



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

October 1, 2012
Agenda Item No. 8a (Discussion)

September 24, 2012

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer
Brendon Freeman, Analyst

SUBJECT: Lake Berryessa Resort Improvement District Sphere of Influence Update

The Commission will receive a draft report on its scheduled sphere of influence update on Lake Berryessa Resort Improvement District. The central focus of the draft report is to consider whether it is appropriate to expand the current sphere of influence designation to include the entire jurisdictional boundary. The draft report concludes three distinct update options are merited and subject to Commission preference. The draft report is being presented for discussion and direction in anticipation of staff preparing a final report for adoption at a future meeting.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) directs Local Agency Formation Commissions (LAFCOs) to establish, amend, and update spheres of influence (“spheres”) for all cities and special districts. LAFCOs use spheres to designate the territory it independently believes represents the appropriate future service areas and jurisdictional boundaries of the affected agencies. Importantly, all jurisdictional changes and outside service extensions must be consistent with the affected agencies’ spheres with limited exceptions. Sphere updates are prepared in concurrence with municipal service reviews and must be performed for all local agencies every five years.

A. Discussion

Staff has prepared a draft report representing LAFCO of Napa County’s (“Commission”) scheduled sphere update on Lake Berryessa Resort Improvement District (LBRID); the governmental entity responsible for providing water and sewer services for the unincorporated Berryessa Estates community. The basic objective of the report is to independently identify and evaluate areas warranting consideration for inclusion or removal from LBRID’s sphere relative to the policies and goals codified in CKH and adopted by the Commission. The report supersedes the last comprehensive sphere update for LBRID adopted by the Commission in December 2007. The report also draws on information collected and analyzed in the Commission’s recently completed municipal service review on the Lake Berryessa region, which included evaluating the availability, adequacy, and capacity of services provided by LBRID.

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County of Napa Supervisor, 2nd District

Keene Simonds
Executive Officer

B. Summary/Analysis

Report Policy Focus

This report and its analysis has been oriented to focus on a central policy question as to whether it is appropriate to expand LBRID's current sphere to include the District's entire jurisdictional boundary. This central consideration is drawn from the Commission's previous action to include only 10 percent of LBRID's jurisdictional boundary in establishing the sphere in 1985 for reasons detailed in this report and summarized in the succeeding paragraphs. The report, accordingly, evaluates the merits of adding this lone study category consisting of approximately 1,850 acres of remaining jurisdictional land to the sphere relative to current considerations (i.e., legislative directives, adopted policies, and member preferences). The report further divides this lone study category into three distinct subareas labeled "A-1," "A-2," and "A-3" based on ownership factors. An enlarged map of the study category and its subareas is attached.

Report Conclusions

The report concludes there is relatively equal merit in taking one of three actions with respect to updating LBRID's sphere. These three options are subject to Commission preference in administering LAFCO law in Napa County. The three options are identified below with an expanded discussion provided in the draft report's Executive Summary.

- **Option One: Expand the Sphere to Match the Jurisdictional Boundary**
This option would be appropriate if it is the Commission's preference to assign overriding deference to the affected lands' existing social and economic ties with LBRID in choosing to add the subareas to the sphere.
- **Option Two: Retain Current Sphere and Pursue Detachment Alternatives**
This option would be appropriate if it is the Commission's preference to emphasize the affected lands' limited land use and service planning compatibilities with LBRID in choosing to continue to exclude the subareas from the sphere. This option would, notably, serve to reaffirm the Commission's policy statement the affected lands be detached and be memorialized by taking one or both of the following actions. The first alternative is for the Commission to formally request the LBRID Board take action to initiate a proposal to detach the subareas. The second alternative is for the Commission to direct the Executive Officer to initiate a proposal to reorganize LBRID to establish a new community services district with a jurisdictional boundary that excludes the subareas.
- **Option Three: Retain Current Sphere and Table Considerations**
This option would be appropriate if it is the Commission's preference to maintain the status quo and table all related policy considerations to the next scheduled update. This option would be appropriate if the Commission believes more information is warranted with regards to future LBRID operations and community needs before taking any new action.

Review of Draft Report

Staff respectfully seeks Commission input with regards to member preferences in pursuing one of the three update options referenced in the preceding section in updating LBRID's sphere. Staff will incorporate the input provided by Commissioners in preparing a final report with recommendations for consideration at the next regularly scheduled meeting. Staff will also issue a 30-day public review notice on the draft report to all interested parties – including landowners – following today's meeting. Comments received during the review period will be incorporated into the final report.

C. Commission Review

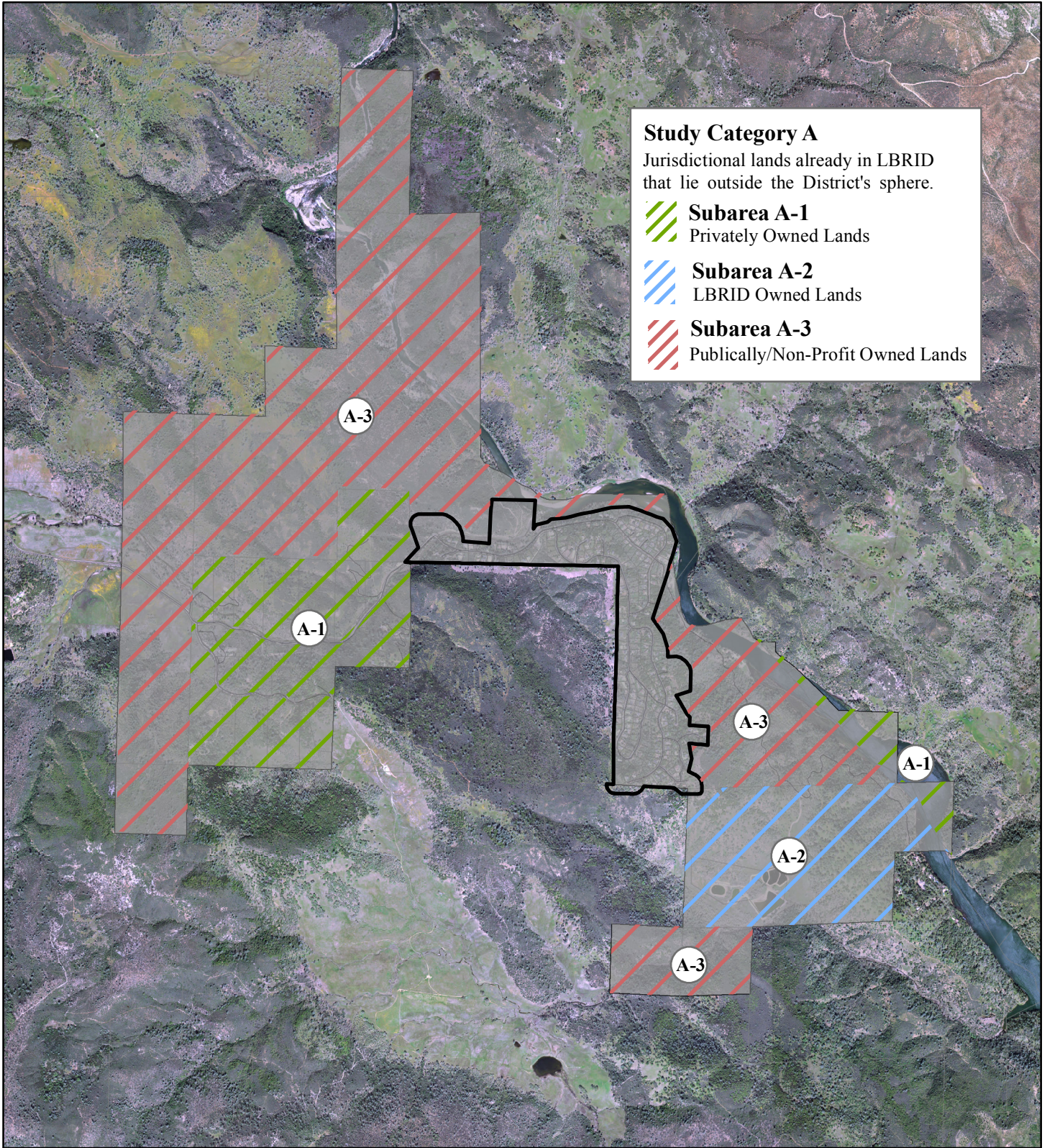
Commissioners are encouraged to discuss and provide feedback on the draft report. This includes providing direction to staff with respect to the issues identified in the preceding sections along with any other related matters.

Attachments:

- 1) Enlarged Map Depicting the Three Subareas Evaluated in Draft Report
- 2) Draft Report

LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT

Study Categories





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Political Subdivision of the State of California

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

BOUNDARIES

-  LBRID Boundary
-  LBRID Sphere