



Local Agency Formation Commission
LAFCO of Napa County

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February 2, 2009

Agenda Item No. 6a (Public Hearing)

January 28, 2009

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer
Brendon Freeman, Analyst

SUBJECT: Big Ranch Road No. 1 Reorganization

The Commission will consider an application from the City of Napa to annex approximately 20.1 acres of unincorporated territory located along Big Ranch Road north of its intersection with Trancas Street. The affected territory includes three non-contiguous areas each representing entire unincorporated islands substantially surrounded by the City. Staff is recommending approval of the proposal with a modification to concurrently detach the affected territory from County Service Area No. 4

The Commission is responsible under California Government Code (G.C.) Section 56375 to approve, modify, or disapprove boundary changes consistent with its adopted written policies, procedures, and guidelines. The Commission is also authorized to establish conditions in approving boundary changes as long as it does not directly regulate land uses. Underlying the Commission's determination in approving, modifying, or disapproving proposed boundary changes is to consider the logical and timely development of the affected agencies in context with local circumstances and needs.

A. Proposal Summary

The Commission has received an application from the City of Napa ("City") proposing the annexation of approximately 20.1 acres of unincorporated territory. The affected territory consists of three non-contiguous areas located along Big Ranch Road north of its intersection with Trancas Street. Each of the three areas represent entire unincorporated islands substantially surrounded by the City. The three areas are identified in this report as "A," "B," and "C" and summarized below.

- Area A is approximately 5.9 acres in total size and includes seven parcels and an adjacent right-of-way portion of Big Ranch Road. Area A includes five single-family residences and two commercial retail units. The subject parcels in Area A are identified by the County Assessor's Office as 038-170-006, 038-170-007, 038-170-008, 038-170-009, 038-170-011, 038-170-030, and 038-170-031.

Juliana Inman, Vice Chair
Councilmember, City of Napa

Jack Gingles, Commissioner
Mayor, City of Calistoga

Cindy Coffey, Alternate Commissioner
Councilmember, City of American Canyon

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

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

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

Brian J. Kelly, Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

- Area B is approximately 8.9 acres in size and includes six parcels and an adjacent portion right-of-way portion of Big Ranch Road. Area B includes six single-family residences. The six parcels in Area B are identified by the County Assessor's Office as 038-170-002, 038-170-023, 038-170-024, 038-170-026, 038-170-032, and 038-170-033.
- Area C is approximately 5.3 acres in size and includes five parcels and an adjacent right-of-way portion of Big Ranch Road. Area C includes four single-family residences. One of the five parcels remains undeveloped. The six parcels in Area C are identified by the County Assessor's Office as 038-160-005, 038-160-006, 038-160-007, 038-160-008, and 038-160-009.

B. Discussion

Proposal Purpose

The purpose of the proposal is to facilitate the future division and development of the affected territory under the land use authority of the City. The City General Plan designates the majority of the affected territory for moderate to high density residential uses, which could accommodate the development of up to 75 total single-family units.¹ No projects exist at this time given it is City policy not to accept a development application unless the subject land is already within its jurisdictional boundary. However, the landowner of two parcels in Area B has communicated his intention to submit a development application upon annexation to the City.²

Island Annexation

In adopting a resolution of application, the City has requested annexation of the affected territory under the provisions of G.C. Section 56375.3. This code section was originally enacted by the California Legislature in 1999 and provides an expedited process for cities to annex islands under certain conditions while avoiding protest proceedings. Markedly, this code section limits the Commission's discretion by directing it to approve island annexations if it determines the following factors have been satisfied:

1. The affected territory does not exceed 150 acres in size, and the area constitutes an entire unincorporated island.
2. The affected territory constitutes an entire unincorporated island located within the limits of the affected city, or constitutes a number of individual unincorporated islands.
3. The affected territory is surrounded in either of the following ways:

¹ The remaining portion of the affected territory is designated under the City General Plan for commercial use and could accommodate up to 9,758 square feet of retail space.

² The two affected parcels in Area B are identified by the County Assessor's Office as 038-170-032 and 038-170-033.

- a) Surrounded, or substantially surrounded, by the city to which annexation is proposed or by the city and the county boundary or by the Pacific Ocean.
 - b) Surrounded by the city to which annexation is proposed and adjacent cities.
4. The affected territory is substantially developed or developing. This includes, but is not limited to, considering the following issues:
 - a) The availability of public utility services
 - b) The presence of public improvements
 - c) The presence of physical improvements
 5. The affected territory does not meet the definition for prime agricultural land under G.C. Section 56064.
 6. The affected territory will benefit from the annexation or is receiving benefits from the annexing city or is receiving benefits from the annexing city

Staff has reviewed these factors and believes the proposal qualifies as an island annexation proceeding under G.C. Section 56375.3. This conclusion is supported by recognizing the affected territory is less than 150 acres, constitutes three entire individual unincorporated islands substantially surrounded by the City, and does not qualify as prime agricultural land.^{3 4} The affected territory is also considered to be developing given public services are readily available and its present housing density is 0.8 per gross acre, which exceeds the Commission's adopted definition for determining developed island.⁵ It is also apparent the affected territory will benefit from the annexation by receiving an elevated level of public services consistent with its planned urban development under the City General Plan.

Potential Modifications

In reviewing the application materials, staff believes it is appropriate to modify the proposal into a reorganization to include the concurrent detachment of the affected territory from County Service Area (CSA) No. 4. CSA No. 4 was formed in 2002 and includes all unincorporated territory along with certain incorporated territory located within the Cities of Calistoga, Napa, St. Helena, and Yountville. The intent and function of CSA No. 4 is to serve as a governmental sponsor for a voter approved assessment on all parcels within its jurisdiction containing one acre or more of planted vineyard for the purpose of funding farmworker housing services. CSA law has historically included a provision requiring land

³ In making the former statement, staff has applied the Commission's adopted definition of "substantially surrounded" as territory that is 66.6% surrounded by the affected city. Based on the County's Geographic Information System, staff has confirmed Areas A, B, and C are 75%, 81%, and 70%, respectively, surrounded by the City.

⁴ Staff has confirmed the affected territory's soil index is not classified by the USDA Natural Resources Conservation Services as Class I or II nor does it qualify for 80 to 100 under the Storie Index Rating. The affected territory is also not under commercial agricultural use. These factors preclude the affected territory from qualifying as prime agricultural land under G.C. Section 56064.

⁵ The Commission's adopted definition for determining a developed island is 0.5 units per gross acre.

be automatically detached from a CSA upon its annexation to a municipality unless waived by a commission based on specific findings. This automatic detachment provision was deleted effective January 1, 2009 as part of a comprehensive rewrite of CSA law. The legislative intent in deleting the provision is to broaden a commission's discretion in determining whether it believes land should be detached from a CSA upon annexation to a municipality. With regards to this proposal, the affected territory is not part of the CSA No. 4 assessment and its current and planned land uses are residential and commercial. These factors support the Commission exercising its discretion to modify the proposal to include the concurrent detachment of the affected territory from CSA No. 4.⁶

C. Analysis

Required Factors for Review

G.C. Section 56668 requires the Commission to consider 15 factors anytime it reviews proposed boundary changes. No single factor is determinative. The purpose in considering these factors is to help inform the Commission in its decision-making process. An evaluation of these factors as it relates to the proposal follows.

1) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent areas, during the next 10 years.

The current population in the affected territory is estimated at 42 with a density of 2.1 persons per acre.⁷ If developed to the maximum extent allowed under the City General Plan, the affected territory's build-out population would be approximately 196 with a density of 9.8 persons per acre.⁸ Topography is relatively flat with a peak elevation of 51 feet above sea level in the center portion of Area C. There are two unnamed seasonal tributaries bordering and intersecting Areas B and C, respectively. The total current assessed value of the affected territory is \$8.24 million according to the County Assessor's Office.

The potential for new growth adjacent to the affected territory is limited. Nearly all adjacent and nearby properties to the west of the affected territory are developed with single-family residences and could not be further divided under the City's land use authorities given their current lot sizes. Adjacent or nearby properties to the east

⁶ The Commission's concurrent annexation policy involving the Napa Sanitation District (NSD) does not apply to this proposal because there is not 100% consent from the affected landowners. Additionally, in reviewing the application materials, NSD advised staff it would not support the affected territory's annexation to the District until a specific development project was known in order to establish appropriate terms for the extension of sewer service.

⁷ The current population has been calculated by staff. The calculation reflects the sum of the total number of residential units (16) within the affected territory multiplied by the population factor (2.62) used by the California Department of Finance for the City.

⁸ The City General Plan designates the affected territory as *Single-Family Residential-33I*, *Single-Family Residential-33J*, *Single-Family Residential-33K*, *Single-Family Residential-33L*, and *Local Commercial-416*. The residential designations provide respective maximum densities of four, three, two, and six units per acre and thereby allow the affected territory to be divided into a total of 75 single-family units. The current population density in the City is 6.7 persons per acre.

of the affected territory are outside the City's sphere of influence and designated for agricultural use under the City General Plan. Accordingly, development within these eastern lying properties is limited to current uses.

- 2) **The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.**

The proposal is expected to facilitate the future development of the affected territory within the next ten years in a manner consistent with the City General Plan to include up to 75 total single-family residential units.⁹ Governmental services will be needed to accommodate and support the intensified urban uses. Most notably, this includes providing an appropriate level of (a) fire protection and emergency medical, (b) law enforcement, (c) sewer, and (d) water services. An analysis of the availability and adequacy of these governmental services in the affected territory follows.

Fire Protection and Emergency Medical Service

The County is currently the legal entity responsible for providing fire protection and emergency medical services to the affected territory. However, given the affected territory comprises three unincorporated islands, the City is already the probable first-responder for fire protection and emergency medical service calls based on an established mutual aid agreement with the County. Annexation would eliminate any duplication and/or inefficiencies associated with the City providing fire protection and emergency medical services to the affected territory.

Law Enforcement Service

The County is currently the legal entity responsible for providing law enforcement services to the affected territory. However, given the affected territory comprises three unincorporated islands, the City is already the probable first-responder for law enforcement service calls based on an established mutual aid agreement with the County. Annexation would eliminate any duplication and/or inefficiencies associated with the City providing law enforcement services to the affected territory.

⁹ Two of the parcels identified by the County Assessor's Office as 038-170-011 and 038-170-031 are designated for local commercial uses and can not be further divided given their current lot sizes.

Sewer Service

Three of the seven parcels comprising Area A are already within and receive public sewer service from the Napa Sanitation District (NSD).¹⁰ The remaining 15 parcels in the affected territory are outside NSD's boundary but within the District's sphere of influence. NSD's Sewer Master Plan indicates it has sufficient capacities and facilities to extend sewer service to the remaining 15 parcels without adversely affecting existing customers.

Water Service

All 18 parcels comprising the affected territory are dependent on groundwater through private onsite wells. Upon annexation, all 18 parcels would be eligible to receive water service from the City. Through a formal application process, the City's Urban Water Management Plan indicates the City has adequate supplies and facilities to extend water service to the 18 parcels without adversely affecting existing customers. An expanded review of the City's water services are addressed on page eight of this report.

3) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

The proposal would recognize and strengthen the social and economic ties existing between the affected territory and the City. These ties are drawn from the landowners and residents utilizing commercial, social, recreational, and public services provided by and or within the City. Modification of the proposal to include the concurrent detachment of the affected territory from CSA No. 4 would support its logical development by removing incorporating land designated for urban use that does not have an economic or social tie to the District.

4) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in G.C. Section 56377.

The Commission has previously determined the City is the logical land use and service provider for the affected territory by including all 18 parcels within the sphere of influence. The proposed annexation of the affected territory to the City is infill-oriented and would eliminate three existing unincorporated islands. Annexation would not induce, facilitate, or lead to the conversion of existing open-space lands as defined under G.C. Section 56377.

5) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.

The affected territory does not qualify as agricultural land as defined under G.C. Section 56016.

¹⁰ These three parcels are identified by the County Assessor's Office as 038-170-009, 038-170-011, and 038-170-031.

- 6) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.**

A map and geographic description have been prepared by a licensed surveyor identifying the boundaries of the affected territory in accordance with the requirements of the State Board of Equalization. These documents provide sufficient certainty with regards to the exact boundaries of the affected territory.

- 7) Consistency with the city and county general plan and specific plans.**

The City General Plan designates the majority of the affected territory for moderate to high density residential uses that could ultimately accommodate up to 75 single-family units. The remaining portion of the affected territory is designated by the City for commercial use and could accommodate up to 9,758 square feet of retail space. These designations are consistent with the Commission's policies and practices to permit annexations to cities for the purpose of facilitating planned orderly urban development. The designations are also consistent with the County General Plan, which designates the affected territory as *Cities*.

- 8) The sphere of influence of any local agency which may be applicable to the proposal.**

The affected territory is located within the City's sphere of influence and therefore consistent with the proposal. The affected territory is also located within CSA No. 4's sphere of influence, which has been designated to include all lands in Napa County. Given its countywide designation, amending CSA No. 4's sphere of influence to remove the affected territory if concurrently detached from the District as part of the proposal is infeasible.

- 9) The comments of any affected local agency or other public agency.**

On November 11, 2008, LAFCO staff electronically circulated copies of the application materials for review and comment to local governmental agencies. NSD conditions approval on annexing to the District the 15 parcels not currently within the District's boundaries. Napa County Resource Conservation District (NCRCD) noted three parcels in Area B are located within the 100-year floodplain as identified in a recent District study.¹¹ No other substantive comments were received.

¹¹ The County Assessor's Office identifies these parcels as 038-170-026, 038-170-032, and 038-170-033.

- 10) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.**

The City has adequate service capacities, financial resources, and administrative controls to serve the affected territory. The City will also receive 55% of the County's proportional share of property tax proceeds to help offset new service-related costs as part of a master tax exchange agreement.

- 11) Timely availability of water supplies adequate for projected needs as specified in G.C. Section 65352.5.**

The City's water supplies are drawn from three sources: 1) Lake Hennessey; 2) Milliken Reservoir; and 3) the State Water Project. The City's most recent Urban Water Management Plan (UWMP) estimates its total annual water supply generated from these three sources during normal and multiple-dry years is 29,296 and 16,957 acre-feet, respectively.¹²

The City's current annual water demand is approximately 14,500 acre-feet. It is anticipated the annexation of the affected territory and its subsequent maximum development under the City General Plan would generate an additional annual water demand of 28.5 acre-feet.¹³ This amount can be reasonably accommodated by the City based on its existing supplies.

- 12) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.**

The proposal makes no significant impact on the ability of the County or City in achieving their respective regional housing needs assignment as determined by the Association of Bay Area Governments (ABAG). Based on the methodology used by ABAG, the potential housing stock associated with the affected territory has been fully allocated to the City in determining its housing need assignment given its location within its urban limit line.

- 13) Any information or comments from the landowner or owners, voters, or residents of the affected territory.**

The City surveyed all 18 affected landowners to determine whether they would support the annexation. The results of the survey follow:

¹² The City's UWMP defines a multiple-dry year period as a period generally considered to have the lowest average runoff for a consecutive multiple year period (three years or more) for a watershed since 1903.

¹³ Maximum allowable units under the City General Plan have been calculated by staff (75) and are multiplied by the average annual water demand (0.38 acre-feet) for a single-family residence.

| Support | Oppose | No-Response |
|-------------|-------------|-------------|
| 038-160-005 | 038-160-007 | 038-170-006 |
| 038-160-006 | 038-160-008 | |
| 038-170-002 | 038-160-009 | |
| 038-170-008 | 038-170-007 | |
| 038-170-009 | 038-170-026 | |
| 038-170-011 | 038-170-024 | |
| 038-170-023 | | |
| 038-170-030 | | |
| 038-170-031 | | |
| 038-170-032 | | |
| 038-170-033 | | |

14) Any information relating to existing land use designations.

The City designates the affected territory as *Single-Family Residential 33I, Single-Family Residential 33J, Single-Family Residential 33K, Single-Family Residential 33L, and Local Commercial 416.*

15) The extent to which the proposal will promote environmental justice. As used in this subdivision, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the local of public facilities and the provision of public services.

There is no documentation or evidence suggesting the proposal will have a measurable effect with respect to promoting environmental justice.

Rezoning Assignment

G.C. Section 56375(3) requires cities prezone territory as a condition to annexation. The City has prezoned the affected territory with three residential assignments and one commercial assignment: *RS-5* (Single-Family Residential); *RS-10* (Single-Family Residential); *RS-20* (Single-Family Residential); and *CL* (Local Commercial). These rezoning assignments are consistent with the City General Plan. The City may not change the zoning for the affected territory in a manner that does not conform to the rezoning at the time of annexation for a period of two years with limited exceptions.

Property Tax Agreement

In accordance with provisions of California Revenue and Taxation Code Section 99, the County of Napa and the City of Napa have previously agreed by resolution of their respective boards to a master property tax exchange agreement applicable to the proposal. The agreement specifies the City shall receive 55% of the County’s existing portion of property tax revenues generated from the affected territory.

Environmental Review

The City serves as lead agency for the proposal under the California Environmental Quality Act (CEQA). The City prepared an initial study and has determined the annexation and potential development of the affected territory could not have a significant effect on the environment because all potential significant effects have been adequately analyzed and addressed in the Final Environmental Impact Report (FEIR) prepared for the General Plan.

As responsible agency, the Commission is required to rely on the City's environmental documentation in acting on the proposal, but must prepare and issue its own findings. Staff has reviewed the aforementioned initial study and believes the City has made an adequate determination the annexation will not introduce any new considerations with respect to the FEIR. In addition, development projects, as they become known, will be subject to additional environmental review.

D. Alternatives for Commission Action

Staff has identified four alternative actions for Commission consideration with respect to the proposal. These alternatives are:

Option One: Approve the proposal as submitted authorizing the annexation of the affected territory to the City with standard terms and conditions while waiving protest proceedings pursuant to G.C. Section 56375.3(a)(1).

Option Two: Approve a modified proposal authorizing the annexation of the affected territory to the City and the concurrent detachment of the land from CSA No. 4 with standard terms and conditions while waiving protest proceedings pursuant to G.C. Section 56375.3(a)(1).

Option Three: Continue consideration of the proposal to a future meeting.

Option Four: Deny the proposal.

E. Recommendation

Staff recommends the Commission approve the proposal with a modification to include the concurrent detachment of the affected territory from CSA No. 4, which is identified in the preceding section as Option Two. This reorganization will eliminate three entire unincorporated islands and facilitate orderly and infill-oriented growth.

Respectfully submitted,

Keene Simonds
Executive Officer

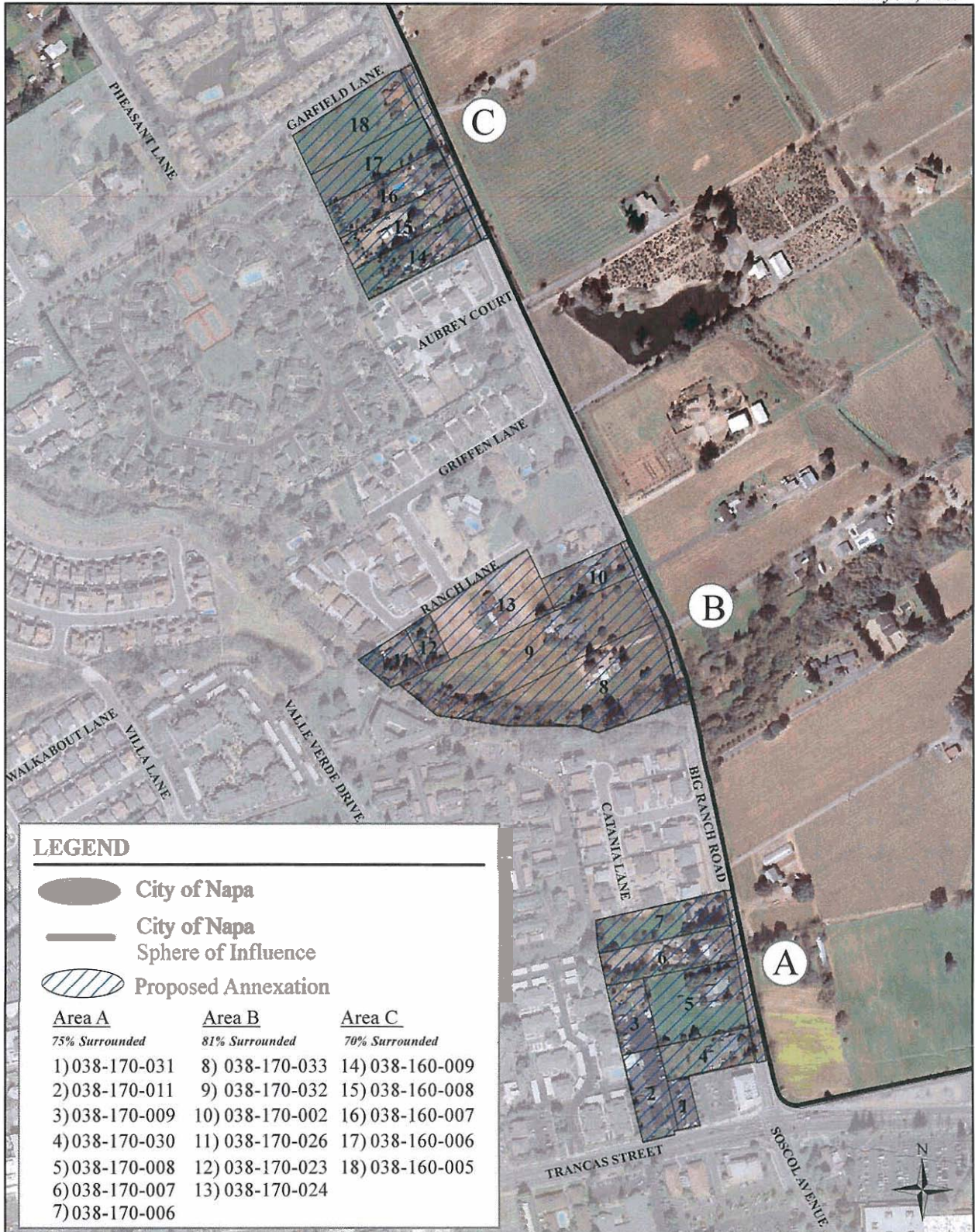
Brendon Freeman
Analyst

Attachments:

- 1) LAFCO Aerial Map
- 2) LAFCO Draft Resolution of Approval (Option Two)
- 3) Application Materials

Big Ranch Road No. 1 Reorganization

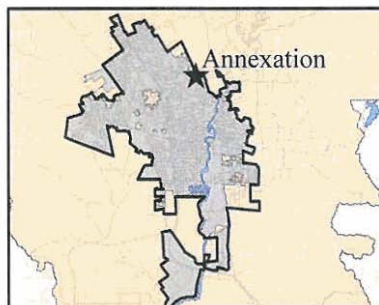
January 27, 2009



LEGEND

- City of Napa
- City of Napa Sphere of Influence
- Proposed Annexation

| Area A | Area B | Area C |
|----------------|-----------------|-----------------|
| 75% Surrounded | 81% Surrounded | 70% Surrounded |
| 1) 038-170-031 | 8) 038-170-033 | 14) 038-160-009 |
| 2) 038-170-011 | 9) 038-170-032 | 15) 038-160-008 |
| 3) 038-170-009 | 10) 038-170-002 | 16) 038-160-007 |
| 4) 038-170-030 | 11) 038-170-026 | 17) 038-160-006 |
| 5) 038-170-008 | 12) 038-170-023 | 18) 038-160-005 |
| 6) 038-170-007 | 13) 038-170-024 | |
| 7) 038-170-006 | | |



0.1 Miles



LAFCO of Napa County
 170 Second Street, Suite 268
 Napa, California 94559
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RESOLUTION NO. _____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MAKING DETERMINATIONS**

BIG RANCH ROAD NO. 1 REORGANIZATION

WHEREAS, an application of the City of Napa, by resolution, proposing the annexation of territory to the City of Napa has been filed with the Executive Officer of the Local Agency Formation Commission of Napa County, hereinafter referred to as the "Commission", pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the Executive Officer reviewed the proposal and prepared a report with recommendations; and

WHEREAS, the proposal and the Executive Officer's report 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 hearing held on said proposal; and

WHEREAS, the Commission considered all the factors required by law under Government Code Section 56375.3 and 56668; and

WHEREAS, the Commission found the proposal consistent with the sphere of influence established for the City of Napa and with the Commission's adopted policy determinations.

NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

1. In accordance with the applicable provisions of the California Environmental Quality Act (CEQA), the Commission has considered the Initial Study and determination by the City of Napa, lead agency under CEQA, the annexation will not have a significant effect on the environment because all potential significant effects have been adequately analyzed and addressed as part of the Environmental Impact Report (EIR) prepared for the City General Plan, certified December 1, 1998. The Commission has considered the EIR and finds that it makes land use assignments for the subject territory and adequately discusses the environmental impacts of development to the assigned densities. The Commission concurs with the City's determination and finds the annexation will not introduce any new considerations with respect to this EIR, and probable future projects are adequately addressed by it. The Commission further finds that projects, as they become known, will be subject to environmental review as they are developed.
2. The affected territory includes entire unincorporated islands as defined under Government Code Section 56375.3.

3. The proposal is APPROVED with the modification to include the concurrent detachment of the affected territory from County Service Area No. 4.

4. The proposal is assigned the following distinctive short-term designation:

BIG RANCH ROAD NO. 1 REORGANIZATION

5. The affected territory to be annexed to the City of Napa and detached from County Service Area No. 4 is shown in the attached Exhibit "A".

6. The affected territory is inhabited as defined in Government Code Section 56046.

7. The City of Napa utilizes the regular assessment roll of the County of Napa.

8. The affected territory will be taxed for existing general bonded indebtedness of the City of Napa.

9. The proposal shall be subject to the terms and conditions specified in the attached Exhibit "B".

10. The Commission authorizes conducting authority proceedings to be waived in accordance with Government Code Section 56375(a)(1).

11. Recordation is contingent upon receipt by the Executive Officer of a final map and geographic description determined by the Executive Officer and County Surveyor to conform to the requirements of the State Board of Equalization.

12. Recordation is contingent upon payment of any and all outstanding fees owed to the Commission and/or other agencies involved in the processing of this proposal.

13. Recordation is contingent upon receipt by the Executive Officer of an indemnification agreement signed by the City in a form provide by the Commission.

14. The effective date shall be the date of recordation of the Certificate of Completion.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on February 2, 2009, by the following vote:

AYES: Commissioners _____

ATTEST: Keene Simonds
Executive Officer

NOES: Commissioners _____

ABSTAIN: Commissioners _____

Recorded by: _____
Kathy Mabry
Commission Secretary

ABSENT: Commissioners _____

EXHIBIT "A"

GEOGRAPHIC DESCRIPTION

BIG RANCH ROAD NO. 1 AREA 'A'

CITY ANNEXATION -- NAPA

All that property situate in the County of Napa, State of California, lying within the Napa Rancho, described as follows:

Beginning at the southeast corner of the boundary of the existing annexation district as shown on the map entitled "Map Delineating the Boundary of Trancas Street/Valle Verde Drive No. 2 City Annexation -- Napa", recorded June 28, 1999, in Series Document No. 1999-0020798 of Official Records of said Napa County;

thence, (1) northerly 642.28 feet along the east line of said existing City Boundary to an angle point in the easterly boundary of the existing annexation district shown as Exhibit "B" on the map entitled "Map Delineating the Boundary of Trancas Street/Valle Verde Drive Annexation District", recorded April 30, 1969 in Book 806 of Official Records at page 819, Napa County Records;

thence continuing along the east line of said existing City Boundary, (2) northerly 74.23 feet, more or less, to the southwest corner of the existing annexation district as shown on the map entitled "Map Delineating the Boundary of Big Ranch Road City Annexation -- Napa", recorded April 27, 1990 in Book 1734 of Official Records at page 986, Napa County Records;

thence along the south line of said existing City Boundary, (3) easterly 412 feet to the southeast corner thereof, said southeast corner being on the east line of Big Ranch Road;

thence leaving said existing City Boundary and along said east line of Big Ranch Road, (4) southerly 548 feet, more or less, to the northeast corner of the existing annexation district as shown on the map entitled "Map Delineating the Boundary of Trancas Street/Big Ranch Road City Annexation – Napa", recorded March 17, 1993 in Series Document No. 1993-008385 of Official Records of said Napa County;

thence, (5) westerly 282.11 feet along the north line of said existing City Boundary;



thence, (6) southerly 165.10 feet along west line of said existing City Boundary to the northern line of the existing annexation district shown as Exhibit "B" on the map entitled "Map Delineating the Boundary of Trancas Street – Soscol Avenue Annexation District", recorded August 29, 1968 in Book 793 of Official Records at page 277, Napa County Records;

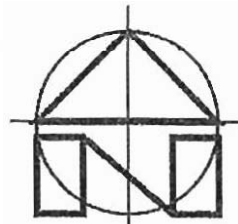
thence, (7) westerly 191.14 feet, more or less, along said northern line of the existing City Boundary to the point of beginning.

Containing 6.62 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.

LEGEND

- APN ASSESSOR'S PARCEL NUMBER
- P.O.B. POINT OF BEGINNING
-  EXISTING CITY ANNEXATION
-  PROPOSED ANNEXATION TO CITY



SCALE: 1"=120'



ZONE: RC1UR
 AREA: 6.62 AC.
 STREET: 0.10 MILES

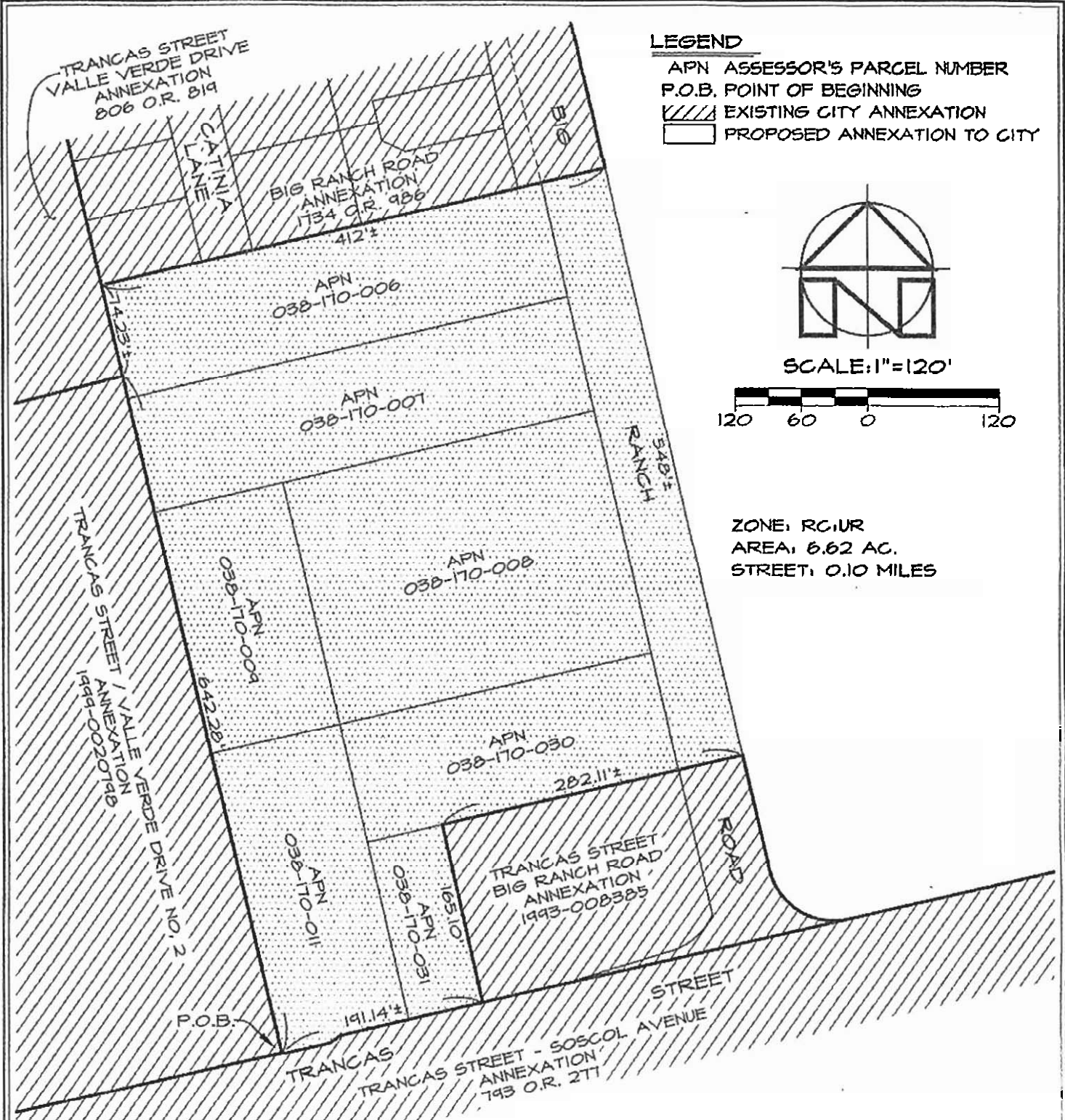


EXHIBIT "A"

**MAP DELINEATING
 THE BOUNDARY OF
 BIG RANCH ROAD NO. 1 AREA 'A'
 CITY ANNEXATION - NAPA
 BEING A PORTION OF NAPA RANCHO**

DISCLAIMER:
 "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."

DRAFT

EXHIBIT "A"

GEOGRAPHIC DESCRIPTION

BIG RANCH ROAD NO. 1 AREA 'B'

CITY ANNEXATION – NAPA

All that property situate in the County of Napa, State of California, lying within the Napa Rancho, described as follows:

Beginning at the northeast corner of the boundary of the existing annexation district as shown on the map entitled "Map Delineating the Boundary of Big Ranch Road City Annexation – Napa", recorded April 27, 1990 in Book 1734 of Official Records at page 986, Napa County Records, said northeast corner being on the east line of Big Ranch Road;

thence along the northern line of said existing City Boundary, (1) westerly 60.00 feet to the east line of said Big Ranch Road;

thence continuing along the northern line of said existing City Boundary, (2) westerly 247.36 feet to the most easterly corner of the boundary of the existing annexation district as shown on Exhibit "B" on the map entitled "Map Delineating the Boundary of Trancas Street/Valle Verde Drive Annexation District", recorded April 30, 1969 in Book 806 of Official Records at page 819, Napa County Records;

thence along the northeasterly lines of said existing City Boundary, (3) northwesterly 363.48 feet to the southeast corner of the boundary of the existing annexation district as shown on the map entitled "Map Delineating the Boundary of Valle Verde Drive City/District Reorganization Napa & NSD", recorded September 16, 1986 in Book 1466 of Official Records at page 309, Napa County Records;

thence along the northeast lines of said existing City Boundary, (4) northwesterly 336.66 feet,

(5) southwesterly 34.80 feet and,

(6) northwesterly 156.26 feet to the most northerly corner thereof, said corner being on the southerly boundary of the existing annexation district as shown on the map entitled "Map Delineating the Boundary of Big Ranch Road/Villa Lane City Annexation – Napa", recorded October 26, 1989 in Book 1693 of Official Records at page 774, Napa County Records;

thence, (7) northeasterly 16.97 feet, more or less, along the existing City Boundary line to the southwest corner of the boundary of the existing annexation district as shown on Exhibit "A" on the map entitled "Map Delineating the Boundary of Big Ranch Road – Griffen Lane City Annexation – Napa", recorded August 22, 2002 in Series Document No. 2002-0033293 of Official Records of said Napa County;

thence, (8) northeasterly 666.78 feet along the existing City Boundary line to the southeast corner of said last mentioned annexation, said corner being on the boundary said Big Ranch Road/Villa Lane Annexation;

thence along the existing City Boundary the following, (9) southeasterly 100.73 feet and,

(10) northeasterly 310.00 feet more or less to the southeast corner of said Big Ranch Road/Villa Lane Annexation, said southeast corner being on the easterly line of Big Ranch Road;

thence leaving said existing City Boundary, (11) southeasterly 575 feet, more or less, along the easterly line of Big Ranch Road to the point of beginning.

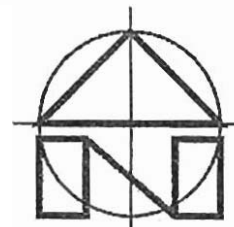
Containing 8.80 acres more or less

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.

LEGEND

- APN ASSESSOR'S PARCEL NUMBER
- P.O.B. POINT OF BEGINNING
- EXISTING CITY ANNEXATION
- PROPOSED ANNEXATION TO CITY

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SCALE: 1"=200'

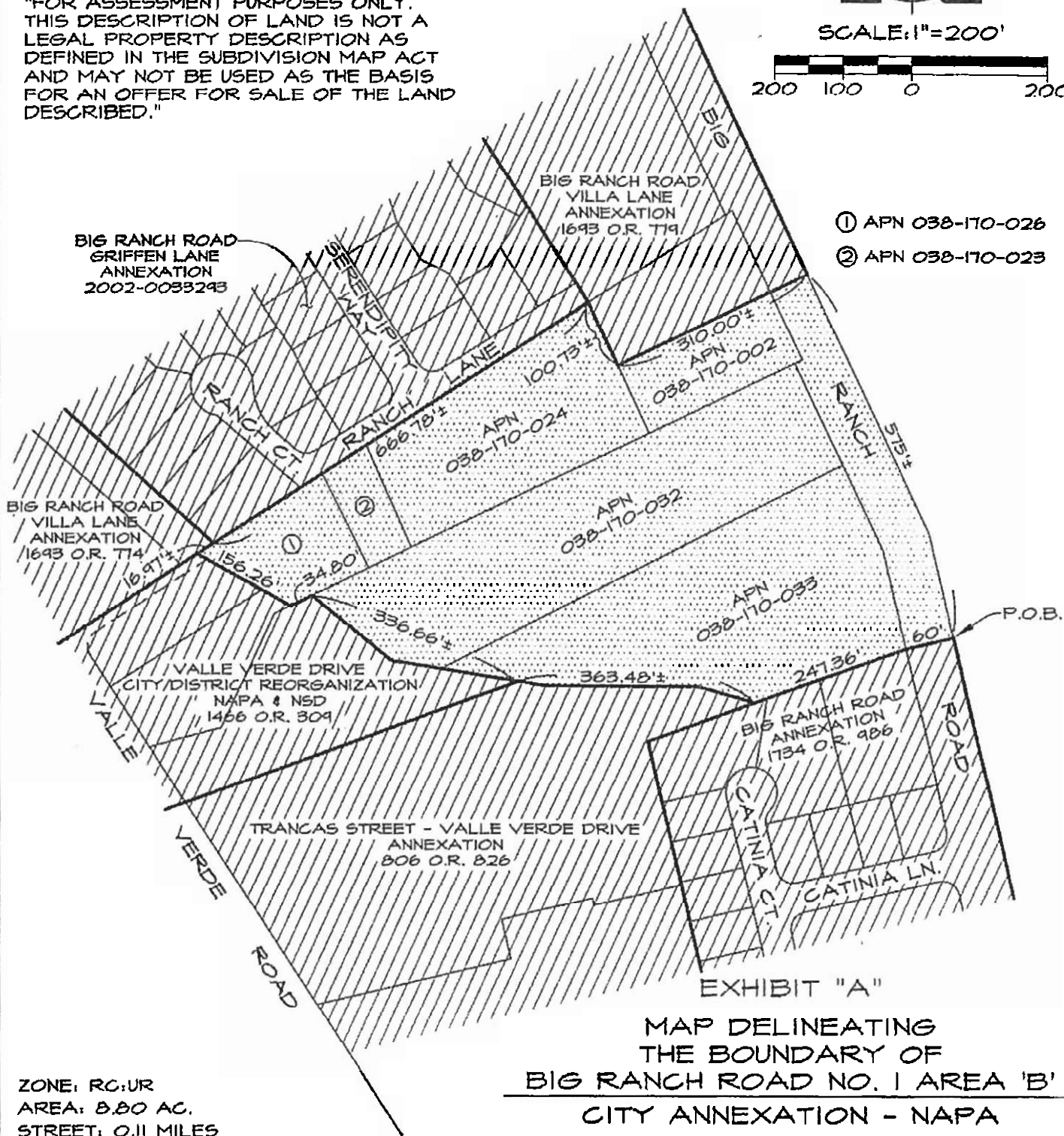
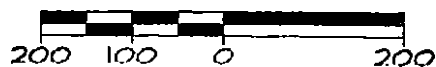


EXHIBIT "A"

MAP DELINEATING
 THE BOUNDARY OF
 BIG RANCH ROAD NO. 1 AREA 'B'
 CITY ANNEXATION - NAPA
 BEING A PORTION OF NAPA RANCHO

ZONE: RC:UR
 AREA: 8.80 AC.
 STREET: 0.11 MILES

DRAFT

EXHIBIT "A"

GEOGRAPHIC DESCRIPTION

BIG RANCH ROAD NO. 1 AREA 'C'

CITY ANNEXATION – NAPA

All that property situate in the County of Napa, State of California, lying within the Napa Rancho, described as follows:

Beginning at the northeast corner of the boundary of the existing annexation district as shown on the map entitled "Map Delineating the Boundary of Garfield Lane/Big Ranch Road No. 2 City Annexation – Napa", recorded March 11, 1999 in Series Document No. 1999-0008135 of Official Records of Napa County, said northeast corner being on the east line of Big Ranch Road;

thence, (1) southwesterly 455.71 feet, more or less, along the north line of said existing City Boundary to the east line of the boundary of the existing annexation district shown as Exhibit "B" on the map entitled "Map Delineating the Boundary of Garfield Lane Annexation District", recorded April 5, 1973 in Book 905 of Official Records at page 582, Napa County Records;

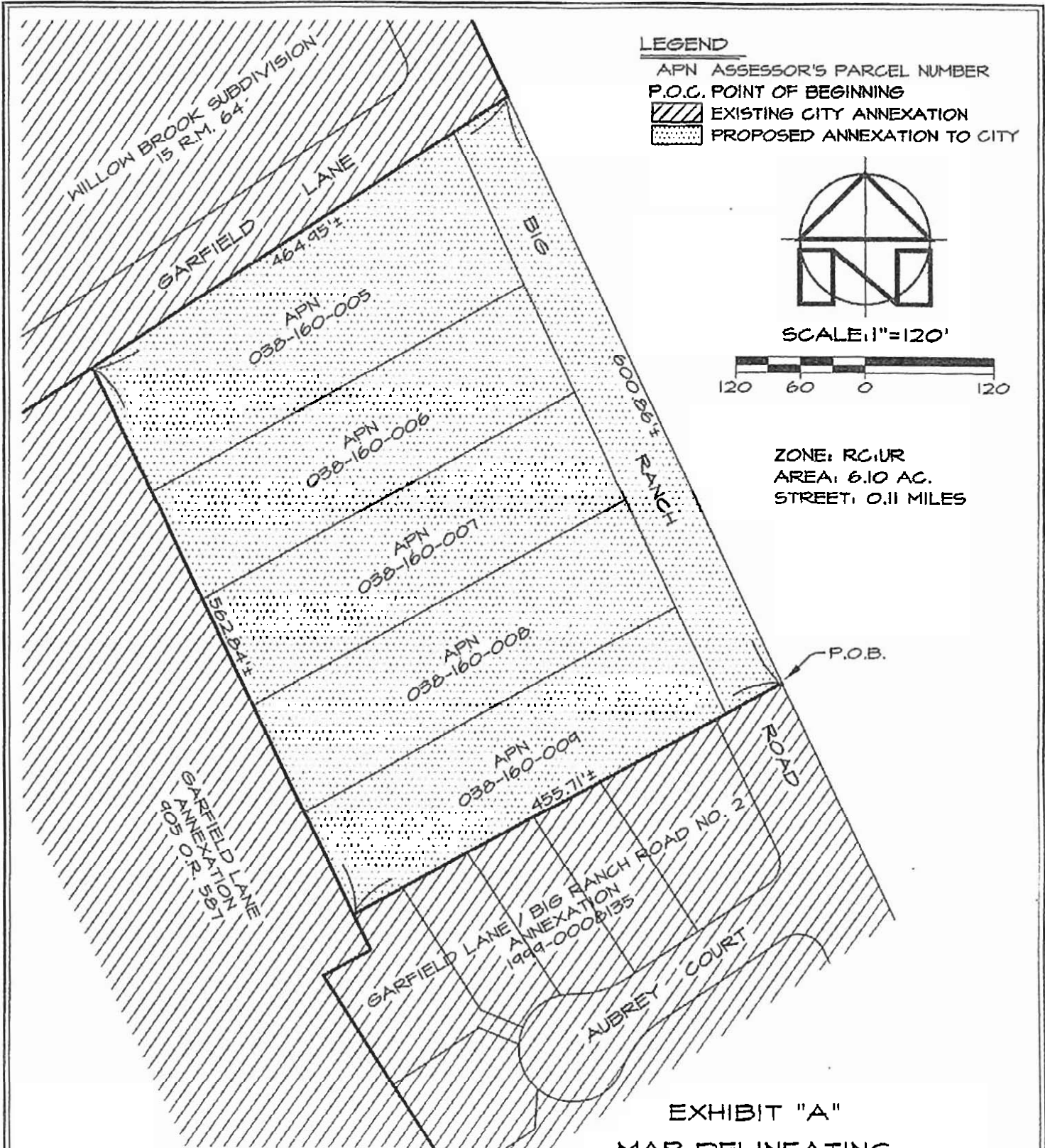
thence, (2) northwesterly 562.84 feet, more or less, along the east line of said existing City Boundary to the south line of the boundary of the existing annexation district as shown on Exhibit "B" of the map entitled "Map Delineating the Boundary of Garfield Ln.–Big Ranch Rd.";

thence, (3) northeasterly 464.95 feet, more or less, along the existing City Boundary to the east line of Big Ranch Road;

thence, (4) southerly 600.86 feet, more or less, along said east line of Big Ranch Road to the point of beginning.

Containing 6.10 acres 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.



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DESCRIBED."

EXHIBIT "A"
**MAP DELINEATING
THE BOUNDARY OF
BIG RANCH ROAD NO. 1 AREA 'C'
CITY ANNEXATION - NAPA
BEING A PORTION OF NAPA RANCHO**

DRAFT
JACQUES R. LAROCHELLE
PUBLIC WORKS DIRECTOR

EXHIBIT B

TERMS AND CONDITIONS

BIG RANCH ROAD NO. 1 REORGANIZATION

1. Upon and after the effective date of said annexation, the affected territory, all inhabitants within such territory, and all persons entitled to vote by reasons of residing or owning land within the territory, shall be subject to the jurisdiction of the City of Napa, hereafter referred to as "the City"; shall have the same rights and duties as if the affected territory has been a part of the City upon its original formation; shall be liable for the payment of principal, interest, and any other amounts which shall become due on account of any outstanding or then authorized but therefore issued bonds, including revenue bonds, or other contracts or obligations of the City; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals, or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations, and ordinances of the City, as now or hereafter amended.

2. Upon and after the effective date of said annexation, the affected territory, and all inhabitants within such territory shall, to the extent permitted by law, be subject to all previously authorized charges, fees, assessments, and taxes that were lawfully enacted by the City.

RESOLUTION R2008 189

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, REQUESTING THE LOCAL AGENCY FORMATION COMMISSION (LAFCO) OF NAPA COUNTY TO TAKE PROCEEDINGS FOR THE BIG RANCH ROAD CITY ANNEXATION NAPA PROJECT NO. 08-0080

WHEREAS, this annexation request is consistent with Envision Napa 2020, the City of Napa's General Plan, that establishes future land uses for the subject territory, and contains policies encouraging annexations within the City's Urban Limit and its Sphere of Influence; and

WHEREAS, the territory proposed to be annexed lies well within the City's Urban Limit in three unincorporated "islands" and within the LAFCO Sphere of Influence; and

WHEREAS, the parcels located within the three "islands" which are proposed to be annexed in their entirety, and is considered an inhabited annexation (per LAFCO law), and a description of the boundaries of the proposed territory to be annexed is set forth in the location map Exhibit A attached hereto and by this reference incorporated herein; and

WHEREAS, the City of Napa desires to initiate proceedings pursuant to the Cortese Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the Big Ranch Road City Annexation Napa; and

WHEREAS, the plan for providing services for the Big Ranch Road City Annexation – Napa is described in accordance with the General Plan land use map (portion) is set forth in Attachment 3 to the staff report, along with corresponding pre-zoning classifications in Attachment 4; and

WHEREAS, factors identified in Government Code Section 56668 shall be considered by LAFCO in review of the proposal; and

WHEREAS, an initial study has been prepared utilizing the previous Environmental Impact Reports for Envision Napa 2020 and the Big Ranch Specific Plan; and

WHEREAS, there is no land use change for this area or other change that would require revisions to the prior General Plan EIR or Big Ranch Specific Plan EIR; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.

2. The City Council hereby determines that the potential environmental effects of the Recommended Action described in this Agenda Report were adequately examined by the Environmental Impact Reports (EIR) for Envision Napa 2020, the City of Napa's General Plan, certified December 1, 1998, and the Big Ranch Specific Plan, certified October, 1996, pursuant to CEQA Guidelines Sections 15063 and 15162. As documented in the Initial Study for the Big Ranch Road Annexation (08-0080), the EIRs adequately identify the density ranges for the subject territory, and adequately discuss at a program level, the environmental and mitigating policies, and programs for future development at assigned density ranges.

3. This Resolution of Application is hereby adopted and approved by the City Council of the City of Napa, and LAFCO of Napa County is hereby requested to take proceedings for the annexation of territory as shown in Exhibit A, incorporated herein, including the following parcels: APNs 038-160-005, 006, 007, 008, 009; 038-170-002, 006, 007, 008, 009, 011, 023, 024, 026, 030, 031, 032 and 033, as well as the unincorporated Big Ranch Road ROW shown in Exhibit A.

4. The City Council finds that all parcels have been pre-zoned, and will have the following zoning upon annexation:

| APN | City Zoning |
|-------------|---------------------|
| 038-170-031 | CL:TI |
| 038-170-011 | CL:TI |
| 038-170-009 | CL |
| 038-170-030 | RS-5 |
| 038-170-008 | RS-5 |
| 038-170-007 | RS-5 |
| 038-170-006 | RS-5 |
| 038-170-033 | RS-7, RS-10 & RS-20 |
| 038-170-032 | RS-7, RS-10 & RS-20 |
| 038-170-002 | RS-10 & RS-20 |
| 038-170-026 | RS-7 |
| 038-170-023 | RS-7 |
| 038-170-024 | RS-7 |
| 038-160-009 | RS-10 & RS-20 |
| 038-160-008 | RS-10 & RS-20 |
| 038-160-007 | RS-10 & RS-20 |
| 038-160-006 | RS-10 & RS-20 |
| 038-160-005 | RS-10 & RS-20 |

5. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 21st day of October, 2008, by the following vote:

AYES: Techel, van Gorder, Krider, Inman

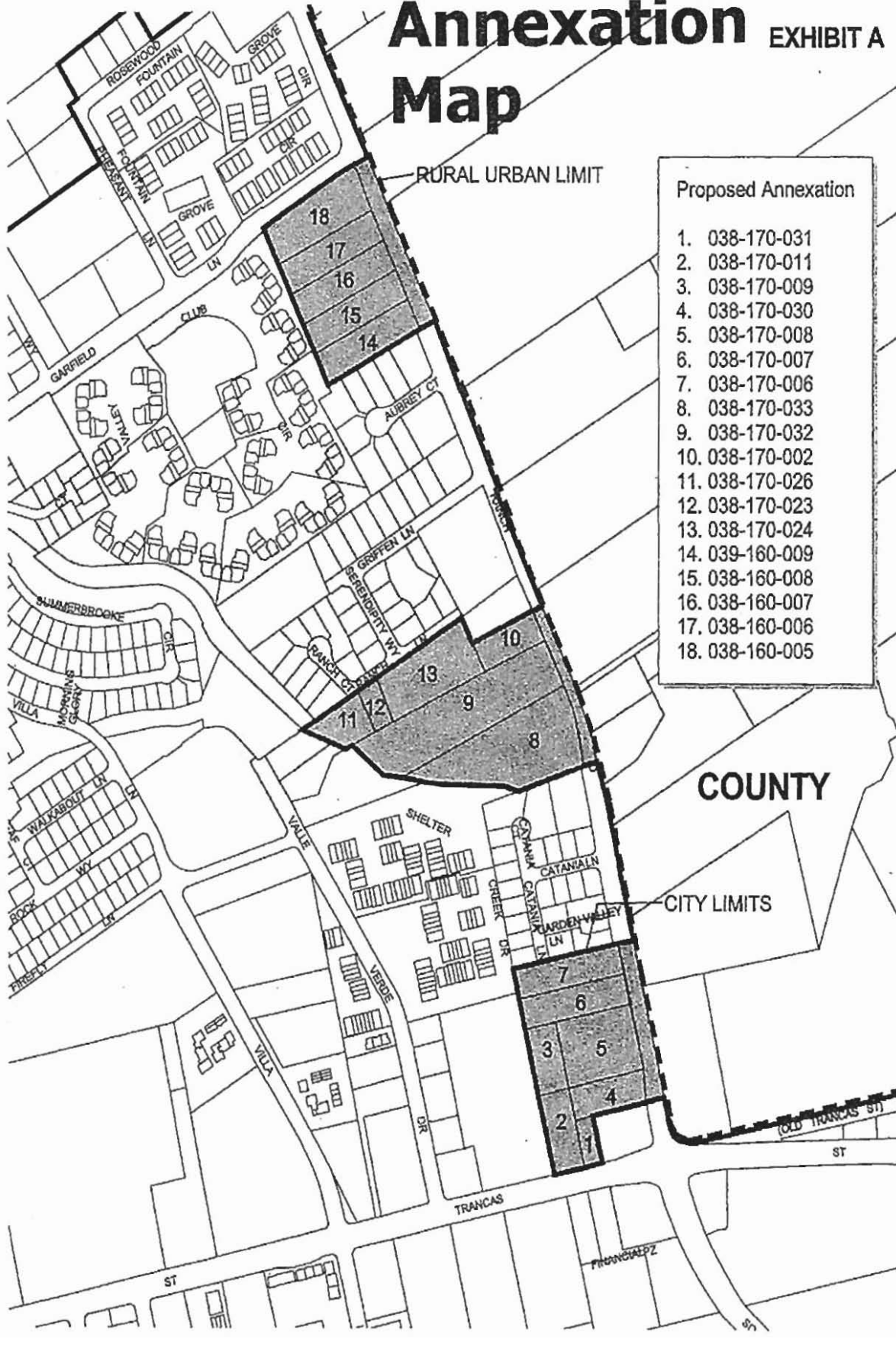
NOES: Mott

ABSENT: None

ABSTAIN: None

ATTEST: Sara J. Cox
CITY CLERK OF THE CITY OF NAPA

Annexation Map EXHIBIT A



| Proposed Annexation | |
|---------------------|-------------|
| 1. | 038-170-031 |
| 2. | 038-170-011 |
| 3. | 038-170-009 |
| 4. | 038-170-030 |
| 5. | 038-170-008 |
| 6. | 038-170-007 |
| 7. | 038-170-006 |
| 8. | 038-170-033 |
| 9. | 038-170-032 |
| 10. | 038-170-002 |
| 11. | 038-170-026 |
| 12. | 038-170-023 |
| 13. | 038-170-024 |
| 14. | 039-160-009 |
| 15. | 038-160-008 |
| 16. | 038-160-007 |
| 17. | 038-160-006 |
| 18. | 038-160-005 |

COUNTY

CITY LIMITS