 6/30	393	(9,700)	20,739	27,803	53,597	91,436	52,348	40,240	(23,845)	(102,068)	(29,519)	10,615	111,099	5,620	55,052
Ending Fund Balance	\$ 169,212	\$ 159,512	\$ 180,251	\$ 208,054	\$ 261,651	\$ 353,087	\$ 405,435	\$ 445,675	\$ 421,830	\$ 319,762	\$ 290,243	\$ 300,858	\$ 411,957	\$ 417,577	\$ 472,629
<b>Breakdown of Fund Balance:</b>															
Petty Cash Reserve	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ -	\$ -	\$ -
Equipment Replacement Reserve	7,862	11,793	15,724	19,557	19,557	19,557	19,557	19,557	19,557	19,557	19,557	19,557	19,557	-	-
Available Fund Balance	161,250	147,619	164,427	188,397	241,994	333,430	385,778	426,018	402,173	300,105	270,586	281,201	392,400	417,577	472,629
Total Fund Balance	\$ 169,212	\$ 159,512	\$ 180,251	\$ 208,054	\$ 261,651	\$ 353,087	\$ 405,435	\$ 445,675	\$ 421,830	\$ 319,762	\$ 290,243	\$ 300,858	\$ 411,957	\$ 417,577	\$ 472,629





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

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**Agenda Item 9b (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *BF*  
Stephanie Pratt, Staff Analyst *SP*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Proposed Penny Lane No. 7 Reorganization and Associated CEQA Findings

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**RECOMMENDATION**

Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations – Penny Lane No. 7 Reorganization (Attachment 1) making California Environmental Quality Act (CEQA) findings and approving the proposed reorganization for annexation to the City of Napa (“City”) and detachment from County Service Area (CSA) No. 4. Standard conditions are also recommended.

**BACKGROUND AND SUMMARY**

Applicant: Landowner (petition)  
Proposed Actions: Annexation to the City and detachment from CSA No. 4  
Assessor Parcel Number: 046-481-026  
Location: 2111 Penny Lane and adjacent portion of public right-of-way  
Area Size: 0.90 acres (.63 landowner .27 portion of public right-of-way)  
Purpose: Permanent connection to water service  
Development Plans: None at this time  
Application: Attachment 2  
Maps of Affected Territory: Following pages

Jurisdiction: Unincorporated  
Sphere of Influence Consistency: Yes  
Policy Consistency: Yes  
Tax Sharing Agreement: Yes – master tax exchange agreement  
Landowner Consent: 100%  
Protest Proceedings: Waived  
CEQA: Exempt  
Current Land Uses: Residential

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Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Commissioner  
Representative of the General Public

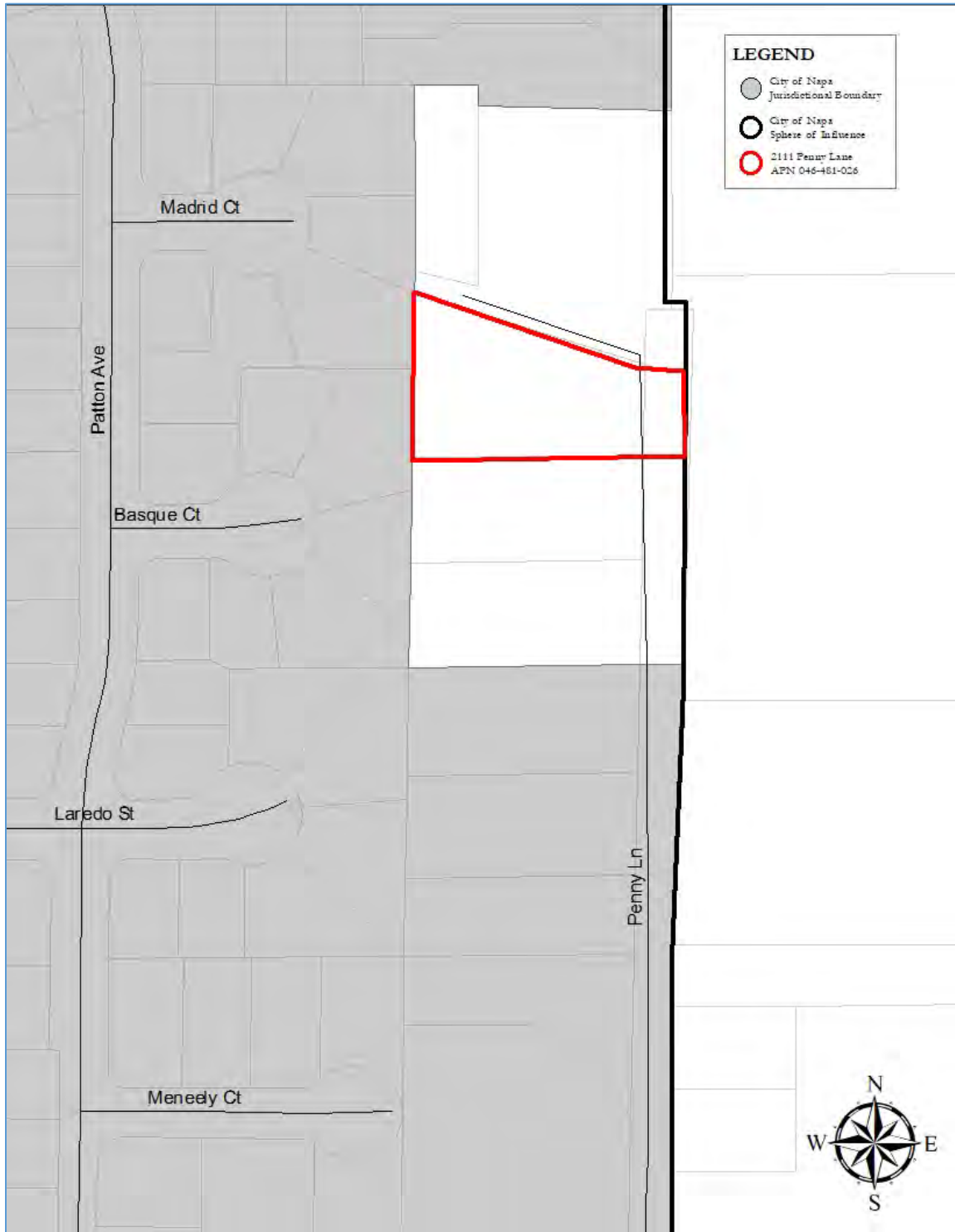
Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

*Proposed Penny Lane No. 7 Reorganization*

*February 2, 2026*

*Page 2 of 4*





## **DISCUSSION**

### ***Policy on Concurrent Detachment from CSA No. 4***

The affected territory is located in CSA No. 4's jurisdictional boundary. The intent and function of CSA No. 4 is to sponsor a voter-approved special assessment on all parcels in its jurisdiction containing one acre or more of vineyards to fund farmworker housing services. Local policy requires that all annexations to a city also include concurrent detachment from CSA No. 4 unless the affected territory contains, or is expected to contain, vineyards totaling one acre or more. Detaching the affected territory from CSA No. 4 is appropriate given that its total size is less than one acre.

### ***Factors for Commission Determinations***

See Attachment 3 for a review of the mandatory factors pursuant to California Government Code (G.C.) section 56668.

### ***Property Tax Agreement***

Pursuant to an existing master property tax agreement, the City shall receive 55% of the County's portion of property tax revenues generated from the affected territory. CSA No. 4 was formed after Proposition 13 and therefore not eligible for property tax revenues.

### ***Protest Proceedings***

Protest proceedings are waived in accordance with G.C. section 56662(a) given that the affected territory meets the statutory definition of "uninhabited" (i.e., 12 or fewer registered voters) and 100% of landowners consent to the reorganization.

## **ENVIRONMENTAL REVIEW**

The approval of this reorganization is exempt from CEQA pursuant to CEQA Guidelines sections 15061(b)(3) and 15319(b).

## **ATTACHMENTS**

- 1) Draft Resolution Approving the Modified Proposal and Making CEQA Findings
- 2) Application Materials
- 3) Factors for Commission Determinations

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION OF  
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MAKING DETERMINATIONS**

**PENNY LANE NO. 7 REORGANIZATION**

**WHEREAS**, an application for a proposed reorganization has been filed with the Local Agency Formation Commission of Napa County, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the proposal seeks Commission approval to annex 0.90 acres of unincorporated land to the City of Napa along with concurrent detachment from County Service Area No. 4 and represents one entire parcel located at 2111 Penny Lane and identified by the County Assessor’s Office as 046-481-026 along with the adjacent portion of public right-of-way on Penny Lane; and

**WHEREAS**, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

**WHEREAS**, the Executive Officer’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on February 2, 2026; and

**WHEREAS**, the Commission considered all the factors required by law under Government Code section 56668 and adopted local policies and procedures; and

**WHEREAS**, the Commission found the proposal consistent with the sphere of influence established for the City of Napa; and

**WHEREAS**, the Commission determined to its satisfaction that all owners of land included in said proposal consent to the subject annexation; and

**WHEREAS**, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission considered available exemptions under CEQA, in accordance with Title 14 of the California Code of Regulations (hereinafter “CEQA Guidelines”); and

**NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER** as follows:

1. The Factors for Commission Determinations provided in the Executive Officer's written report are hereby incorporated herein by this reference and are adequate.

The underlying activity, annexation of the affected territory, is exempt from further review pursuant to California Code of Regulations (CCR) Title 14 section 15061(b)(3), where it can be seen with certainty that there is no possibility that this annexation may have a significant effect on the environment. The proposed annexation is exempt from further review pursuant to CCR Title 14 section 15319(b), which exempts annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or rezoning of either the gaining or losing environmental agency, whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. The records upon which these findings are made are located at the Commission's administrative office located at 1754 Second Street, Suite C, Napa, California 94559.

2. The proposal is APPROVED subject to completion of item number 9 below.
3. The proposal is assigned the following distinctive short-term designation:

**PENNY LANE NO. 7 REORGANIZATION**

4. The affected territory is depicted in the attached vicinity map in Exhibit "A".
5. The affected territory is uninhabited as defined in Government Code section 56046.
6. The City of Napa utilizes the regular assessment roll of the County of Napa.
7. Upon effective date of the proposal, the affected territory will be subject to all previously authorized charges, fees, assessments, and taxes that were lawfully enacted by the City of Napa. The affected territory will also be subject to all of the rates, rules, regulations, and ordinances of the City of Napa.
8. The Commission waives conducting authority proceedings in accordance with Government Code section 56662(a).
9. Recordation is contingent upon receipt by the Executive Officer of the following:
  - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
  - (b) All outstanding Commission fees.

- 10. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be filed within one calendar year from the date of approval unless a time extension is approved by the Commission.
- 11. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on February 2, 2026, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

AYES: Commissioners \_\_\_\_\_  
NOES: Commissioners \_\_\_\_\_  
ABSENT: Commissioners \_\_\_\_\_  
ABSTAIN: Commissioners \_\_\_\_\_

\_\_\_\_\_  
Beth Painter  
Commission Chair

ATTEST: \_\_\_\_\_  
Brendon Freeman  
Executive Officer

Recorded by: Charlie Gray  
Commission Clerk

EXHIBIT "A"  
PENNY LANE NO. 7 REORGANIZATION  
ANNEXATION TO THE CITY OF NAPA AND DETACHMENT FROM  
FROM COUNTY SERVICE AREA NO. 4  
GEOGRAPHIC DESCRIPTION

All that certain real property, situated in the County of Napa, State of California, being a portion of the Tulocay Rancho, more particularly described as follows:

BEGINNING at the northeasterly corner of the Penny Lane No. 6 Reorganization Annexation to the City of Napa and Detachment from County Service Area No. 4 per Local Agency Formation Commission of Napa County Resolution No. 2025-02, dated April 4, 2025;

Thence, (1) West 48.00 feet to the westerly edge of right-of-way of Penny Lane.

Thence, (2) along the easterly line of Lot 2 as shown on the Final Map of Atkeson's Subdivision, recorded June 16, 1949 in Book 4 of Maps 68 and 69, Napa County Records and its northerly prolongation, North 101.68 feet;

Thence, (3) West 214.06 feet to the southwesterly corner of Lot 1 as shown on the Final Map of Atkeson's Subdivision, recorded June 16, 1949 in Book 4 of Maps 68 and 69, Napa County Records;

Thence, (4) North 00° 10' East 159.14 feet to the northwesterly corner of Lot 1 as shown on the Final Map of Atkeson's Subdivision, recorded June 16, 1949 in Book 4 of Maps 68 and 69, Napa County Records;

Thence, (5) South 74° 14' East 221.98 feet to the northeasterly corner of Lot 1 as shown on the Final Map of Atkeson's Subdivision, recorded June 16, 1949 in Book 4 of Maps 68 and 69, Napa County Records;

Thence, (6) North 40.55 feet to the northwesterly corner of the right-of-way of Penny Lane;

Thence, (7) East 48.00 feet to the northeasterly corner of the right-of-way of Penny Lane;

Thence, (8) Southerly 241.05 feet along the easterly edge of the right-of-way of Penny Lane to the POINT OF BEGINNING.

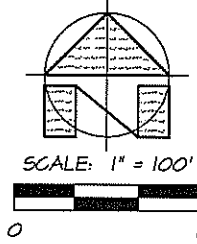
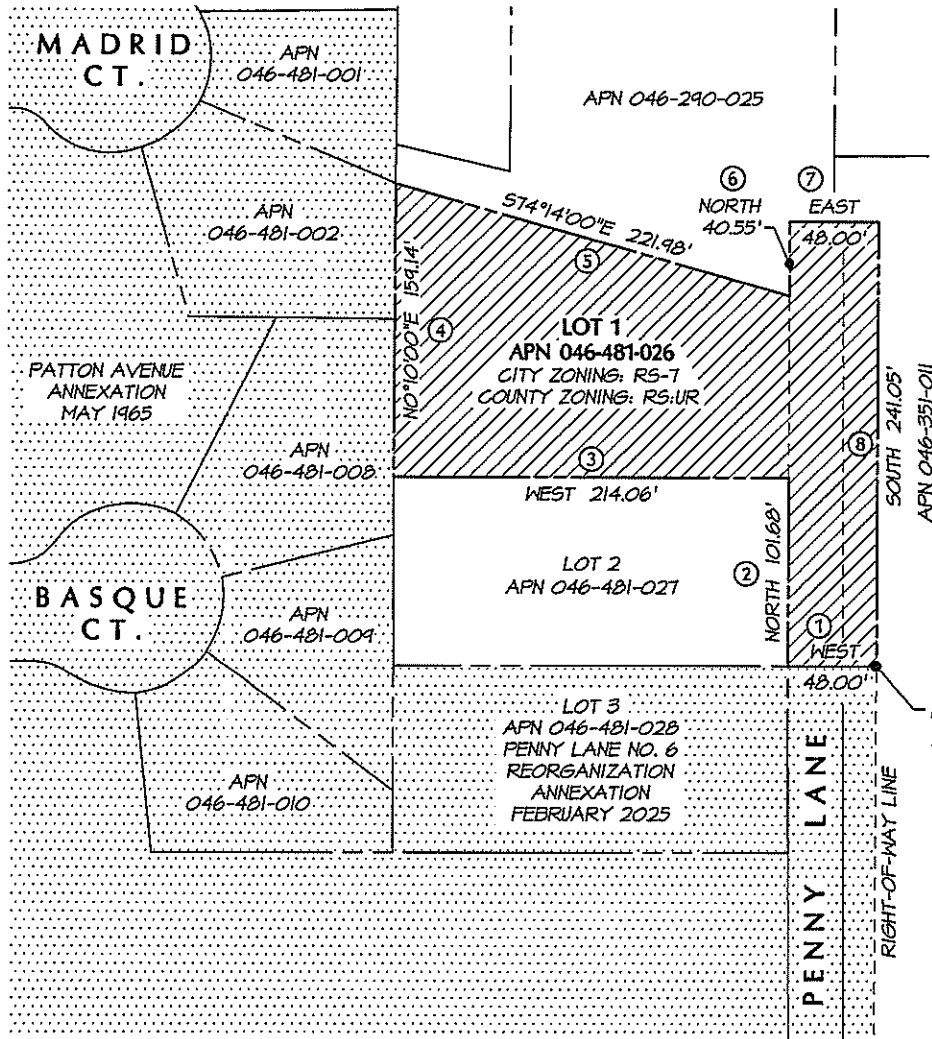
Containing 0.90 acres of land, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described herein.

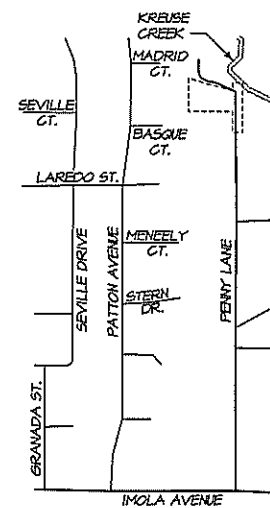
# EXHIBIT "B"

## MAP DELINEATING THE BOUNDARY OF PENNY LANE NO. 7 ANNEXATION

TO THE CITY OF NAPA  
USGS TOPO QUADRANGLE "NAPA"  
TOWNSHIP AND RANGE: 5N 4W



- LEGEND:**
- EXISTING CITY OF NAPA LIMITS
  - PROPOSED AREA TO BE ANNEXED (0.9± ACRES)
  - ⊗ COURSE NUMBER



**LOCATION MAP**  
NO SCALE

**DISCLAIMER:**  
FOR ASSESSMENT PURPOSES ONLY AND MAY NOT BE USED AS A BASIS FOR A SALE OF LAND SHOWN HEREON. THE EFFECTED TERRITORY IS SHOWN ON THE MAP AND DESCRIBED IN THE GEOGRAPHIC DESCRIPTION IN THE ATTACHED EXHIBIT "A".

9/15/2025 - 11:46 AM, Kristenk, S: LAND PROJECTS\2023-2027\2513\2025 CITY OF NAPA ANNEXATION\ACAD\EXHIBITS\2513-ANNX\DWG

**BARTELT**  
ENGINEERING  
CIVIL ENGINEERING · LAND PLANNING  
1303 Jefferson Street, 200 B, Napa, CA 94559  
www.barteltengineering.com  
Telephone: 707.258.1301  
Resolution for Penny Lane No. 7 Reorganization

**Martin-Giles Residence**  
2111 Penny Lane  
Napa, California  
APN 046-481-026

Job No. 25-13
Date: September 2025
Page: 1 of 1
Scale: As Shown Page 5 of 5

Date Filed: \_\_\_\_\_

Proposal Name: \_\_\_\_\_

**FORM D**

**PROPOSAL APPLICATION**  
Change of Organization/Reorganization

**I. APPLICANT INFORMATION**

**A. Name:** Cornelia Martin-Giles

	Contact Person	Agency/Business (If Applicable)	
<b>Address:</b>	<u>644 Birchwood Court</u>	<u>Danville</u>	<u>94506</u>
	Street Number	Street Name	City Zip Code
<b>Contact:</b>	<u>(510) 520-4110</u>	<u>cnelryd@comcast.net</u>	
	Phone Number	Facsimile Number	E-Mail Address

**B. Applicant Type:** (Check One)

<input type="checkbox"/>	Local Agency	<input type="checkbox"/>	Registered Voter	<input checked="" type="checkbox"/>	Landowner
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**II. PROPOSAL DESCRIPTION**

**A. Affected Agencies:**

Name	Address
<u>City of Napa</u>	<u>955 School Street, Napa, CA 94559</u>
Name	Address
Name	Address

*Use Additional Sheets as Needed*

**B. Proposal Type:** (Check as Needed)

<input checked="" type="checkbox"/>	Annexation	<input type="checkbox"/>	Detachment	<input type="checkbox"/>	City Incorporation	<input type="checkbox"/>	District Formation
<input type="checkbox"/>	City/District Dissolution	<input type="checkbox"/>	City/District Merger	<input type="checkbox"/>	Service Activation (District Only)	<input type="checkbox"/>	Service Divestiture (District Only)

**C. Purpose Statement:** (Specific)

This project will include connection of the existing residence to the existing City of Napa water main in Penny Lane

**III. GENERAL INFORMATION**

<b>A. Location:</b>	2111 Penny Lane	046-481-026	0.63
	Street Address	Assessor Parcel Number	Acres
	Portion of ROW	N/A	0.27
	Street Address	Assessor Parcel Number	Acres
	Street Address	Assessor Parcel Number	Acres
	Street Address	Assessor Parcel Number	Acres
	Total Location Size (Including Right-of-Ways)		0.90

**B. Landowners:**

- (1) Assessor Parcel Number : 046-481-026 Name: Cornelia Martin-Giles  
 Mailing Address: 644 Birchwood Court, Danville, CA 94506  
 Phone Number: (510) 520-4110 E-mail: cnelryd@comcast.net
- (2) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_
- (3) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_
- (4) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

*Use Additional Sheets As Needed*

**C. Population:**

- (1) Total Number of Residents: 1
- (2) Total Number of Registered Voters: \_\_\_\_\_

D. Land Use Factors:

(1a) County General Plan Designation: Rural Residential  
 (1b) County Zoning Standard: RTS:UR (residential Single; Urban Reserve)  
 (2a) Applicable City General Plan Designation: Low density residential  
 (2b) Applicable City Pre-zoning Standard: RS-7 (Min Lot Size 7,000 Sq Ft)  
 (Required for City Annexations)

E. Existing Land Uses: Single Family Residential  
 (Specific)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

F. Development Plans:

(1a) Territory Subject to a Development Project?  Yes  No  
 (1b) If Yes, Describe Project: N/A  
 \_\_\_\_\_  
 (1c) If No, When Is Development Anticipated? N/A  
 \_\_\_\_\_

G. Physical Characteristics:

(1) Describe Topography: Existing single family residence, front and backyard landscaped, trees scattered along property line  
 (2) Describe Any Natural Boundaries: Kruese Creek across Penny Lane  
 \_\_\_\_\_  
 (3) Describe Soil Composition and Any Drainage Basins: Haire Loam surface drainage to Kruese Creek and Cayetano Creek  
 (4) Describe Vegetation: Residential Landscape  
 \_\_\_\_\_

H. Williamson Act Contracts (Check One)

Yes  No

IV. GOVERNMENTAL SERVICES AND CONTROLS

A. Plan For Providing Services:

(1) Enumerate and Describe Services to Be Provided to the Affected Territory:

City of Napa Water Division to serve the existing parcel

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(2) Level and Range of Services to Be Provided to the Affected Territory:

Extend existing water main in Penny Lane and install  
a new water lateral from residence to main in Penny  
Lane

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(3) Indication of When Services Can Feasibly Be Extended to the Affected Territory:

Immediately

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(4) Indication of Any Infrastructure Improvements Necessary to Extend Services to the Affected Territory:

Extend existing water main closer to subject property  
in Penny Lane

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(5) Information On How Services to the Affected Territory Will Be Financed:

Personal Funds/City of Napa Water Division  
Budget

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V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis (City annexations require pre-zoning.)

(1) Lead Agency for Proposal: City of Napa
Name

(2) Type of Environmental Document Previously Prepared for Proposal:

- Environmental Impact Report
Negative Declaration/Mitigated Negative Declaration
[X] Categorical/Statutory Exemption: CEQA Guidelines 15282(k)
None

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

The subject parcel to be annexed into the City of Napa and will be subject to the City of Napa terms and conditions

Use Additional Sheets As Needed

B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence:

(Does not include affected landowners or residents)

(1) Recipient Name: City of Napa
Mailing Address: 1600 First Street, Napa CA 94559
E-Mail:


(2) Recipient Name: Paul Bartelt, Bartelt Engineering
Mailing Address: 1303 Jefferson Street, Suite 200B, Napa, CA 94559
E-Mail: paulb@barteltengineering.com

(3) Recipient Name:
Mailing Address:
E-Mail:

**VII. CERTIFICATION**

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I certify the information contained in this application is correct. I acknowledge and agree the Local Agency Formation Commission of Napa County is relying on the accuracy of the information provided in my representations in order to process this application proposal.

**Signature:**   
Cornelia Martin-Giles (Sep 16, 2025 07:51:34 PDT)

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**Printed Name:** Cornelia Martin-Giles

---

**Title:** Land Owner

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**Date:** Sep 16, 2025

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### FACTORS FOR COMMISSION CONSIDERATION

Government Code §56668 requires the review of a proposal to include the following factors:

FACTOR TO CONSIDER	COMMENT
1. Population and density [§56668(a)]	<b>Consistent:</b> Population one (legally uninhabited)
2. Land area and land use [§56668(a)]	<b>Consistent:</b> 0.90 acres, single-family residence Jurisdiction: unincorporated County, included in City's <i>Terrace/Shurtleff</i> Planning Area
3. Assessed valuation [§56668(a)]	<b>Consistent:</b> Land: \$624,688 Structural improvements: \$769,706
4. Topography, natural boundaries and drainage basins [§56668(a)]	<b>Consistent:</b> Relatively flat: 2 to 5 percent slopes Drainage basin: <i>Kruese Creek and Cayetano Creek</i>
5. Proximity to other populated areas [§56668(a)]	<b>Consistent:</b> Adjacent lands to north and west are in the City and developed with residential uses. Adjacent lands to east and south are unincorporated and developed with, or planned for, rural residential uses.
6. Likelihood of significant growth in the area, adjacent areas during next 10 years [§56668(a)]	<b>Consistent:</b> City General Plan designation and zoning could allow up to one additional residential lot within affected territory. No development plans at this time. Adjacent areas are planned for low density residential development.
7. Need for government services [§56668(b)]	<b>Consistent:</b> Existing services provided at adequate levels: Sewer, fire and emergency protection, law enforcement Additional service: Connection to water to reduce dependence on private well
8. Government services present cost, adequacy and controls in area [§56668(b)]	<b>Consistent:</b> <a href="#">Analysis: Central County Region Municipal Service Review adopted in 2014</a> and <a href="#">Napa Countywide Water Wastewater MSR Updated 10-4-21</a>
9. Government services probable future needs and controls in area [§56668(b)]	<b>Consistent:</b> Analysis: <a href="#">Central County Region Municipal Service Review adopted in 2014</a> and <a href="#">Napa Countywide Water Wastewater MSR Updated 10-4-21</a>

<p>10. Government services effect of proposal on cost, adequacy and controls in area and adjacent areas</p> <p>[§56668(b)]</p>	<p><b>Consistent:</b> Analysis: <a href="#">Central County Region Municipal Service Review adopted in 2014</a> and <a href="#">Napa Countywide Water Wastewater MSR Updated 10-4-21</a></p>
<p>11. Effects on adjacent areas, on mutual social and economic interests, and on local governmental structure in the County</p> <p>[§56668(c)]</p>	<p><b>Consistent:</b> Area included in City's SOI since 1975</p>
<p>12. Effects on planned efficient patterns of urban development</p> <p>[§56668(d)]</p>	<p><b>Consistent:</b> City General Plan designation: <i>Low Density Residential (3 to 8 lots per acre)</i></p> <p>City Zoning: <i>RS-7 (Single Family Residential, minimum lot size 7,000 sq. ft.)</i></p>
<p>13. Effects on maintaining physical and economic integrity of agricultural lands</p> <p>[§56668(e)]</p>	<p><b>Consistent:</b> Within City RUL, not designated for agricultural or open space use</p>
<p>14. Boundaries: logical, contiguous, not difficult to serve, definite and certain</p> <p>[§56668(f)]</p>	<p><b>Consistent:</b> Located within City's SOI and RUL, existing water service infrastructure located nearby</p>
<p>15. Conformance to lines of assessment, ownership</p> <p>[§56668(f)]</p>	<p><b>Consistent:</b> One parcel identified as APN 046-481-026 along with the adjacent portion of public right-of-way</p>
<p>16. Creation of islands, corridors, irregular boundaries</p> <p>[§56668(f)]</p>	<p><b>Consistent:</b> Would reduce the size of an unincorporated pocket that is within the City's SOI and RUL</p>
<p>17. Consistency with regional transportation plan</p> <p>[§56668(g)]</p>	<p><b>Consistent:</b> No specific projects in regional transportation plan (RTP), <i>Plan Bay Area 2050</i></p>
<p>18. Consistency with city or county general and specific plans</p> <p>[§56668(h)]</p>	<p><b>Consistent:</b> City General Plan designation: <i>Low Density Residential (3 to 8 lots per acre)</i></p> <p>City Zoning: <i>RS-7 (Single Family Residential, minimum lot size 7,000 sq. ft.)</i></p>

<p>19. Consistency with spheres of influence [§56668(i)]</p>	<p><b>Consistent:</b> Within City's SOI since 1975</p>
<p>20. Comments from affected agencies and other public agencies [§56668(j)]</p>	<p><b>Consistent:</b> No comments received</p>
<p>21. Ability of agency to provide service including sufficiency of revenues [§56668(k)]</p>	<p><b>Consistent:</b> Analysis: <a href="#">Central County Region Municipal Service Review adopted in 2014</a> and <a href="#">Napa Countywide Water Wastewater MSR Updated 10-4-21</a></p>
<p>22. Timely availability of adequate water supply [§56668(l)]</p>	<p><b>Consistent:</b> Analysis: <a href="#">Central County Region Municipal Service Review adopted in 2014</a> and <a href="#">Napa Countywide Water Wastewater MSR Updated 10-4-21</a></p>
<p>23. Fair share of regional housing needs [§56668(m)]</p>	<p><b>Consistent:</b> No effect; neutral</p>
<p>24. Information or comments from landowners, voters, or residents in proposal area [§56668(n)]</p>	<p><b>Consistent:</b> 100% consent of landowners</p>
<p>25. Existing land use designations [§56668(o)]</p>	<p><b>Consistent:</b> City General Plan designation: <i>Low Density Residential (3 to 8 lots per acre)</i></p> <p>City Zoning: <i>RS-7 (Single Family Residential, minimum lot size 7,000 sq. ft.)</i></p>
<p>26. Effect on environmental justice [§56668(p)]</p>	<p><b>Consistent:</b> No documentation or evidence suggesting the proposal will have any implication besides the extension of safe and reliable public water service to the affected territory</p>
<p>27. Safety Element of GP concerns; identified as very high fire hazard zone [§56668(q)]</p>	<p><b>Consistent:</b> Not located in a high fire hazard zone or a state responsibility area</p>



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

1754 Second Street, Suite C  
Napa, California 94559  
Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

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

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**Agenda Item 9c (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *BF*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Proposed Amendment to Contract with RSG Relating to the City of St. Helena Municipal Service Review

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**RECOMMENDATION**

Staff recommends the Commission approve the proposed amendment to its contract with RSG relating to the preparation of the City of St. Helena Municipal Service Review, included as Attachment 1.

**SUMMARY**

The Commission's existing contract with RSG to prepare the scheduled City of St. Helena Municipal Service Review (MSR) has a maximum total cost of \$40,900. Following a series of high level discussions related to the City's public sewer system, possible outside service agreements, and inclusion of the City's General Plan study areas as sphere of influence study areas, City staff requested a significant amount of more work be done on a preliminary administrative draft report prepared by RSG. This resulted in a proposal being submitted by RSG to expand the scope of the existing contract to include the additional requests from the City, included as Exhibit A-1 to Attachment 1.

The proposal from RSG involves an increase in the total do-not-exceed amount of \$19,900 and would result in a new total amount of \$60,800. Staff believes the proposal is reasonable as it would address shortcomings to date with respect to identifying meaningful outcomes in the MSR that will be valuable to the City and its community members. Further, the Commission currently has approximately \$34,000 budgeted, and presently unassigned, within its Consulting Services expense account. With all of this in mind, staff recommends the Commission approve the proposed contract amendment, which would involve authorizing staff and Counsel to sign the draft amendment included as Attachment 1.

**ATTACHMENT**

- 1) Proposed Amendment to Contract with RSG

---

Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

**AMENDMENT No. 1 TO PROFESSIONAL SERVICES AGREEMENT FOR  
CONSULTANT SERVICES**  
(LAFCO of Napa County and RSG, Inc.)

This Amendment No. 1 (“Amendment”) to Professional Services Agreement for Consultant Services (“Agreement”) is made on this 2nd day of February, 2026 at Napa, California, by and between the Local Agency Formation Commission of Napa County (“LAFCO of Napa County”) and RSG, Inc., a California corporation (“Consultant”).

This Amendment modifies the original Agreement between LAFCO of Napa County and the Consultant dated April 15, 2025 in the following fashion:

- A. LAFCO of Napa County and Consultant desire to amend the Agreement by modifying section 3.1 – “Scope of Services” as set forth in Consultant’s November 14, 2025 proposal to LAFCO of Napa County attached hereto as Exhibit A-1 and incorporated herein by this reference.

- B. LAFCO of Napa County and Consultant desire to amend the Agreement by modifying section 3.4 – “Maximum Amount” of the Agreement to read as follows:

3.4 “Maximum Amount”: The highest total compensation and costs payable to Consultant by LAFCO of Napa County under this Agreement. The Maximum Amount under this Agreement is Sixty Thousand Eight Hundred Dollars (\$60,800.00).

- C. LAFCO of Napa County and Consultant desire to amend the Agreement by modifying section 3.6 – “Termination Date” of the Agreement to read as follows:

3.6 “Termination Date”: October 14, 2026.

- D. **Integration.** This Amendment amends, as set forth herein, the Agreement and except as specifically amended hereby the Agreement shall remain in full force and effect. To the extent there is any conflict between this Amendment and the Agreement, the terms and provisions of this Amendment shall control. This Amendment and the Agreement, including any exhibits attached to the Agreement and this Amendment, integrate all the terms and conditions of the Parties’ agreement and supersede all negotiations with respect hereto.

Amendment No. 1 to Professional Services Agreement for Consultant Services  
LAFCO of Napa County & **RSG, Inc.**

**TO EFFECTUATE THIS AGREEMENT**, the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

**“LAFCO of Napa County”  
Local Agency Formation Commission  
of Napa County**

**“Consultant”  
RSG, Inc.**

By: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

By: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:

By: \_\_\_\_\_

Gary B. Bell, Commission Counsel



**Via Electronic Mail**

November 14, 2025

Brendon Freeman, Executive Officer  
Local Agency Formation Commission of Napa County  
1754 Second Street, Suite C  
Napa, California 94559

**SCOPE OF SERVICES AND FEE PROPOSAL – CITY OF ST. HELENA MUNICIPAL SERVICE REVIEW**

Dear Mr. Freeman,

The purpose of this letter is to request a contract amendment to our professional services agreement (Agreement PSA No. 250401D) with the Local Agency Formation Commission of Napa County (“Napa LAFCO”), for services related to the City of St. Helena Municipal Service Review (“MSR”). Napa LAFCO retained RSG to collect data, conduct research, prepare maps, and prepare draft MSR reports in support of preparing an MSR in compliance with Cortese-Knox-Hertzberg Act.

The Agreement, includes a contract term that expires on April 14, 2026, and also established a not-to-exceed budget of \$40,900 to complete the scope of work. This letter also serves as a Budgetary Notification, per the Agreement, that RSG has reached 80 percent of the not-to-exceed budget. As of September 30, 2025, RSG had invoiced \$31,499, or approximately 77 percent of the not-to-exceed budget. Since September 30, 2025, approximately \$2,400 has been billed to the project.

Initially, RSG’s work program for the MSR in our proposal presumed that the MSR would be completed by October 2025, but due to several issues including unanticipated communication between the City, LAFCO, and RSG about potential changes to the sphere of influence, potential annexations, and out of area service extensions, we will need additional time, budget, and scope to expand the work program of the MSR. In addition, in consultation with City management and the LAFCO Executive Officer, RSG understands that the parties would also like to address governance of the St. Helena Municipal Sewer District.

In light of these developments, we are requesting a contract amendment to reflect an increase in budget, an adjustment to the scope of work, and an extension of the contract term.

The revised scope of work will include the following:

1. Data request and review of documentation related to the St. Helena Municipal Sewer District, including reviewing documents provided by the City and

Brendon Freeman, Executive Officer  
Napa Local Agency Formation Commission  
November 14, 2025  
Page 2

County. Among the anticipated areas of review, LAFCO has asked that RSG assist with establishing, based on facts and history, whether the sewer district meets the definition of a special district and if so address it within the MSR. The pertinent legal context for this review includes, but is not limited to the following statutes:

- a. County Sanitation Districts, Health and Safety Code Section 4700 et seq.,
  - b. Public Utility Districts, Public Utilities Code Sections 15501 et seq., and
  - c. Sanitary Districts, Health and Safety Code Sections 6400 et seq.
2. Ascertain, in consultation with LAFCO, and LAFCO legal counsel to the extent necessary, the present disposition of the sewer district based on documentation provided and formulate an analysis of the agency as well as any necessary MSR and sphere of influence determinations and recommendations.
  3. Address, to the extent appropriate, any governance recommendations pertaining to the City and the St. Helena Municipal Sewer District
  4. Address boundary issues related to extension of services provided by the City outside the boundaries of the City and Sewer District, to the extent they may differ, and collaborate with LAFCO and the City management on the establishment of clear and logical boundaries for purposes of the MSR and SOL.
  5. The original scope includes two rounds of review of the administrative and public review draft MSR with both the City and Napa LAFCO. Following these reviews, RSG will update the draft MSR and respond to any comments received during these stages. This portion of the original scope of work was truncated in October 2025. As a result of the revised scope including analysis and preparation of determinations and governance recommendations pertaining to the sewer district, RSG will effectively prepare a revised administrative draft MSR prior to receiving any comments from LAFCO or the City. The proposed budget amendment does not include the costs associated with this task.
  6. As outlined in the Agreement and original scope of work, RSG will present the findings and recommendations at a LAFCO public hearing and the final MSR will incorporate feedback from the Commission. This was also a component of the original scope of work, which is yet to be completed. The proposed budget amendment does not include the costs associated with this task.

To complete these requested services and accommodate delays, by the letter, RSG is requesting a contract amendment that would do the following:

Brendon Freeman, Executive Officer  
Napa Local Agency Formation Commission  
November 14, 2025  
Page 3

1. Extend the term of the agreement by six months, to October 14, 2026, which we believe is ample time to complete the remaining work on the project outlined above,
2. Revise the scope of work to include the review of documentation and preparation of determinations related to the St. Helena Municipal Sewer District, and additional rounds of document review with the City and Napa LAFCO, and
3. Increase the total not-to-exceed budget by \$19,900 to recover losses accumulated from delays and cover the costs of the additional services sought by Napa LAFCO.

Please provide us the 1<sup>st</sup> Amendment to the Contract in a form suitable to LAFCO so that we may proceed with these services. Should you have any questions, please do not hesitate to contact me.

Sincerely,  
RSG, Inc.

A handwritten signature in black ink, appearing to read "Jim Simon", with a horizontal line extending from the end of the signature.

Jim Simon  
President/Principal

cc: Brandon Fender, RSG



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

1754 Second Street, Suite C  
Napa, California 94559  
Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

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

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**Agenda Item 9d (Action)**

**TO:** Local Agency Formation Commission  
**PREPARED BY:** Brendon Freeman, Executive Officer B F  
**MEETING DATE:** February 2, 2026  
**SUBJECT:** Consider Approval of Amendments to the Policy on Spheres of Influence and the Policy on Executive Officer Performance Review

---

**RECOMMENDATION**

It is recommended the Commission take the following actions:

- 1) Adopt the Resolution of the Local Agency Formation Commission of Napa County Amending the *Policy on Spheres of Influence*, included as Attachment 1; and
- 2) Adopt the Resolution of the Local Agency Formation Commission of Napa County Amending the *Policy on Executive Officer Performance Review*, included as Attachment 2.

**SUMMARY**

On August 4, 2025, the Commission established an ad hoc Policy Committee and appointed Commissioners Gallagher and Ramos to advise staff in the review of local policies. The Policy Committee met and agreed amendments are needed to the Commission's *Policy on Sphere of Influence* and *Policy on Executive Officer Performance Review*.

Clean versions of the proposed amendments are provided as exhibits to the draft resolutions, included as Attachments 1 and 2. Tracked change versions of the amendments are included as Attachments 3 and 4.

The proposed amendments to the *Policy on Sphere of Influence* would combine the existing policy with a full application packet that is more comprehensive and user-friendly. The proposed amendments to the *Policy on Executive Officer Performance Review* would bring the process into alignment with Napa County Human Resources procedures.

**ATTACHMENTS**

- 1) Draft Resolution Amending the *Policy on Sphere of Influence*
- 2) Draft Resolution Amending the *Policy on Executive Officer Performance Review*
- 3) Proposed Amendment to *Policy on Sphere of Influences* (Tracked Changes)
- 4) Proposed Amendment to *Policy on Executive Officer Performance Review* (Tracked Changes)

---

Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
Executive Officer

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF  
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
AMENDING THE POLICY ON SPHERES OF INFLUENCE**

**WHEREAS**, on June 7, 2021, the Local Agency Formation Commission of Napa County (the “Commission”) adopted a *Policy on Spheres of Influence*; and

**WHEREAS**, the Commission considered a proposed amendment to the *Policy on Spheres of Influence* at its regular meeting on February 2, 2026, and invited public comment at that meeting; and

**NOW, THEREFORE, BE IT RESOLVED** that the Commission hereby amends the *Policy on Spheres of Influence* as attached hereto.

This Resolution shall take effect immediately.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on February 2, 2026, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

AYES: Commissioners \_\_\_\_\_

NOES: Commissioners \_\_\_\_\_

ABSENT: Commissioners \_\_\_\_\_

ABSTAIN: Commissioners \_\_\_\_\_

\_\_\_\_\_  
Beth Painter  
Commission Chair

ATTEST: \_\_\_\_\_  
Brendon Freeman  
Executive Officer

Recorded by: Charlie Gray  
Commission Clerk



**Napa LAFCO**

# **Sphere of Influence Amendment Application**

**1754 Second Street · Suite C · Napa, CA 94559**

**707-259-8645 · [www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov) · Proposed Amendment 2/2/26**

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## INSTRUCTIONS & INFORMATION ON THE LAFCO APPLICATION

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The following information is designed to help you understand and move your project through the various stages of the LAFCO process.

### General Step by Step Process

1. Applicant Gathers Application Materials and Meets with Staff for a Pre-Application Meeting
2. Applicant Submits Their Application to LAFCO
3. LAFCO Review Period Begins
4. 30-Day Review – Information Hold Letter or Deemed Sufficient for Filing
5. LAFCO Hearing. LAFCO has the authority to approve, conditionally approve or deny a proposal.
6. 30-Day Reconsideration Period
7. Review requests, if any, for Petition for removal from sphere of influence (\$56429)
8. Notification of Commission Action Form
9. Final Notice of Completion with Affected Agencies / Interested Parties
10. LAFCO GIS Boundary Updates

### Important Tips

- Any person or local agency may file a written request with the executive officer requesting amendments to a sphere of influence adopted by the commission. The request shall state the nature of the proposed amendment, state the reasons for the request, include a map of the proposed amendment, and contain any additional data and information as may be required by the executive officer (§56428).
- It is important to note that while a SOI amendment, may be initiated by any person or local agency, ultimately, the affected agency must consent to the change and all parties may be required to provide information, conduct studies, and may be subject to conditions of approval.

## NAPA LAFCO POLICY ON SPHERES OF INFLUENCE

---

### I. BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, beginning with [California Government Code \(G.C.\) §56425](#), requires the Local Agency Formation Commission (LAFCO or “Commission”) to establish and maintain spheres of influence for all local agencies within its jurisdiction. A sphere of influence (SOI) is defined by statute as a “plan for the probable physical boundary and service area of a local government agency as determined by the commission” ([G.C. §56076](#)). Every determination made by LAFCO shall be consistent with the SOIs of the local agencies affected by that determination ([G.C. §56375.5](#)). The Commission encourages cities, towns, and the County of Napa (“County”) to meet and agree to SOI changes. The Commission shall give “great weight” to these agreements to the extent they are consistent with its policies ([G.C. §56425\(b\) and \(c\)](#)). Local agency SOIs are established and changed in part based on information in municipal service reviews, including adopted determinative statements and recommendations ([G.C. §56430](#)).

### II. PURPOSE

The purpose of these policies is to guide the Commission in its consideration of SOI amendment requests as well as SOI reviews and updates initiated by LAFCO. This includes establishing consistency with respect to the Commission’s approach in the scheduling, preparation, and adoption of SOI reviews and updates. Requests to amend an SOI may be made by any person or local agency as described in Section VI of this policy. Requests to amend an SOI are encouraged to be filed with LAFCO’s Executive Officer as part of the Commission’s municipal service review (MSR) and SOI review process.

### III. OBJECTIVE

It is the intent of the Commission to determine appropriate SOIs that promote the orderly expansion of cities, towns, and special districts in a manner that ensures the protection of the environment and agricultural and open space lands while also ensuring the effective, efficient,

and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement. The Commission recognizes the importance of considering local conditions and circumstances in implementing these policies. An SOI is primarily a planning tool that will:

- Serve as a master plan for the future organization of local government within the County by providing long range guidelines for the efficient provision of services to the public;
- Discourage duplication of services by two or more local governmental agencies;
- Guide the Commission when considering individual proposals for changes of organization;
- Identify the need for specific reorganization studies, and provide the basis for recommendations to particular agencies for government reorganizations.

#### IV. DEFINITIONS

Recognizing that an SOI is a plan for the probable physical boundary and service area of a local government agency as determined by LAFCO, the Commission incorporates the following definitions:

- A. “Agricultural lands” are defined as set forth in [G.C. §56016](#).
- B. “Open space” are defined as set forth in [G.C. §56059](#).
- C. “Prime agricultural land” is defined as set forth in [G.C. §56064](#).
- D. “Infill” is defined as set forth in [Public Resources Code §21061.3](#).
- E. “Underdeveloped land” is defined as land that lacks components of urban development such as utilities or structure(s).
- F. “Vacant land” is defined as land that has no structure(s) on it and is not being used. Agricultural and open space uses are considered a land use and therefore the underlying land is not considered vacant land.

- G. “SOI establishment” refers to the initial adoption of a city or special district SOI by the Commission.
- H. “SOI amendment” refers to a single change to an established SOI, typically involving one specific geographic area and initiated by a landowner, resident, or local agency.
- I. “SOI review” refers to a comprehensive review of an established SOI conducted as part of an MSR. Based on information collected in the SOI review component of an MSR, the Commission shall determine if an SOI update is needed.
- J. “SOI update” refers to a single change or multiple changes to an established SOI, typically initiated by the Commission and based on information collected in the SOI review.
- K. “Zero SOI” when determined by the Commission, indicates a local agency should be dissolved and its service area and service responsibilities assigned to one or more other local agencies.
- L. “Study area” refers to territory evaluated as part of an SOI update for possible addition to, or removal from, an established SOI. The study areas shall be identified by the Commission in consultation with all affected agencies.

## V. LOCAL CONSIDERATIONS

### A. General Guidelines for Determining Spheres of Influence

The following factors are intended to provide a framework for the Commission to balance competing interests in making determinations related to SOIs. No single factor is determinative. The Commission retains discretion to exercise its independent judgment as appropriate:

- 1) Land defined or designated in the County of Napa General Plan land use map as agricultural or open space shall not be approved for inclusion within any local agency’s SOI for purposes of new urban development unless the action is consistent with the objectives listed in Section III of this policy.
- 2) Land that is within the Napa County Airport Land Use Commission (ALUC) Planning Area shall not be approved for inclusion within any local agency’s SOI prior to receiving authorization from the ALUC.

- 3) The Commission encourages residents, landowners, and local agencies to submit requests for changes to SOIs to the LAFCO Executive Officer as part of the LAFCO-initiated MSR and SOI review process.
- 4) The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use. Measure J was passed by voters in 1990 and Measure P was passed by voters in 2008 and requires voter approval for any changes that would re-designate unincorporated agricultural and open-space lands. The Commission will consider the Agricultural Preserve and intent of voters in passing Measure J and Measure P in its decision making processes to the extent they apply, prior to taking formal actions relating to SOIs.
- 5) In the course of an SOI review for any local agency as part of an MSR, the Commission shall identify all existing outside services provided by the affected agency. For any services provided outside the affected agency's jurisdictional boundary but within its SOI, the Commission shall request the affected agency submit an annexation plan or explanation for not annexing the territory that is receiving outside services. For any services provided outside an agency's jurisdictional boundary and SOI, the Commission encourages a dialogue between the County and the affected agency relating to mutually beneficial provisions.
- 6) In the course of reviewing a city or town's SOI, the Commission will consider the amount of vacant land within the affected city or town's SOI. The Commission discourages SOI amendment requests involving vacant or underdeveloped land that requires the extension of urban facilities, utilities, and services where infill development is more appropriate.
- 7) A local agency's SOI shall generally be used to guide annexations within a five-year planning period. Inclusion of land within an SOI shall not be construed to indicate automatic approval of an annexation proposal.
- 8) When an annexation is proposed outside a local agency's SOI, the Commission may consider both the proposed annexation and SOI amendment at the same meeting. The SOI amendment to include the affected territory, however, shall be considered and resolved prior to Commission action on the annexation.

- 9) A local agency's SOI should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission. This includes information contained in current MSRs. The Commission shall consider the following municipal service criteria in determining SOIs:
  - a) The present capacity of public facilities and adequacy of public services provided by affected local agencies within the current jurisdiction, and the adopted plans of these local agencies to address any municipal service deficiency, including adopted capital improvement plans.
  - b) The present and probable need for public facilities and services within the area proposed or recommended for inclusion within the SOI, and the plans for the delivery of services to the area.
- 10) The Commission shall consider, at a minimum, the following land use criteria in determining SOIs:
  - a) The present and planned land uses in the area, including lands designated for agriculture and open-space.
  - b) The present and probable need for public facilities and services in the area.
  - c) The present capacity of public facilities and adequacy of public services that the local agency provides or is authorized to provide.
  - d) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the local agency.
  - e) Consistency with the County General Plan and the general plan of any affected city or town.
  - f) Adopted general plan policies of the County and of any affected city or town that guide future development away from lands designated for agriculture or open-space.
  - g) Adopted policies of affected local agencies that promote infill development of existing vacant or underdeveloped land.
  - h) Amount of existing vacant or underdeveloped land located within any affected local agency's jurisdiction and current SOI.
  - i) Adopted urban growth boundaries by the affected local agency.

**B. Scheduling Sphere of Influence Reviews and Updates**

[G.C. §56425\(g\)](#) directs the Commission to review and update each SOI every five years, as necessary. Each year, the Commission shall adopt a Work Program with a schedule for initiating and completing MSRs and SOI reviews based on communication with local agencies. This includes appropriate timing with consideration of city, town, and County general plan updates. The Commission shall schedule SOI updates, as necessary, based on determinations contained in MSRs.

**C. Environmental Review**

SOI establishments, amendments, and updates will be subject to the review procedures defined in the California Environmental Quality Act (CEQA) and the Napa LAFCO CEQA Guidelines. If an environmental assessment or analysis is prepared by an agency for a project associated with an SOI establishment, amendment, or update, and LAFCO is afforded the opportunity to evaluate and comment during the Lead Agency's environmental review process, then LAFCO can act as a Responsible Agency under CEQA for its environmental review process. All adopted environmental documents prepared for the project, a copy of the filed Notice of Determination/Notice of Exemption, and a copy of the Department of Fish and Wildlife fee receipt must be submitted as part of the application. Completion of the CEQA review process will be required prior to action by the Commission.

**VI. REQUESTS FOR SPHERE OF INFLUENCE AMENDMENTS**

**A. Form of Request**

Any person or local agency may file a written request with the Executive Officer requesting amendments to an SOI pursuant to [G.C. §56428\(a\)](#). Requests shall be made using the form provided in this packet. Requests shall include an initial

deposit as prescribed under the Commission's adopted Schedule of Fees and Deposits. The Executive Officer may require additional data and information to be included with the request. Requests by cities, towns, and special districts shall be made by resolution of application.

**B. Review of Request**

The Executive Officer shall review and determine within 30 days of receipt whether the request to amend an agency's SOI is complete. If a request is deemed incomplete, the Executive Officer shall immediately notify the applicant and identify the information needed to accept the request for filing.

**C. Consideration of Request**

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation. The Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration. The public hearing will be scheduled for the next meeting of the Commission for which adequate notice can be given. The Commission may approve, approve with conditions, or deny the request for an SOI amendment. The Commission's determination and any required findings will be set out in a resolution that specifies the area added to, or removed from, the affected agency's SOI. While the Commission encourages the participation and cooperation of the subject agencies, the determination of an SOI is a LAFCO responsibility and the Commission is the sole authority as to the sufficiency of the documentation and consistency with law and LAFCO policy.

## SPHERE OF INFLUENCE APPLICATION CHECKLIST

The following information must be submitted when filing a proposal with the Napa Local Agency Formation Commission (LAFCO); additional information may be requested during review of the proposal.

- 
- 1. Completed **SPHERE OF INFLUENCE APPLICATION CHECKLIST** with applicable materials (everything listed in the checklist).
  - 2. Any person or local agency may file a written request to the Executive Officer for a SOI Amendment.
  - 3. **LAFCO QUESTIONNAIRE**.
  - 4. A **MAP AND GEOGRAPHIC DESCRIPTION** of the proposal territory perimeter for the proposed boundary change(s), and a reproducible parcel map
  - 5. **ENVIRONMENTAL DOCUMENTATION** to comply with the California Environmental Quality Act (CEQA); submit documents for applicable category only. For an ND, MND, or EIR, a copy of the Notice of Determination and the Environmental Filing Cash Receipt for the fee paid to the California Department of Fish and Wildlife must be submitted.
    - (a) CATEGORICAL EXEMPTION (CE): Submit document if an agency has determined is exempt.
    - (b) NEGATIVE DECLARATION (ND) or MITIGATED NEGATIVE DECLARATION (MND): Submit document from agency making said determination.\*
    - (c) ENVIRONMENTAL IMPACT REPORT (EIR): Submit a copy of the certified Final EIR.
    - (d) NO CEQA DOCUMENTATION: If the proposed action has not been analyzed pursuant to the requirements of CEQA, please indicate this and CEQA will be performed by LAFCO and the appropriate level of documentation will be determined, i.e. CE, ND, MND or EIR.
  - 6. **APPLICANT FINANCIAL DISCLOSURE FORM**.
  - 7. **LAFCO PROCESSING FEES & COST ACCOUNTING AGREEMENT**.
  - 8. **PRE-APPLICATION MEETING**. A pre-application meeting with staff is strongly encouraged due to the complexity of submittal requirements and applicable laws. (Limited to 2 hours of staff time at no cost.)

## QUESTIONNAIRE

The information provided in this application will be used to evaluate this proposal. Please complete this form to facilitate our review. Please respond to all items in this form, indicating “NA” when an item does not apply. It is important to note that while a SOI amendment may be initiated by any person or local agency, ultimately, the affected agency must consent to the change and all parties may be required to provide information, conduct studies, and may be subject to conditions of approval.

**Subject Agency(ies)**

(City or Special District): \_\_\_\_\_

**Describe Proposed  
SOI Change(s):**

\_\_\_\_\_

### Applicant/ Agents

Name	Email	Telephone	Mailing
1.			
2.			
3.			
4.			
5.			

### Interested Parties

Name	Email	Telephone	Mailing
1.			
2.			
3.			
4.			

## A. General Information

1. This application was initiated by:

---

2. State reason(s) for requesting the proposed action **at this time**.

3. Describe the use of developed property within the proposal territory, including details about existing structures, if applicable. Describe anticipated development of vacant property, including types of buildings, number of units, supporting facilities, etc., and when development is scheduled to occur, if applicable.

4. State the location of the property and its general location in relation to communities, freeways/highways, roads, etc.:

5. Describe the present and planned uses in the area, including agricultural and open space lands.

6. Describe the present and probable need for public facilities and services in the area.

7. Describe the present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

8. Describe the existence of any social or economic communities of interest in the area that the Commission may determine are relevant to the agency.

## B. Land Use Information

1. Total acreage: \_\_\_\_\_

2. Assessor Parcel Number(s): \_\_\_\_\_

a. If multiple parcels are involved in the sphere request, will any be consolidated?

3. Indicate the current zoning:

a. County: \_\_\_\_\_

b. City: \_\_\_\_\_

4. What community plan or General Plan is the territory in:

5. The County/City General Plan land use designation:

6. Describe any special land use concerns found in General Plans:

7. What is the proposed land use?

---

8. Has the affected territory been rezoned?     No     Yes

If yes, what is the rezoning use and densities (if applicable) permitted?

9. Indicate below all permits or approvals that will be needed, or have been granted by, the County or any city or town to complete the project.

Type of Approval	File No.	Approval Date	Resolution attached?
Tentative Parcel Map			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
Use Permit			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
City/Town/County General Plan Amendment			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
City/Town Rezoning			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
County Rezone			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
Other			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A

10. Have any of the above-mentioned approvals been appealed?     No     Yes

If yes, please state when the project was appealed, who appealed it, and when it was or will be reconsidered.

11. Is the affected territory subject to a Williamson Act Contract or Farmland Security Zone Contract?
- No  Yes

If yes, please attach the following (if applicable)

- Copy of contract
- Board of Supervisor's resolution upholding contract
- City resolution protesting contract
- City resolution succeeding to contract

12. How will the proposal assist a city, town, or the County to achieve its fair share of regional housing needs as determined by its current General Plan Housing Element, and are any RHNA transfer agreements applicable?

### C. Environmental Information

1. Has an environmental determination (Notice of Exemption, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report) been adopted and/or certified by a legislative body?
- No  Yes (If yes, please attach a copy)

- a. Is the certified environmental documentation currently being challenged?  No  Yes

2. Is the site presently zoned for or engaged in agricultural use?

If yes, please explain:

3. Does the site contain prime agricultural land as defined in Gov. Code §56064?  No  Yes

4. Will extension of services requested for this proposal induce growth on affected property?  No  Yes

- a. On adjacent properties?  No  Yes

- b. Unincorporated?  No  Yes

- c. Vacant?  No  Yes

5. Please provide a detailed description of the environmental setting of the site, including any information related to potential environmental impacts associated with an SOI amendment:

6. Terrain:

- Level to gently rolling (0-10%)
- Slopes (10-30%)
- Steep slopes (over 30%)

7. Hydrology:

- Streams, lakes, or marshes on site? No Yes

If yes, please explain:

- Is there irrigation on site? No Yes
- Is the site within a GSA managed subbasin? No Yes

8. Has the natural vegetation already been removed or altered? No Yes

9. Are there any endangered plant species on site? No Yes

10. Have any endangered or threatened species been identified? No Yes

If yes, please explain:

**I hereby certify that the statements made in this entire Sphere of Influence Amendment Application are to the best of my knowledge accurate.**

\_\_\_\_\_  
PRINT name of person completing this application

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
email

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

## MAP & GEOGRAPHIC DESCRIPTION REQUIREMENTS

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Map and geographic descriptions should meet LAFCO and State Board of Equalization (BOE) requirements; listed below:

1. The map & geographic description shall be prepared by a Registered Civil Engineer or a Licensed Land Surveyor.
2. First submittal shall be digital. Once the map and geographic description have been reviewed and determined to be definite and certain you may submit four (4) copies.
3. Applicable fees shall be paid by the applicant for County Surveyor Review and BOE filing on or after LAFCO Approval in accordance with their fee schedules.
4. Map and Geographic Description examples are available on our website at <https://napa.lafco.ca.gov/forms#docaccess-2a46c94dc49dab89e9f407edd9b39b9d13760c553ca9c083fee68af7d980f859>.

### Written Geographic Description(s) of the Project Area(s):

5. Every written geographic description (a document separate from the maps) must stand on its own without the necessity of reference to any extraneous document; a description that relies solely on the use of secondary references will not be accepted.
6. The geographic description shall:
  - a. State the township and range, section number(s) or rancho(s)
  - b. Have a point of beginning (POB) referenced to a known major geographic position (e.g., section corners, intersection of street centerlines, or the intersection of street centerline and an existing agency boundary at the time of filing). A description will be rejected if the POB refers only to a tract map, a subdivision map or a recorded survey map. It is preferable that the POB be the point of departure from an existing agency boundary (when applicable).
  - c. Be expressed as a specific parcel description in sectionalized land (e.g., “The SW 1/4 of Section 22, T1N, R1W”) or by bearings and distances. When the description is by bearings and distances, all courses shall be numbered and listed individually in a consistent clockwise direction. The description shall not be written in a narrative format. All courses required to close the traverse of the project area must be stated. All curves must be described by direction of concavity. Delta,

arc length, chord, and radius shall be listed, including radial bearings for all points of non-tangency.

7. The written description shall state the acreage for each separate single area (Special Fee Provisions for each single area as defined but the BOE) and a combined total acreage.

*Example: "Area A containing 2.50 acres, Area B containing 1.75 acres: Total computed acreage containing 4.25 acres more or less."*

8. All information stated on the description must match with the map(s), such as the name of the short title, the point of beginning, the course numbers, all the bearings and distances, and the acreage(s).

#### **Map(s)**

9. All maps shall be professionally and accurately drawn or copied. Rough sketches or pictorial drawings will not be accepted. Assessor's parcel maps will not be accepted as a substitute for the project map.
10. Original or copies of the same size project map must be submitted. Reduced maps are not acceptable and will be rejected.
11. A vicinity map shall be included. The vicinity map shall show the location of the existing sphere in relationship to a larger geographic area that includes major streets and highways or other physical features.
12. Any portion of an existing agency boundary in close proximity to the project area shall be shown and identified.
13. Every map must clearly show all existing streets, roads and highways with their current names that are within and adjacent to the project area. Additionally, every map shall indicate each township and range, section lines and numbers, or ranchos that are in proximity of the project area.
14. Every map shall bear a scale and a north arrow. The point of beginning shall be clearly shown and match the written geographic description.
15. The boundaries of the project area shall be distinctively delineated on each map without masking any essential geographic or political features. The boundaries of the project area must be the most predominant line on the map. Boundary lines that are delineated by a line that exceeds 1.5 millimeter in width will be rejected by the BOE. The use of graphic tape or broad tip marking pens to delineate the boundary is not acceptable.
16. All dimensions needed to plot the boundaries must be given on the map of the project area. Each map shall have numbered courses matching the written geographic description. Index tables may be utilized.

17. All parcels within the project area that touch the new boundary shall be clearly labeled with the assessor's parcel number. Interior parcels that do not touch the boundary need not be identified on the map.
18. If the project area has an interior island(s) of exclusion or the boundary has a peninsula of exclusion (or inclusion), that area(s) should be shown in an enlarged drawing.
19. When it is necessary to use more than one map sheet to show the boundaries of the project area, the sheet size should be uniform. A small key map giving the relationship of the several sheets shall be furnished. Match lines between adjoining sheets must be used. While the geography on adjoining sheets may overlap, the project boundaries must stop at the match lines.

## APPLICANT CAMPAIGN CONTRIBUTION DISCLOSURE FORM

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LAFCOs are subject to the campaign disclosure provisions detailed in Government Code §84308, and the Regulations of the Fair Political Practices Commission (FPPC), §18438.1.

**Please carefully read the following information to determine if the provisions apply to you. If you determine that the provisions are applicable, the Campaign Contribution Disclosure Form must be completed and returned to Napa LAFCO with your application.**

1. No LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$500 from any party, participant, or agent thereof while a Commission proceeding is pending, and for 12 months subsequent to the date a final decision is rendered by LAFCO. This prohibition commences when your application has been filed, or the proceeding is otherwise before the Commission for its decision or other action.
2. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$500 made to any commissioner by the party, or agent, during the preceding 12 months. No party to a LAFCO proceeding, or agent, shall make a contribution to a commissioner during the proceeding and for 12 months following the date a final decision is rendered by LAFCO.
3. Prior to rendering a decision on a LAFCO proceeding, any commissioner who received a contribution of more than \$500 within the preceding 12 months from any party or participant to a proceeding shall disclose that fact on the record of the proceeding. A commissioner shall be disqualified from participating in a proceeding if they willfully or knowingly received a contribution of more than \$500 in the preceding 12 months from a party or a party's agent, or from a participant or participant's agent if the commissioner knows or has reason to know that the participant has a financial interest in the decision. However, if any commissioner receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days from the time the commissioner makes any decision, or knows, or should have known, about the contribution and the relevant proceeding, whichever comes last, that commissioner shall be permitted to participate in the proceeding.

To determine whether a campaign contribution of more than \$500 has been made by you or your agent to a commissioner within the preceding 12 months, all contributions made by you or your agent during that period must be aggregated. (The contributions of an agent are not aggregated with contributions from a party or participant and are counted separately.) Names of current LAFCO commissioners are available at <https://napa.lafco.ca.gov/commission-roster>. If you have questions about Government Code §84308, FPPC regulations, or the Campaign Disclosure Form, please contact Napa LAFCO at 1754 Second Street, Suite C, Napa, CA 94559, (707) 259-8645.

**FINANCIAL DISCLOSURE FORM**

Proposed change(s) of organization:

Name and address of any party, participant, or agent who has contributed more than \$500 to any commissioner within the preceding 12 months:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

Date and amount of contribution:

Date:	Amount \$
_____	_____
Date:	Amount \$
_____	_____

Name of commissioner to whom contribution was made:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

I certify that the above information is provided to the best of my knowledge.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Phone: \_\_\_\_\_

## FEE SCHEDULE

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All fees shall be paid prior to the acceptance of an application for processing. All fees should be submitted to LAFCO as a separate check to each of the agencies listed below:

1. LAFCO Processing Fee & Environmental Fee
2. Public Works Department Fee
3. Board of Equalization Filing Fee

Where indicated below, the fees are an initial deposit toward the actual cost of processing an application. The applicant shall enter into an agreement to provide for reimbursement to LAFCO for the actual costs of processing an application. A refund shall be issued for any portion of the fee not used for processing. When deposited fees are expended and additional fees are required, the applicant shall be notified by the Executive Officer or the Commission Clerk to pay an additional deposit amount not exceeding the initial deposit. The proposal shall be suspended until such additional funds are deposited with the LAFCO Clerk. Napa LAFCO's current fully burdened hourly rate for staff time is \$196.44 per hour. The Commission's current fee schedule is available at: <https://napa.lafco.ca.gov/forms#docaccess-294a7c304fd7987b2fcecfd55298d5db21948f27f6066b12d63ffa72ce626d09>.

### **Other Charges**

In addition to the fees specified herein, the Executive Officer may charge an applicant/appellant for the actual costs that are incurred as a result of processing a proposal that are not covered in the Commission's fee schedule. An applicant/appellant may appeal the decision of the Executive Officer in writing. Such an appeal will be presented to the Commission at its next meeting.

Refunds for withdrawn applications shall be based on an estimate by the Executive Officer of the total costs incurred in processing the application up to the date of the withdrawal request.

### **Fee Waiver**

The Commission, as per Government Code §56383, may waive or reduce fees upon finding that payment of fees would be detrimental to the public interest. Requests for fee waiver must be submitted in writing to the Commission, and there is a \$500 fee. The waiver will be considered at a public meeting of the Commission.

## FEE SCHEDULE WORKSHEET

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If you need help in determining your fees, please contact LAFCO staff for assistance at (707) 259-8645.

**1. Check made payable to *Napa LAFCO*:**

Sphere of Influence Fee:	\$ _____
Environmental Fees	\$ _____
County Clerk Recorder Filing Fee	\$ _____
Other Fees:	\$ _____
TOTAL	\$ _____

## COST ACCOUNTING AGREEMENT

Applicant: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

The cost of processing an application may exceed the initial deposit required. In order to recover any additional costs associated with processing your application, LAFCO has found it necessary to implement a provision of the Fee Schedule that provides full cost recovery for processing an application.

I, \_\_\_\_\_, the landowner and/or responsible Applicant, agree to pay the actual costs pursuant to the Fee Schedule incorporated by reference hereto, plus copying charges and related expenses incurred in the processing of this application. I also understand that if payment on any invoices or billings transmitted prior to final action is not paid within thirty (30) days, I agree that processing of my application may be suspended until payment is received.

In order to implement the cost accounting provisions, please sign and date this statement indicating your agreement to the cost accounting procedure agreement. This signed agreement is required for your application to be accepted for processing. Checks may be made payable to Napa LAFCO and delivered or mailed to the LAFCO Office at 1754 Second Street, Suite C, Napa, CA 94559. If you have questions regarding your application, please contact the LAFCO Office at (707) 259-8645.

_____ Applicant Signature	_____ Date
_____ Applicant Signature	_____ Date
_____ Applicant Signature	_____ Date

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF  
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
AMENDING THE POLICY ON EXECUTIVE OFFICER PERFORMANCE REVIEW**

**WHEREAS**, on April 11, 2001, the Local Agency Formation Commission of Napa County (the “Commission”) adopted a *Policy on Executive Officer Performance Review*; and

**WHEREAS**, on April 5, 2021, the Commission approved an amendment to the *Policy on Executive Officer Performance Review*; and

**WHEREAS**, the Commission considered a proposed amendment to the *Policy on Executive Officer Performance Review* at its regular meeting on February 2, 2026, and invited public comment at that meeting; and

**NOW, THEREFORE, BE IT RESOLVED** that the Commission hereby amends the *Policy on Executive Officer Performance Review* as attached hereto.

This Resolution shall take effect immediately.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on February 2, 2026, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

AYES: Commissioners \_\_\_\_\_

NOES: Commissioners \_\_\_\_\_

ABSENT: Commissioners \_\_\_\_\_

ABSTAIN: Commissioners \_\_\_\_\_

\_\_\_\_\_  
Beth Painter  
Commission Chair

ATTEST: \_\_\_\_\_  
Brendon Freeman  
Executive Officer

Recorded by: Charlie Gray  
Commission Clerk



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Executive Officer Performance Review*

(Adopted: April 11, 2001; Last Amended: February 2, 2026)

#### **I. Background**

Recognizing that the intent of the Cortese-Knox-Hertzberg Local Government Reorganization Act is that the Commission should function independent of any local agency, the policy of the Commission is that, pursuant to [California Government Code §56384](#), it shall appoint an Executive Officer who serves at-the-will of the Commission.

#### **II. Purpose**

The purpose of this policy is to provide clear and concise direction to the Commission regarding the timing and process for performance reviews of the Executive Officer.

#### **III. Procedures**

The Executive Officer shall be subject to regular performance review by the Commission in closed session. Alternate Commissioners may not participate in a closed session performance review of the Executive Officer unless they are filling in for an absent regular Commissioner. With respect to this performance review, the policy of the Commission is:

- A. The first performance review of the Executive Officer shall occur approximately six months following the date of hire. The second performance review shall occur approximately twelve months following the date of hire. Thereafter performance reviews shall occur annually.
- B. The process for these performance reviews shall be:
  - 1) At least three weeks prior to the meeting at which the review is to take place, the Executive Officer shall send to each Commissioner, including Alternate Commissioners, a letter of self-evaluation. The Executive Officer or Commission Counsel will provide a performance review form or survey following review by the Commission Chair.
  - 2) At least one week prior to the review, each Commissioner and Alternate Commissioner is strongly encouraged to send a completed form or survey to the Commission Chair or the Chair's designee who should be someone other than the Executive Officer.
  - 3) The Chair or Chair's designee shall tabulate and summarize the forms or surveys and present this information to the Commission and the Executive Officer during the performance review.
- C. At the completion of the performance review, the Commission will consider any appropriate action with respect to the compensation of the Executive Officer and submit the completed performance review to Napa County Human Resources.



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY**

*Policy on Spheres*



(Adopted on June 7, 2021)

**Napa LAFCO**

**Sphere of Influence Amendment Application**

1754 Second Street · Suite C · Napa, CA 94559

707-259-8645 · www.napa.lafco.ca.gov · Proposed Amendment 2/2/26

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## **INSTRUCTIONS & INFORMATION ON THE LAFCO APPLICATION**

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The following information is designed to help you understand and move your project through the various stages of the LAFCO process.

### **General Step by Step Process**

1. Applicant Gathers Application Materials and Meets with Staff for a Pre-Application Meeting
2. Applicant Submits Their Application to LAFCO
3. LAFCO Review Period Begins
4. 30-Day Review – Information Hold Letter or Deemed Sufficient for Filing
5. LAFCO Hearing. LAFCO has the authority to approve, conditionally approve or deny a proposal.
6. 30-Day Reconsideration Period
7. Review requests, if any, for Petition for removal from sphere of influence (§56429)
8. Notification of Commission Action Form
9. Final Notice of Completion with Affected Agencies / Interested Parties
10. LAFCO GIS Boundary Updates

### **Important Tips**

- Any person or local agency may file a written request with the executive officer requesting amendments to a sphere of influence adopted by the commission. The request shall state the nature of the proposed amendment, state the reasons for the request, include a map of the proposed amendment, and contain any additional data and information as may be required by the executive officer (§56428).
- It is important to note that while a SOI amendment, may be initiated by any person or local agency, ultimately, the affected agency must consent to the change and all parties may be required to provide information, conduct studies, and may be subject to conditions of approval.

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**Sphere of Influence Amendment Application**

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## **NAPA LAFCO POLICY ON SPHERES OF INFLUENCE**

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### **I. BACKGROUND**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, beginning with [California Government Code \(G.C.\) §56425](#), requires the Local Agency Formation Commission (LAFCO or “Commission”) to establish and maintain spheres of influence for all local agencies within its jurisdiction. A sphere of influence (SOI) is defined by statute as a “plan for the probable physical boundary and service area of a local government agency as determined by the commission” ([G.C. §56076](#)). Every determination made by LAFCO shall be consistent with the SOIs of the local agencies affected by that determination ([G.C. §56375.5](#)). The Commission encourages cities, towns, and the County of Napa (“County”) to meet and agree to SOI changes. The Commission shall give “great weight” to these agreements to the extent they are consistent with its policies ([G.C. §56425\(b\) and \(c\)](#)). Local agency SOIs are established and changed in part based on information in municipal service reviews, including adopted determinative statements and recommendations ([G.C. §56430](#)).

### **II. PURPOSE**

The purpose of these policies is to guide the Commission in its consideration of SOI amendment requests as well as SOI reviews and updates initiated by LAFCO. This includes establishing consistency with respect to the Commission’s approach in the scheduling, preparation, and adoption of SOI reviews and updates. Requests to amend an SOI may be made by any person or local agency as described in Section VI of this policy. Requests to amend an SOI are encouraged to be filed with LAFCO’s Executive Officer as part of the Commission’s municipal service review (MSR) and SOI review process.

### **III. OBJECTIVE**

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**Sphere of Influence Amendment Application**

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It is the intent of the Commission to determine appropriate SOIs that promote the orderly expansion of cities, towns, and special districts in a manner that ensures the protection of the environment and agricultural and open space lands while also ensuring the effective, efficient, and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement. The Commission recognizes the importance of considering local conditions and circumstances in implementing these policies. An SOI is primarily a planning tool that will:

- Serve as a master plan for the future organization of local government within the County by providing long range guidelines for the efficient provision of services to the public;
- Discourage duplication of services by two or more local governmental agencies;
- Guide the Commission when considering individual proposals for changes of organization;
- Identify the need for specific reorganization studies, and provide the basis for recommendations to particular agencies for government reorganizations.

**IV. DEFINITIONS**

Recognizing that an SOI is a plan for the probable physical boundary and service area of a local government agency as determined by LAFCO, the Commission incorporates the following definitions:

- A. “Agricultural lands” are defined as set forth in [G.C. §56016](#).
- B. “Open space” are defined as set forth in [G.C. §56059](#).
- C. “Prime agricultural land” is defined as set forth in [G.C. §56064](#).
- D. “Infill” is defined as set forth in [Public Resources Code §21061.3](#).

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- E. “Underdeveloped land” is defined as land that lacks components of urban development such as utilities or structure(s).
- F. “Vacant land” is defined as land that has no structure(s) on it and is not being used. Agricultural and open space uses are considered a land use and therefore the underlying land is not considered vacant land.
- G. “SOI establishment” refers to the initial adoption of a city or special district SOI by the Commission.
- H. “SOI amendment” refers to a single change to an established SOI, typically involving one specific geographic area and initiated by a landowner, resident, or local agency.
- I. “SOI review” refers to a comprehensive review of an established SOI conducted as part of an MSR. Based on information collected in the SOI review component of an MSR, the Commission shall determine if an SOI update is needed.
- J. “SOI update” refers to a single change or multiple changes to an established SOI, typically initiated by the Commission and based on information collected in the SOI review.
- K. “Zero SOI” when determined by the Commission, indicates a local agency should be dissolved and its service area and service responsibilities assigned to one or more other local agencies.
- L. “Study area” refers to territory evaluated as part of an SOI update for possible addition to, or removal from, an established SOI. The study areas shall be identified by the Commission in consultation with all affected agencies.

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V. LOCAL CONSIDERATIONS

A. General Guidelines for Determining Spheres of Influence

The following factors are intended to provide a framework for the Commission to balance competing interests in making determinations related to SOIs. No single factor is determinative. The Commission retains discretion to exercise its independent judgment as appropriate:

- 1) Land defined or designated in the County of Napa General Plan land use map as agricultural or open space shall not be approved for inclusion within any local agency's SOI for purposes of new urban development unless the action is consistent with the objectives listed in Section III of this policy.
- 2) Land that is within the Napa County Airport Land Use Commission (ALUC) Planning Area shall not be approved for inclusion within any local agency's SOI prior to receiving authorization from the ALUC.
- ~~2)3)~~ The Commission encourages residents, landowners, and local agencies to submit requests for changes to SOIs to the LAFCO Executive Officer as part of the LAFCO-initiated MSR and SOI review process.
- ~~3)4)~~ The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use. Measure J was passed by voters in 1990 and Measure P was passed by voters in 2008 and requires voter approval for any changes that would re-designate unincorporated agricultural and open-space lands. The Commission will consider the Agricultural Preserve and intent of voters in passing Measure J and Measure P in its decision making processes to the extent they apply, prior to taking formal actions relating to SOIs.
- ~~4)5)~~ In the course of an SOI review for any local agency as part of an MSR, the Commission shall identify all existing outside services provided by the affected agency. For any services provided outside the affected agency's jurisdictional boundary but within its SOI, the Commission shall request

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the affected agency submit an annexation plan or explanation for not annexing the territory that is receiving outside services. For any services provided outside an agency's jurisdictional boundary and SOI, the Commission encourages a dialogue between the County and the affected agency relating to mutually beneficial provisions.

- ~~5)6)~~ In the course of reviewing a city or town's SOI, the Commission will consider the amount of vacant land within the affected city or town's SOI. The Commission discourages SOI amendment requests involving vacant or underdeveloped land that requires the extension of urban facilities, utilities, and services where infill development is more appropriate.
- ~~6)7)~~ A local agency's SOI shall generally be used to guide annexations within a five-year planning period. Inclusion of land within an SOI shall not be construed to indicate automatic approval of an annexation proposal.
- ~~7)8)~~ When an annexation is proposed outside a local agency's SOI, the Commission may consider both the proposed annexation and SOI amendment at the same meeting. The SOI amendment to include the affected territory, however, shall be considered and resolved prior to Commission action on the annexation.
- ~~8)9)~~ A local agency's SOI should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission. This includes information contained in current MSRs. The Commission shall consider the following municipal service criteria in determining SOIs:
- a) The present capacity of public facilities and adequacy of public services provided by affected local agencies within the current jurisdiction, and the adopted plans of these local agencies to address any municipal service deficiency, including adopted capital improvement plans.
  - b) The present and probable need for public facilities and services within the area proposed or recommended for inclusion within the SOI, and the plans for the delivery of services to the area.
- ~~9)10)~~ The Commission shall consider, at a minimum, the following land use criteria in determining SOIs:

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- a) The present and planned land uses in the area, including lands designated for agriculture and open-space.
- b) The present and probable need for public facilities and services in the area.
- c) The present capacity of public facilities and adequacy of public services that the local agency provides or is authorized to provide.
- d) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the local agency.
- b)e) Consistency with the County General Plan and the general plan of any affected city or town.
- e)f) Adopted general plan policies of the County and of any affected city or town that guide future development away from lands designated for agriculture or open-space.
- e)g) Adopted policies of affected local agencies that promote infill development of existing vacant or underdeveloped land.
- e)h) Amount of existing vacant or underdeveloped land located within any affected local agency's jurisdiction and current SOI.
- f)i) Adopted urban growth boundaries by the affected ~~land-use authorities~~ local agency.

**B. Scheduling Sphere of Influence Reviews and Updates**

G.C. §56425(g) directs the Commission to review and update each SOI every five years, as necessary. Each year, the Commission shall adopt a Work Program with a schedule for initiating and completing MSR and SOI reviews based on communication with local agencies. This includes appropriate timing with consideration of city, town, and County general plan updates. The Commission

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shall schedule SOI updates, as necessary, based on determinations contained in MSRs.

**C. Environmental Review**

SOI establishments, amendments, and updates will be subject to the review procedures defined in the California Environmental Quality Act (CEQA) and the Napa LAFCO CEQA Guidelines. If an environmental assessment or analysis is prepared by an agency for a project associated with an SOI establishment, amendment, or update, and LAFCO is afforded the opportunity to evaluate and comment during the Lead Agency's environmental review process, then LAFCO can act as a Responsible Agency under CEQA for its environmental review process. All adopted environmental documents prepared for the project, a copy of the filed Notice of Determination/Notice of Exemption, and a copy of the Department of Fish and Wildlife fee receipt must be submitted as part of the application. Completion of the CEQA review process will be required prior to action by the Commission.

**VI. REQUESTS FOR SPHERE OF INFLUENCE AMENDMENTS**

**A. Form of Request**

Any person or local agency may file a written request with the Executive Officer requesting amendments to an SOI pursuant to [G.C. §56428\(a\)](#). Requests shall be made using the form provided in ~~Attachment A and be accompanied by a cover letter and a map of the proposed amendment~~[this packet](#). Requests shall include an initial deposit as prescribed under the Commission's adopted Schedule of Fees and Deposits. The Executive Officer may require additional data and

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information to be included with the request. Requests by cities, towns, and special districts shall be made by resolution of application.

**B. Review of Request**

The Executive Officer shall review and determine within 30 days of receipt whether the request to amend an agency's SOI is complete. If a request is deemed incomplete, the Executive Officer shall immediately notify the applicant and identify the information needed to accept the request for filing.

**C. Consideration of Request**

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation. The Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration. The public hearing will be scheduled for the next meeting of the Commission for which adequate notice can be given. The Commission may approve, approve with conditions, or deny the request for an SOI amendment. The Commission's determination and any required findings will be set out in a resolution that specifies the area added to, or removed from, the affected agency's SOI. While the Commission encourages the participation and cooperation of the subject agencies, the determination of an SOI is a LAFCO responsibility and the Commission is the sole authority as to the sufficiency of the documentation and consistency with law and LAFCO policy.

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**SPHERE OF INFLUENCE APPLICATION CHECKLIST**

The following information must be submitted when filing a proposal with the Napa Local Agency Formation Commission (LAFCO); additional information may be requested during review of the proposal.

- 
- 1. Completed **SPHERE OF INFLUENCE APPLICATION CHECKLIST** with applicable materials (everything listed in the checklist).
  - 2. Any person or local agency may file a written request to the Executive Officer for a SOI Amendment.
  - 3. **LAFCO QUESTIONNAIRE.**
  - 4. A **MAP AND GEOGRAPHIC DESCRIPTION** of the proposal territory perimeter for the proposed boundary change(s), and a reproducible parcel map
  - 5. **ENVIRONMENTAL DOCUMENTATION** to comply with the California Environmental Quality Act (CEQA); submit documents for applicable category only. For an ND, MND, or EIR, a copy of the Notice of Determination and the Environmental Filing Cash Receipt for the fee paid to the California Department of Fish and Wildlife must be submitted.
    - (a) CATEGORICAL EXEMPTION (CE): Submit document if an agency has determined is exempt.
    - (b) NEGATIVE DECLARATION (ND) or MITIGATED NEGATIVE DECLARATION (MND): Submit document from agency making said determination.\*
    - (c) ENVIRONMENTAL IMPACT REPORT (EIR): Submit a copy of the certified Final EIR.
    - (d) NO CEQA DOCUMENTATION: If the proposed action has not been analyzed pursuant to the requirements of CEQA, please indicate this and CEQA will be performed by LAFCO and the appropriate level of documentation will be determined, i.e. CE, ND, MND or EIR.
  - 6. **APPLICANT FINANCIAL DISCLOSURE FORM.**
  - 7. **LAFCO PROCESSING FEES & COST ACCOUNTING AGREEMENT.**
  - 8. **PRE-APPLICATION MEETING.** A pre-application meeting with staff is strongly encouraged due to the complexity of submittal requirements and applicable laws. (Limited to 2 hours of staff time at no cost.)

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**QUESTIONNAIRE**

The information provided in this application will be used to evaluate this proposal. Please complete this form to facilitate our review. Please respond to all items in this form, indicating "NA" when an item does not apply. It is important to note that while a SOI amendment may be initiated by any person or local agency, ultimately, the affected agency must consent to the change and all parties may be required to provide information, conduct studies, and may be subject to conditions of approval.

**Subject Agency(ies)**

(City or Special District): \_\_\_\_\_

**Describe Proposed  
SOI Change(s):** \_\_\_\_\_

**Applicant/ Agents**

**Name**

**Email**

**Telephone**

**Mailing**

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

**Interested Parties**

**Name**

**Email**

**Telephone**

**Mailing**

1. \_\_\_\_\_

2. \_\_\_\_\_

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3.

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4.

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**A. General Information**

1. This application was initiated by:

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2. State reason(s) for requesting the proposed action at this time.

3. Describe the use of developed property within the proposal territory, including details about existing structures, if applicable. Describe anticipated development of vacant property, including types of buildings, number of units, supporting facilities, etc., and when development is scheduled to occur, if applicable.

4. State the location of the property and its general location in relation to communities, freeways/highways, roads, etc.:

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5. Describe the present and planned uses in the area, including agricultural and open space lands.

6. Describe the present and probable need for public facilities and services in the area.

7. Describe the present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

8. Describe the existence of any social or economic communities of interest in the area that the Commission may determine are relevant to the agency.

**B. Land Use Information**

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1. Total acreage: \_\_\_\_\_

2. Assessor Parcel Number(s): \_\_\_\_\_

a. If multiple parcels are involved in the sphere request, will any be consolidated?

3. Indicate the current zoning:

a. County: \_\_\_\_\_

b. City: \_\_\_\_\_

4. What community plan or General Plan is the territory in:

\_\_\_\_\_

5. The County/City General Plan land use designation:

\_\_\_\_\_

6. Describe any special land use concerns found in General Plans:

7. What is the proposed land use?

\_\_\_\_\_

8. Has the affected territory been rezoned?  No  Yes

If yes, what is the rezoning use and densities (if applicable) permitted?

9. Indicate below all permits or approvals that will be needed, or have been granted by, the County or any city or town to complete the project.

<u>Type of Approval</u>	<u>File No.</u>	<u>Approval Date</u>	<u>Resolution attached?</u>
<u>Tentative Parcel Map</u>			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A

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<u>Use Permit</u>		<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
<u>City/Town/County</u> <u>General Plan</u> <u>Amendment</u>		<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
<u>City/Town Rezoning</u>		<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
<u>County Rezone</u>		<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
<u>Other</u>		<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A

10. Have any of the above-mentioned approvals been appealed?  No  Yes

If yes, please state when the project was appealed, who appealed it, and when it was or will be reconsidered.

11. Is the affected territory subject to a Williamson Act Contract or Farmland Security Zone Contract?

No  Yes

If yes, please attach the following (if applicable)

- Copy of contract
- Board of Supervisor's resolution upholding contract
- City resolution protesting contract
- City resolution succeeding to contract

12. How will the proposal assist a city, town, or the County to achieve its fair share of regional housing needs as determined by its current General Plan Housing Element, and are any RHNA transfer agreements applicable?

**C. Environmental Information**

**Napa LAFCO**  
**Sphere of Influence Amendment Application**

1. Has an environmental determination (Notice of Exemption, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report) been adopted and/or certified by a legislative body?

No  Yes (If yes, please attach a copy)

a. Is the certified environmental documentation currently being challenged?  No  Yes

2. Is the site presently zoned for or engaged in agricultural use?

If yes, please explain:

3. Does the site contain prime agricultural land as defined in Gov. Code §56064?  No  Yes

4. Will extension of services requested for this proposal induce growth on affected property?  No  Yes

a. On adjacent properties?  No  Yes

b. Unincorporated?  No  Yes

c. Vacant?  No  Yes

5. Please provide a detailed description of the environmental setting of the site, including any information related to potential environmental impacts associated with an SOI amendment:

6. Terrain:

Level to gently rolling (0-10%)

Slopes (10-30%)

Steep slopes (over 30%)

7. Hydrology:

Streams, lakes, or marshes on site?  No  Yes

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If yes, please explain:

Is there irrigation on site?                       No                       Yes

Is the site within a GSA managed subbasin?                       No                       Yes

8. Has the natural vegetation already been removed or altered?                       No                       Yes

9. Are there any endangered plant species on site?                       No                       Yes

10. Have any endangered or threatened species been identified?                       No                       Yes

If yes, please explain:

**I hereby certify that the statements made in this entire Sphere of Influence Amendment Application are to the best of my knowledge accurate.**

\_\_\_\_\_  
PRINT name of person completing this application

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
email

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

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## **MAP & GEOGRAPHIC DESCRIPTION REQUIREMENTS**

Map and geographic descriptions should meet LAFCO and State Board of Equalization (BOE) requirements; listed below:

1. The map & geographic description shall be prepared by a Registered Civil Engineer or a Licensed Land Surveyor.
2. First submittal shall be digital. Once the map and geographic description have been reviewed and determined to be definite and certain you may submit four (4) copies.
3. Applicable fees shall be paid by the applicant for County Surveyor Review and BOE filing on or after LAFCO Approval in accordance with their fee schedules.
4. Map and Geographic Description examples are available on our website at <https://napa.lafco.ca.gov/forms#docaccess-2a46c94dc49dab89e9f407edd9b39b9d13760c553ca9c083fee68af7d980f859>.

### **Written Geographic Description(s) of the Project Area(s):**

5. Every written geographic description (a document separate from the maps) must stand on its own without the necessity of reference to any extraneous document; a description that relies solely on the use of secondary references will not be accepted.
6. The geographic description shall:
  - a. State the township and range, section number(s) or rancho(s)
  - b. Have a point of beginning (POB) referenced to a known major geographic position (e.g., section corners, intersection of street centerlines, or the intersection of street centerline and an existing agency boundary at the time of filing). A description will be rejected if the POB refers only to a tract map, a subdivision map or a recorded survey map. It is preferable that the POB be the point of departure from an existing agency boundary (when applicable).
  - c. Be expressed as a specific parcel description in sectionalized land (e.g., "The SW 1/4 of Section 22, T1N, R1W") or by bearings and distances. When the description is by bearings and distances, all courses shall be numbered and listed individually in a consistent clockwise direction. The

## Napa LAFCO Sphere of Influence Amendment Application

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description shall not be written in a narrative format. All courses required to close the traverse of the project area must be stated. All curves must be described by direction of concavity. Delta, arc length, chord, and radius shall be listed, including radial bearings for all points of non-tangency.

7. The written description shall state the acreage for each separate single area (Special Fee Provisions for each single area as defined but the BOE) and a combined total acreage.

Example: "Area A containing 2.50 acres, Area B containing 1.75 acres: Total computed acreage containing 4.25 acres more or less."

8. All information stated on the description must match with the map(s), such as the name of the short title, the point of beginning, the course numbers, all the bearings and distances, and the acreage(s).

### Map(s)

9. All maps shall be professionally and accurately drawn or copied. Rough sketches or pictorial drawings will not be accepted. Assessor's parcel maps will not be accepted as a substitute for the project map.

10. Original or copies of the same size project map must be submitted. Reduced maps are not acceptable and will be rejected.

11. A vicinity map shall be included. The vicinity map shall show the location of the existing sphere in relationship to a larger geographic area that includes major streets and highways or other physical features.

12. Any portion of an existing agency boundary in close proximity to the project area shall be shown and identified.

13. Every map must clearly show all existing streets, roads and highways with their current names that are within and adjacent to the project area. Additionally, every map shall indicate each township and range, section lines and numbers, or ranchos that are in proximity of the project area.

14. Every map shall bear a scale and a north arrow. The point of beginning shall be clearly shown and match the written geographic description.

15. The boundaries of the project area shall be distinctively delineated on each map without masking any essential geographic or political features. The boundaries of the project area must be the most predominant line on the map. Boundary lines that are delineated by a line that exceeds 1.5 millimeter

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in width will be rejected by the BOE. The use of graphic tape or broad tip marking pens to delineate the boundary is not acceptable.

16. All dimensions needed to plot the boundaries must be given on the map of the project area. Each map shall have numbered courses matching the written geographic description. Index tables may be utilized.

17. All parcels within the project area that touch the new boundary shall be clearly labeled with the assessor's parcel number. Interior parcels that do not touch the boundary need not be identified on the map.

18. If the project area has an interior island(s) of exclusion or the boundary has a peninsula of exclusion (or inclusion), that area(s) should be shown in an enlarged drawing.

19. When it is necessary to use more than one map sheet to show the boundaries of the project area, the sheet size should be uniform. A small key map giving the relationship of the several sheets shall be furnished. Match lines between adjoining sheets must be used. While the geography on adjoining sheets may overlap, the project boundaries must stop at the match lines.

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**APPLICANT CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

LAFCOs are subject to the campaign disclosure provisions detailed in Government Code §84308, and the Regulations of the Fair Political Practices Commission (FPPC), §18438.1.

**Please carefully read the following information to determine if the provisions apply to you. If you determine that the provisions are applicable, the Campaign Contribution Disclosure Form must be completed and returned to Napa LAFCO with your application.**

1. No LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$500 from any party, participant, or agent thereof while a Commission proceeding is pending, and for 12 months subsequent to the date a final decision is rendered by LAFCO. This prohibition commences when your application has been filed, or the proceeding is otherwise before the Commission for its decision or other action.
2. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$500 made to any commissioner by the party, or agent, during the preceding 12 months. No party to a LAFCO proceeding, or agent, shall make a contribution to a commissioner during the proceeding and for 12 months following the date a final decision is rendered by LAFCO.
3. Prior to rendering a decision on a LAFCO proceeding, any commissioner who received a contribution of more than \$500 within the preceding 12 months from any party or participant to a proceeding shall disclose that fact on the record of the proceeding. A commissioner shall be disqualified from participating in a proceeding if they willfully or knowingly received a contribution of more than \$500 in the preceding 12 months from a party or a party's agent, or from a participant or participant's agent if the commissioner knows or has reason to know that the participant has a financial interest in the decision. However, if any commissioner receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days from the time the commissioner makes any decision, or knows, or should have known, about the

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contribution and the relevant proceeding, whichever comes last, that commissioner shall be permitted to participate in the proceeding.

To determine whether a campaign contribution of more than \$500 has been made by you or your agent to a commissioner within the preceding 12 months, all contributions made by you or your agent during that period must be aggregated. (The contributions of an agent are not aggregated with contributions from a party or participant and are counted separately.) Names of current LAFCO commissioners are available at <https://napa.lafco.ca.gov/commission-roster>. If you have questions about Government Code §84308, FPPC regulations, or the Campaign Disclosure Form, please contact Napa LAFCO at 1754 Second Street, Suite C, Napa, CA 94559, (707) 259-8645.

**FINANCIAL DISCLOSURE FORM**

Proposed change(s) of organization:

Name and address of any party, participant, or agent who has contributed more than \$500 to any commissioner within the preceding 12 months:

1.

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2.

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3.

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Date and amount of contribution:

Date:

Amount \$

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Date:

Amount \$

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Name of commissioner to whom contribution was made:

1.

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2.

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**Napa LAFCO**  
**Sphere of Influence Amendment Application**

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I certify that the above information is provided to the best of my knowledge.

Printed Name:

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Signature:

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Date:

Phone:

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**FEE SCHEDULE**

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All fees shall be paid prior to the acceptance of an application for processing. All fees should be submitted to LAFCO as a separate check to each of the agencies listed below:

1. LAFCO Processing Fee & Environmental Fee
2. Public Works Department Fee
3. Board of Equalization Filing Fee

Where indicated below, the fees are an initial deposit toward the actual cost of processing an application. The applicant shall enter into an agreement to provide for reimbursement to LAFCO for the actual costs of processing an application. A refund shall be issued for any portion of the fee not used for processing. When deposited fees are expended and additional fees are required, the applicant shall be notified by the Executive Officer or the Commission Clerk to pay an additional deposit amount not exceeding the initial deposit. The proposal shall be suspended until such additional funds are deposited with the LAFCO Clerk. Napa LAFCO's current fully burdened hourly rate for staff time is \$196.44 per hour. The Commission's current fee schedule is available at: <https://napa.lafco.ca.gov/forms#docaccess-294a7c304fd7987b2fcecfd55298d5db21948f27f6066b12d63ffa72ce626d09>.

**Other Charges**

In addition to the fees specified herein, the Executive Officer may charge an applicant/appellant for the actual costs that are incurred as a result of processing a proposal that are not covered in the Commission's fee schedule. An applicant/appellant may appeal the decision of the Executive Officer in writing. Such an appeal will be presented to the Commission at its next meeting.

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Refunds for withdrawn applications shall be based on an estimate by the Executive Officer of the total costs incurred in processing the application up to the date of the withdrawal request.

**Fee Waiver**

The Commission, as per Government Code §56383, may waive or reduce fees upon finding that payment of fees would be detrimental to the public interest. Requests for fee waiver must be submitted in writing to the Commission, and there is a \$500 fee. The waiver will be considered at a public meeting of the Commission.

**FEE SCHEDULE WORKSHEET**

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If you need help in determining your fees, please contact LAFCO staff for assistance at (707) 259-8645.

**1. Check made payable to Napa LAFCO:**

<u>Sphere of Influence Fee:</u>	_____
	\$
<u>Environmental Fees</u>	_____
	\$
<u>County Clerk Recorder Filing Fee</u>	_____
	\$
<u>Other Fees:</u>	_____
	\$
<u>TOTAL</u>	_____
	\$

**Napa LAFCO**  
**Sphere of Influence Amendment Application**

**COST ACCOUNTING AGREEMENT**

Applicant:

Mailing Address:

Telephone:

E-mail Address:

The cost of processing an application may exceed the initial deposit required. In order to recover any additional costs associated with processing your application, LAFCO has found it necessary to implement a provision of the Fee Schedule that provides full cost recovery for processing an application.

I, \_\_\_\_\_, the landowner and/or responsible Applicant, agree to pay the actual costs pursuant to the Fee Schedule incorporated by reference hereto, plus copying charges and related expenses incurred in the processing of this application. I also understand that if payment on any invoices or billings transmitted prior to final action is not paid within thirty (30) days, I agree that processing of my application may be suspended until payment is received.

In order to implement the cost accounting provisions, please sign and date this statement indicating your agreement to the cost accounting procedure agreement. This signed agreement is required for your application to be accepted for processing. Checks may be made payable to Napa LAFCO and delivered or mailed to the LAFCO Office at 1754 Second Street, Suite C, Napa, CA 94559. If you have questions regarding your application, please contact the LAFCO Office at (707) 259-8645.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

Napa LAFCO  
Sphere of Influence Amendment Application

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## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Executive Officer Performance Review*

(Adopted: April 11, 2001; Last Amended: ~~April 5, 2021~~[February 2, 2026](#))

#### **I. Background**

Recognizing that the intent of the Cortese-Knox-Hertzberg Local Government Reorganization Act is that the Commission should function independent of any local agency, the policy of the Commission is that, pursuant to [California Government Code §56384](#), it shall appoint an Executive Officer who serves at-the-will of the Commission.

#### **II. Purpose**

The purpose of this policy is to provide clear and concise direction to the Commission regarding the timing and process for performance reviews of the Executive Officer.

#### **III. Procedures**

The Executive Officer shall be subject to regular performance review by the Commission in closed session. Alternate Commissioners may not participate in a closed session performance review of the Executive Officer unless they are filling in for an absent regular Commissioner. With respect to this performance review, the policy of the Commission is:

- A. The first performance review of the Executive Officer shall occur approximately six months following the date of hire. The second performance review shall occur approximately twelve months following the date of hire. Thereafter performance reviews shall occur annually.
- B. The process for these performance reviews shall be:
  - 1) At least three weeks prior to the meeting at which the review is to take place, the Executive Officer shall send to each Commissioner, including Alternate Commissioners, a letter of self-evaluation. The Executive Officer or Commission Counsel will provide a performance review form or survey following review by the Commission Chair.
  - 2) At least one week prior to the review, each Commissioner and Alternate Commissioner is strongly encouraged to send a completed form or survey to the Commission Chair or the Chair's designee who should be someone other than the Executive Officer.

- 3) The Chair or Chair's designee shall tabulate and summarize the forms or surveys and present this information to the Commission and the Executive Officer during the performance review.

*Policy on Executive Officer Performance Review*  
*Page 2 of 2*

- C. At the completion of the performance review, the Commission will consider any appropriate action with respect to the compensation of the Executive Officer and submit the completed performance review to Napa County Human Resources.
- D. ~~The Commission or the Executive Officer may request the use of an outside facilitator to assist in the evaluation process. The Chair shall appoint the facilitator in consultation with the Executive Officer. Should the cost of the facilitator's services exceed the Executive Officer delegated purchasing authority, the cost will be subject to a vote of the Commission at either a regular or special meeting and the facilitator may not commence services until budget authority has been obtained.~~



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

1754 Second Street, Suite C  
Napa, California 94559  
Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

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

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**Agenda Item 9e (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *BF*

**MEETING DATE:** February 2, 2026

**SUBJECT:** Consider Ad Hoc Subcommittee Appointments

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**RECOMMENDATION**

It is recommended the Commission consider the membership of, and make appointments as appropriate to, the Fiscal Year 2026-27 Budget Committee, Legislative Committee, Policy Committee, and Islands Committee.

**SUMMARY**

The Commission will consider the membership and make appointments to four ad hoc subcommittees. A summary of the subcommittees and recommended actions follows.

***Fiscal Year 2026-27 Budget Committee***

The Commission establishes an ad hoc Budget Committee each year to advise the Executive Officer in preparing a budget for review and adoption by the Commission. The Budget Committee is also tasked with considering the Commission's fee schedule and work program. The Budget Committee automatically terminates with the adoption of a final budget. For reference, Commissioners Leary and Painter served on last year's Budget Committee. Staff recommends the Commission appoint two members to the Fiscal Year 2025-26 Budget Committee.

***Legislative Committee***

The Commission establishes an ad hoc Legislative Committee each year to advise the Executive Officer in the review of proposed legislation related to LAFCOs and making recommendations to the full Commission to take positions on pertinent bills. The Legislative Committee automatically terminates at the end of the calendar year. For reference, Commissioners Cottrell and Kahn served on the Legislative Committee for calendar year 2025. Staff recommends the Commission appoint two members to the Legislative Committee for calendar year 2026.

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Beth Painter, Chair  
Councilmember, City of Napa

Paul Dohring, Commissioner  
Councilmember, City of St. Helena

David Oro, Alternate Commissioner  
Councilmember, City of American Canyon

Belia Ramos, Vice Chair  
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner  
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

***Policy Committee***

The Commission previously established an ad hoc Policy Committee to advise the Executive Officer in drafting amendments to local policies that will be presented to the full Commission. Commissioners Gallagher and Ramos currently serve on the Policy Committee. Staff recommends the Commission consider the current membership of the Policy Committee and take any desired actions with respect to appointing members. No action is required to retain the current membership.

***Islands Committee***

The Commission previously established an ad hoc Islands Committee to advise the Executive Officer in potential activities related to unincorporated islands. Commissioners Painter and Ramos currently serve on the Islands Committee. An update from the Islands Committee is provided as item 7k on today's agenda. Given that the Islands Committee has completed its task as directed by the Commission, the Islands Committee shall be disbanded unless the Commission indicates otherwise. Should the Commission desire to retain the Islands Committee, staff recommends the Commission either indicate that the current membership shall be retained, or formally appoint two members as part of this item.