



Local Agency Formation Commission
LAFCO of Napa County

1700 Second Street, Suite 268
Napa, California 94559
Telephone: (707) 259-8645
Facsimile: (707) 251-1053
<http://napa.lafco.ca.gov>

October 6 2008
Agenda Item No. 10a

September 30, 2008

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Current and Future Proposals (Information)

The Commission will receive a report from staff regarding current and future proposals. The report is being presented for information.

A. Current Proposals

There are currently five active proposals on file with the Commission. A summary of these proposals follows.

Annexations

Linda Vista Avenue/Trojan Road No. 4 Annexation to Napa Sanitation District

This application has been submitted by the O'Doul Group, LLC. The applicant proposes the annexation of two incorporated parcels totaling 1.64 acres located at 3660 and 3724 Linda Vista Avenue to the Napa Sanitation District. Each parcel currently includes a single-family residence. The purpose of the proposal is to facilitate a 12-lot subdivision that has been tentatively approved by the City of Napa.

Status: Staff is awaiting the submittal of an application fee to begin evaluating the proposal for future consideration by the Commission.

Reorganizations

Wilkins Avenue Reorganization (City of Napa/CSA No. 4)

This application has been submitted by the City of Napa. The City proposes the annexation of an approximate 0.77 acre unincorporated parcel located at 2138 Wilkins Avenue north of its intersection with Imola Avenue. The affected parcel includes a single-family residence and is part of an unincorporated island substantially surrounded by the City comprising a total of 219 parcels and 294 registered voters. The purpose of the annexation is to facilitate the future division and development of the subject territory under the land use authority of the City. The proposal has been classified as a reorganization to account for automatic detachment proceedings involving County Service Area (CSA) No. 4.

Jack Gingles, Commissioner
Mayor, City of Calistoga

Juliana Inman, Commissioner
Councilmember, City of Napa

Cindy Coffey, Alternate Commissioner
Councilmember, City of American Canyon

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

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

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

Brian J. Kelly, Vice Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

Status: Staff is currently evaluating the proposal for future consideration by the Commission. This includes evaluating the potential modification of the proposal to eliminate the entire unincorporated island.

Silverado Trail Reorganization (City of Napa/CSA No. 4)

This application has been submitted by the City of Napa. The City proposes the annexation of eight unincorporated parcels totaling 28.8 acres and consisting of three non-contiguous areas in the vicinity of Silverado Trail's intersection with Soscol Avenue. One of the three non-contiguous areas includes three parcels totaling 11.6 acres and represents an unincorporated island completely surrounded by the City. The other two non-contiguous areas collectively include five parcels totaling 17.1 acres and are located on different sides of the same unincorporated island completely surrounded by the City. This unincorporated island comprises a total of 19 parcels and 20 registered voters. If the proposal is approved as submitted, this unincorporated island would be split into two unincorporated islands. The purpose of the annexation is to facilitate the future division and development of the subject territory under the land use authority of the City. The proposal has been classified as a reorganization to account for automatic detachment proceedings involving CSA No. 4.

Status: Staff is currently evaluating the proposal for future consideration by the Commission. This includes evaluating the potential modification of the proposal to eliminate both affected unincorporated islands.

Special District Formations

Formation of the Villa Berryessa Water District

This application has been submitted by Miller-Song Group, Inc. The applicants propose the formation of a new special district under the California Water District Act. The purpose in forming the new special district is to provide public water and sewer services to a planned 100-lot subdivision located along the western shoreline of Lake Berryessa. A tentative subdivision map for the underlying project has already been approved by the County. The County has conditioned recording the final map on the applicants receiving written approval from the United States Bureau of Reclamation to construct an access road and intake across federal lands to receive water supplies from Lake Berryessa. Based on their own review of the project, the Bureau is requesting a governmental agency be responsible for accepting responsibility for the construction and perpetual operation of the water and sewer systems serving the subdivision.

Status: Staff is currently evaluating the proposal for future consideration by the Commission.

Sphere of Influence Amendments

Montecito Boulevard Sphere of Influence Amendment: City of Napa

Shawn and Connie Gutteresen have submitted a request to amend the City of Napa's sphere of influence to include their property located near the northern terminus of Montecito Boulevard (attached). The owners are currently processing an application with the County of Napa to develop a single-family residence on the affected 44 acre parcel. As part of the development process, the owners are requesting their property be added to the City's sphere to facilitate an outside water service connection in accordance with California Government Code Section 56133.¹ The owners are seeking the outside water service connection from the City due to their concerns regarding the long-term reliability of groundwater. The property is located outside the City's adopted urban growth boundary line and therefore not eligible for annexation under the City General Plan. It is expected the City Council will consider taking action to request Commission approval to provide outside water service to the property in conjunction with the sphere amendment later this month.

Status: Staff will coordinate the review of the sphere amendment with the City's anticipated request to provide outside water service to the property.

B. Future Proposals

Staff is aware of four proposals that are expected to be submitted to the Commission in the near future. A summary of these proposals follows.

Reorganizations

Trancas Crossing Park Reorganization (City of Napa/CSA No. 4)

The City of Napa has initiated a planning process to develop a 33-acre undeveloped parcel north of the intersection of Trancas Street and Old Soscol Avenue for a public park. Current planning activities completed to date include the preparation of an initial study and adopted mitigated negative declaration. As part of the proposed project, Commission approval is required to concurrently annex and potentially add the subject territory to the City's sphere of influence. Detachment proceedings would also be required for CSA No. 4.

Status: The City Council approved a resolution of application proposing the annexation of the affected parcel on March 18, 2008. Staff is currently awaiting the submittal of an application fee from the City.

¹ This code section states the Commission may approve a city or special district's request to provide new or extended service outside their jurisdictional boundary but within their sphere of influence in anticipation of a subsequent change of organization, such as an annexation. This code section also specifies the Commission may only approve a city or special district's request to provide new or extended service outside their jurisdictional boundary and sphere of influence to address an existing or future threat to the public health or safety.

North Big Ranch Road Reorganization (City of Napa/CSA No. 4)

The City of Napa is expected to consider approving a resolution of application on behalf of interested property owners proposing the annexation of three non-contiguous areas located along the western side of Big Ranch Road. All three non-contiguous areas represent unincorporated islands that are substantially surrounded by the City. The purpose of the proposal would be to facilitate the future division and development of the subject territory under the land use authority of the City. Upon submittal, the proposal would be classified as a reorganization to account for automatic detachment proceedings involving CSA No. 4.

Status: It is expected the City Council will consider approving a resolution of application later this month.

American Canyon High School and American Canyon Middle School Reorganization (City of American Canyon/American Canyon Fire Protection District/ CSA No.4)

The Napa Valley Unified School District (NVUSD) has initiated a multi-phased planning process to construct a 2,200-student high school and 530-student middle school to serve the City of American Canyon. The project site is located at the northeast intersection of American Canyon Road and Newell Drive. NVUSD recently approved a final environmental impact report for the project. As part of the proposed project, Commission approval is required to annex the proposed high school site (45 acres) to American Canyon and the American Canyon Fire Protection District. Commission approval is also required to concurrently annex and add the proposed middle school site (17 acres) to both the City and District's sphere of influence. Upon submittal, the proposal would be classified as a reorganization to account for automatic detachment proceedings involving CSA No. 4.

Status: It appears this proposal will be brought to the Commission in phases. The first phase appears to involve NVUSD proposing annexation of the high school site to the District in the next few months. Additional phases of this project will likely be brought to the Commission over the next year.

Oat Hill Reorganization

(City of American Canyon/American Canyon Fire Protection District/CSA No. 4)

The City of American Canyon has initiated a planning process to develop approximately 364 acres of land comprising 72 parcels located north of Eucalyptus Drive west of its intersection with Highway 29. The proposed project includes the development of 1,300 to 1,600 new residential units along with a mixture of commercial and public uses. Current planning activities completed to date include the preparation of an initial study and notice to prepare a draft environmental impact report. As part of the proposed project, Commission approval is required to annex one of the affected parcels totaling 107 acres into American Canyon and the American Canyon Fire Protection District. Upon submittal, the proposal would be classified as a reorganization to account for automatic detachment proceedings involving CSA No. 4.

Status: The City has placed this project on administrative hold since August 2006.

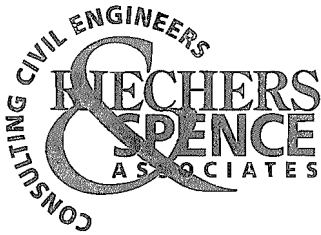
**American Canyon Town Center Reorganization
(City of American Canyon/American Canyon Fire Protection District/CSA No. 4)**

The City of American Canyon has initiated a planning process to develop approximately 100 acres of land comprising three parcels located southeast of the intersection of Highway 29 and South Napa Junction Road. The proposed project includes the development of 600 to 650 new residential units along with a mixture of commercial, retail, and public uses. Current planning activities completed to date include the preparation of a notice of preparation for a draft environmental impact report. As part of the proposed project, Commission approval is required to annex two of the three affected parcels totaling 70 acres into American Canyon. Commission approval is also required to annex one of the three affected parcels totaling 37 acres to the American Canyon Fire Protection District. Upon submittal, the proposal would be classified as a reorganization to account for automatic detachment proceedings involving CSA No. 4.

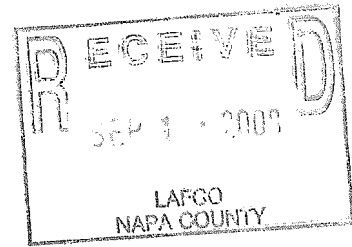
Status: The City has placed this project on administrative hold since July 2007.

Attachment:

- 1) Applicant Letter: *Monticello Boulevard Sphere of Influence Amendment*



#4105068.0
September 17, 2008



Keene Simonds
Executive Officer
Local Agency Formation Commission
1700 Second Street, Suite 268
Napa, CA 94559

RE: Sphere of Influence Amendment Request
Lands of Guttersen (APN 045-170-006)

Dear Keene,

As you are aware, Shawn and Connie Guttersen have applied to the City of Napa for an Outside Water Service Agreement in order to obtain City water service for their parcel at the end of Montecito Boulevard lying within the unincorporated lands of Napa County but contiguous to the City of Napa. While there is an average-producing well on the property, the subject property is within the MST groundwater deficient zone and the Guttersens are concerned about the future reliability of the well to serve the property and the safety-zone water tank described below. Furthermore, anecdotal information from their well driller shows that wells are drying up on First Avenue north and east of the subject property.

This application is typical of previous Outside Water Service requests, but now must comply with Government Code section 56133 which limits the City to providing out-of-jurisdiction services only to parcels within its sphere of influence. As such, this will serve as our formal request for a sphere of influence amendment to expand the City's sphere to include the subject parcel. This request to LAFCO is intended only to facilitate the provision of water to the Guttersen parcel, which City Staff supports. Given the property's location at the end of a City street with no other access, current services to the subject property are already provided by the City or by City forces. As such, this sphere amendment is a logical expansion of their service area in anticipation of a later change of organization.

As a matter of background, in exchange for the provision of City water, the Guttersens propose to construct various improvements that will contribute to improved fire access and firefighter safety on Montecito Boulevard. As widely known, and of great concern to the City of Napa Fire Department, Montecito Boulevard above Lakeview Drive is currently an area of the City with poor access and circulation that is exposed to a high wildland-fire hazard. The proposed improvements have been carefully considered in coordination with Fire Marshal Darren Drake and Operations Chief Mike Randolph, and specifically involve the construction of a new,

standard cul-de-sac at the end of Montecito Boulevard and the preparation of a safety zone on the Guttersen property. Both are further described below.

The existing cul-de-sac on Montecito Boulevard is too small, falls well short of the current turnaround standard and does not accommodate the turning movement of a fire truck. The Guttersens' propose to construct a 70-foot diameter cul-de-sac in compliance with the current City of Napa requirements for a cul-de-sac turnaround. The larger cul-de-sac will allow fire trucks to turn around in one circular movement, faster than a multi-point turn. The land encumbered by the improvements will be dedicated in fee to the City by the Guttersens and their neighbor Mr. Sager at no charge to the City. And all construction costs will be borne by the Guttersens'.

The Guttersens also propose to prepare a safety zone on their property for use by City firefighters in the event of a fire event whereby they need to seek a safe harbor. The location of the safety zone has been selected upon the direction of Mike Randolph, with final tree removals and clearing to be determined by Mike and County Fire staff prior to construction. This work also involves the construction of a new 2500-gallon water tank within the safety zone and outfitted with a 2-1/2" outlet for use by the firefighters. In this case as well, all construction costs will be borne by the applicant.

These improvements have been reviewed and approved by the City of Napa Fire, Public Works and Community Development Departments, and provide enough public benefit to garner their broad support for this Outside Water Service Application and the necessary sphere amendment. City Staff is currently preparing a Staff Report for the application and a CEQA exemption pursuant to a City Council hearing on October 7, 2008, where we anticipate the necessary votes to approve the application.

To justify the proposed sphere amendment, pursuant to Government Code section 56425, here are statements of determination for the four factors:

(1) The present and planned land uses in the area, including agricultural and open-space lands.

Presently, the subject property is a vacant, 40-acre parcel with a zoning designation of AW and a partial General Plan designation of City and AW:OS. It is planned to develop the property as a residential estate parcel in compliance with the present zoning and land use regulations of Napa County.

(2) The present and probable need for public facilities and services in the area.

There will be no need for additional public facilities or services to serve a development on the subject parcel. City streets already provide access to the parcel, City water infrastructure already exists in Montecito Boulevard and emergency services are already provided to the area by City forces.

(3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

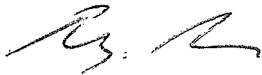
The City has determined that they have adequate capacity to serve the subject property, as described in their Staff Report.

(4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The City of Napa is the social and economic community of interest related to this request. The subject property is at the edge of the City and accessed via City roads. Shopping, schools and other social and economic activity occurs within the City. The subject property is directly and most appropriately affiliated with the City of Napa.

Additional information regarding the sphere amendment and the City's findings can be found in the above-referenced Staff Report. Let me know if you need any additional information from me or the GutterSENS in order to process this request and schedule it for a hearing at the next available Commission meeting.

Sincerely,



Ryan Gregory, P.E.
Vice President

cc: Dana Smith, Assistant City Manager
Phil Brun, General Manager Water Division
Shawn GutterSEN