



Local Agency Formation Commission of Napa County

Subdivision of the State of California

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

Brad Wagenknecht, Chairman ■ Brian J. Kelly, Vice Chairman ■ Joan Bennett ■ Lewis Chilton ■ Bill Dodd
Juliana Inman, Alternate ■ Mark Luce, Alternate ■ Gregory Rodeno, Alternate

Administrative Office

1030 Seminary Street, B

Napa, California 94559

Telephone: 707-259-8645

www.napa.lafco.ca.gov

REGULAR MEETING AGENDA

Monday, January 7, 2013

County of Napa Administration Building
1195 Third Street, Board Chambers, 3rd Floor
Napa, California 94559

1. **CALL TO ORDER BY CHAIR; ROLL CALL: 4:00 P.M.**

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA**

The Chair will consider a motion to approve the agenda as prepared by the Executive Officer with any requests to remove or rearrange items by members or staff.

4. **PUBLIC COMMENTS**

In this time period anyone may comment to the Commission regarding any subject over which the agency has jurisdiction. No comments will be allowed involving any subject matter scheduled for hearing, action, or discussion as part of the current agenda other than to request discussion on a specific consent item. Individuals will be limited to three minutes. No action will be taken by the Commission as a result of any item presented at this time.

5. **CONSENT ITEMS**

All items calendared as consent are considered ministerial or non-substantive and subject to single motion approval. With the concurrence of the Chair, a Commissioner may request discussion of an item on the consent calendar.

a) **Amendments to Adopted Fee Schedule (Action)**

The Commission will consider minor amendments to its adopted fee schedule to reflect new filing charges for the California Department of Fish and Game for lead agencies under the California Environmental Quality Act.

b) **Approval of Agency Newsletter (Action)**

The Commission will review an agency newsletter prepared by staff. The newsletter summarizes notable actions and related accomplishments in the 2012 calendar year as well as highlighting pending activities. The newsletter complies with the Commission's strategic plan to perform proactive outreach to improve the public's awareness and understanding of the agency and its various functions. The newsletter is being presented to the Commission to formally approve for public distribution.

c) **Approval of Meeting Minutes (Action)**

The Commission will consider approving minutes prepared by staff for the December 3, 2012 meeting.

d) **Current and Future Proposals (Information)**

The Commission will receive a report summarizing current and future proposals. The report is being presented for information. Three new proposals have been submitted since the December 3, 2012 meeting.

6. **PUBLIC HEARING ITEMS**

Any member of the public may address the Commission with respect to a scheduled public hearing item. Comments should be limited to no more than five minutes unless additional time is permitted by the Chair.

None

7. **ACTION ITEMS**

Items calendared for action do not require a public hearing before consideration by the Commission. Any member of the public may receive permission to provide comments on an item at the discretion of the Chair.

a) **Commendation for Dedicated Service: William Chiat**

The Commission will recognize the distinguished service of William Chiat upon his recent retirement as the Executive Director for the California Association of Local Agency Formation Commissions. A draft resolution of commendation will be presented for formal adoption.

6. PUBLIC HEARING ITEMS

Any member of the public may address the Commission with respect to a scheduled public hearing item. Comments should be limited to no more than five minutes unless additional time is permitted by the Chair.

None

7. ACTION ITEMS

Items calendared for action do not require a public hearing before consideration by the Commission. Any member of the public may receive permission to provide comments on an item at the discretion of the Chair.

a) Commendation for Dedicated Service: William Chiat

The Commission will recognize the distinguished service of William Chiat upon his recent retirement as the Executive Director for the California Association of Local Agency Formation Commissions. A draft resolution of commendation will be presented for formal adoption.

b) Proposed Annexation of 1101 Grandview Drive to the City of Napa

The Commission will consider a proposal from the City of Napa to annex approximately 1.1 acres of unincorporated territory located at 1101 Grandview Drive (043-091-013). Staff recommends approval of the proposal with two discretionary amendments to expand the proposed annexation boundary to include an additional 0.1 acre portion of adjacent right-of-way and concurrent detachment of the affected territory from County Service Area No. 4. Standard conditions are also recommended.

8. DISCUSSION ITEMS

A member of the public may receive permission to provide comments on any item calendared for discussion at the discretion of the Chair. General direction to staff for future action may be provided by Commissioners.

None

9. EXECUTIVE OFFICER REPORT

The Commission will receive a verbal report from the Executive Officer regarding current staff activities.

10. CLOSED SESSION

None

11. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

12. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING: February 4, 2013



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

1030 Seminary Street, Suite B
Napa, California 94559
Telephone: (707) 259-8645
Facsimile: (707) 251-1053
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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

January 7, 2013
Agenda Item No. 5a (Consent/Action)

January 2, 2013

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Amendments to Adopted Fee Schedule

The Commission will consider minor amendments to its adopted fee schedule to reflect new filing charges for the California Department of Fish and Game for lead agencies under the California Environmental Quality Act.

California Government Code Section 56383 authorizes Local Agency Formation Commissions (LAFCOs) to establish a schedule of fees for the costs of administering its prescribed regulatory and planning responsibilities. This includes establishing fees to process change of organization proposals, outside service requests, and sphere of influence amendments. The fees shall not exceed the estimated reasonable cost of providing the service for which the fee is charged.

A. Discussion

LAFCO of Napa County's ("Commission") fee schedule was last amended in October 2012. The fee schedule generally assigns fixed application fees based on a pre-calculated estimate of the number of hours needed to process a specific type of proposal and multiplied by the current staff hourly rate of \$118.00. The fee schedule also identifies several other charges the Commission collects on behalf of other agencies in the course of processing applications. This includes fees required by the California Department of Fish and Game (DFG) to file notices pursuant to California Environmental Quality Act (CEQA).

DFG has increased its filing fees to file notices of determination by 2.6% effective January 1, 2013. These increases effect notices associated with (a) negative declarations, (b) mitigated negative declarations, and (c) environmental impact reports as listed below.

Filing Fee Type	Old	New
Negative Declaration	\$2,101.50	\$2,156.25
Mitigated Negative Declaration	\$2,101.50	\$2,156.25
Environmental Impact Report	\$2,919.00	\$2,995.25

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

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

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

Joan Bennett, Commissioner
Councilmember, City of American Canyon

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

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

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

Keene Simonds
Executive Officer

B. Analysis

The new fees associated with filing notices of determination with DFG will be passed on directly to applicants as needed. Accordingly, there is no new impact on the Commission with the exception of the limited instances when it serves as lead agency and initiates an action not exempt from further review under CEQA. Examples of the latter comment would potentially include initiating the formation or dissolution of a special district.

C. Alternatives for Action

The following two alternatives are available to the Commission:

Alternative Action One (Recommended):

Approve the draft amendment to the adopted fee schedule as provided in Attachment One.

Alternative Action Two:

Continue consideration of the staff report to a future meeting and provide direction for more information as needed.

D. Recommendation

It is recommended the Commission proceed with Alternative One as outlined in the preceding section.

E. Procedures for Consideration

This item has been agendized as part of the consent calendar. Accordingly, a successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation unless otherwise specified by the Commission.

Respectfully submitted,

Keene Simonds
Executive Officer

Attachments:

- 1) Draft Amendment to the Adopted Fee Schedule (track changes)
- 2) Notice of Increase in Fish and Game Filing Fees



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

Schedule of Fees and Deposits

Effective Date: ~~October 1, 2012~~ January 7, 2013

These are the policies of the Local Agency Formation Commission (LAFCO) of Napa County with respect to setting fees and deposits in fulfilling the agency's regulatory and planning duties prescribed under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

1. This schedule shall be administered in accordance with the provisions of California Government Code Section 56383.
2. This schedule includes both "fixed" and "at-cost" fees. Fixed fees represent reasonable cost estimates for processing common requests and applications and based on a number of predetermined staff hours. At-cost fees apply to less common requests and applications and based on the number of actual staff hours.
3. Applications submitted to the Commission shall be accompanied by a non-refundable initial fee as detailed in this schedule. All deposit amounts tied to at-cost applications shall be determined by the Executive Officer. The Executive Officer shall provide a written accounting of all staff time and related expenses billed against the deposit. If the cost in processing an application begins to approach or exceed the deposited amount, the Executive Officer shall request additional monies from the applicant.
4. All initial fees shall be submitted in check and made payable to the "Local Agency Formation Commission of Napa County."
5. Applications will not be deemed complete until the initial fee has been collected by the Executive Officer as detailed in this schedule.
6. Applicants are responsible for any fees or charges incurred by the Commission and or required by other governmental agencies in the course of the processing of an application.
7. Additional staff time shall be charged to the applicant at an hourly rate of \$118.00.
8. Applicants are responsible for any extraordinary administrative costs as determined by the Executive Officer and detailed for the applicant in a written statement.
9. Additional staff time and administrative costs shall not be charged for city annexation applications involving one or more entire unincorporated island subject to California Government Code Section 56375.3.

10. If the processing of an application requires the Commission contract with another agency firm, or individual for services beyond the normal scope of staff work, such as the drafting of an Environmental Impact Report or Comprehensive Fiscal Analysis, the applicant shall be responsible for all costs associated with that contract. The applicant will provide the Commission with a deposit sufficient to cover the cost of the contract.
11. The Executive Officer may stop work on any application until the applicant submits a requested deposit.
12. Upon completion of an at-cost application, the Executive Officer shall issue to the applicant a statement detailing all billable expenditures from a deposit. The Executive Officer shall refund the applicant for any remaining monies remaining from the deposit less one-half hour of staff time to process the return as provided in this schedule
13. Applicants may request the Commission reduce or waive a fee. All requests must be made in writing and cite specific factors justifying the reduction or waiver and will be considered by the Commission relative to public interest and agency mission. Examples of appropriate requests include, but are not limited to, addressing public health or safety threats, affordable housing development, and community serving projects. Requests by landowners or registered voters shall be considered by the Commission at the next regular meeting. Requests by local agencies may be considered at the time the application is presented to the Commission for action.
14. Requests for research on any particular subject will be provided at no cost for the first two hours. This includes, but is not limited to, archival retrieval, identifying properties relative to agency boundaries, and discussing potential applications. Any additional research time will be billed at the hourly rate provided in this schedule.
15. The Commission shall annually review this schedule to help maintain an appropriate level of cost-recovery.

INITIAL APPLICATION FEES

These fees must be submitted to the Commission as part of the application filing; applications will be deemed incomplete without the designated payment. Any fees designated at-cost will require a deposit as determined by the Executive Officer.

Change of Organization or Reorganization: Annexations and Detachments

<ul style="list-style-type: none"> Projects Exempt from California Environmental Quality Act 	
100% Consent from Landowners and Agencies and the Commission is Responsible or Lead Agency	\$4,248 (30 hours)
Without 100% Consent from Landowners and Agencies and the Commission is Responsible or Lead Agency	\$5,664 (40 hours)
<ul style="list-style-type: none"> Projects Not Exempt from California Environmental Quality Act / Negative Declaration 	
100% Consent from Landowners and Agencies and the Commission is Responsible Agency	\$4,956(35 hours)
100% Consent from Landowners and Agencies and the Commission is Lead Agency	\$7,080 (50 hours)
Without 100% Consent from Landowners and Agencies and the Commission is Responsible Agency	\$6,372(45 hours)
Without 100% Consent from Landowners and Agencies and the Commission is Lead Agency	\$8,496 (60 hours)
<ul style="list-style-type: none"> Projects Not Exempt from California Environmental Quality / Environmental Impact Rpt 	
100% Consent from Landowners and Agencies and the Commission is Responsible Agency	\$5,424 (40 hours)
100% Consent from Landowners and Agencies and the Commission is Lead Agency	\$7,080 (50 hours) plus consultant contract
Without 100% Consent from Landowners and Agencies and the Commission is Responsible Agency	\$7,080 (50 hours)
Without 100% Consent from Landowners and Agencies and the Commission is Lead Agency	\$8,496 (60 hours) plus consultant contract

* All initial application fees for annexation and detachment proposals include a 20% surcharge to contribute to the costs in preparing municipal service reviews.

* Annexation or detachment proposals involving boundary changes for two or more agencies qualify as reorganizations will be charged an additional fee of \$590 (5 hours).

* City annexations involving entire unincorporated islands and subject to expedited proceedings under Government Code Section 56375.3 shall not be charged a fee by the Commission.

Change of Organization or Reorganization: Other

• City Incorporations and Disincorporations	at-cost
• Special District Formations, Consolidations, Mergers and Dissolutions	at-cost
• Special District Requests to Activate or Deactivate Powers	at-cost plus 20% MSR surcharge

Other Service Requests	
• New or Extended Outside Service Request	*\$2,832 (20 hours)
• Request for Reconsideration	\$2,360(20 hours)
• Request for Time Extension to Complete Proceedings	\$590 (5 hours)
• Municipal Service Reviews	at-cost
• Sphere of Influence Establishment/Amendment	at-cost

* includes a 20% MSR surcharge

Miscellaneous	
• Special Meeting	\$800
• Alternate Legal Counsel	at-cost

OTHER APPLICATION FEES

These fees generally apply to applications that have been approved by the Commission and are not required at the time of filing. An exception involves the fee for registered voter lists, which may be required before the Commission takes action on an application if the underlying activity is subject to protest proceedings. Other fees in this section apply to service requests that are not tied to a specific application, such as research and photocopying.

Fees Made Payable to the County of Napa	
• Assessor’s Mapping Service	\$125
• County Surveyor’s Review	
.....Initial Deposit / First Six	\$990
Hours	\$165 hourly
.....Additional	
Time	
• Elections’ Registered Voter List	\$55 hourly
• Clerk-Recorder’s Environmental Filing Fee	\$50
• Clerk-Recorder’s Environmental Document Fee	
.....Environmental Impact Report	\$2,949,995.25
.....Mitigated Negative Declaration	\$2,401,50156.25
.....Negative Declaration	\$2,401,50156.25

Fees Made Payable to LAFCO	
• Geographic Information System Update	\$125
• Photocopying	\$0.10 (black) / \$0.40 (color)
• Mailing	at-cost
• Audio Recording of Meeting	at-cost
• Research/Archive Retrieval	\$118 hourly

Fees Made Payable to the State Board of Equalization to Record Boundary Changes			
Acre	Fee	Acre	Fee
0-1	\$300	51-100	\$1,500
1-5	\$350	101-500	\$2,000
6-10	\$500	501-1,000	\$2,500
11 -20	\$800	1,001-2,000	\$3,000
21-50	\$1,200	2,001+	\$3,500



A Tradition of Stewardship
A Commitment to Service

ATTACHMENT TWO
Assessor-Recorder-County Clerk
Recorder-Clerk Division

900 Coombs Street, Suite 116
Napa, CA 94559-2931
PO Box 298
Napa, CA 94559-0298

371
1149

ATTACHMENT TWO

EUR
ERK

NAPA COUNTY
LAFCO

October 15, 2012

LAFCO NAPA COUNTY
1700 2ND ST STE 268
NAPA, CA 94559

RE: INCREASE IN FISH & GAME FILING FEES EFFECTIVE 01/01/2013

We are taking this opportunity to inform lead agencies of a fee increase by the Department of Fish and Game for California Environmental Quality Act filings effective January 1, 2013.

The Department of Fish and Game adjusts the fees annually pursuant to Fish & Game Code §711.4 and 713. Please note the new fees:

Environmental Impact Report	\$2995.25
Negative Declaration	\$2156.25

The County Clerk processing fee of \$50 remains the same.

Thank you for sharing this information with everyone in your organization who may submit Notices of Determination and/or Notices of Exemption to the County Clerk's Office for processing.

Feel free to contact me either by telephone or by e-mail as shown below.

Sincerely,

A handwritten signature in black ink that reads "N. Turner".

Nancy Turner
Senior Assessment Records Assistant
707-299-1371
nancy.turner@countyofnapa.org

Representing John Tuteur, Assessor-Recorder-County Clerk



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

January 7, 2013

Agenda Item No. 5b (Consent/Action)

January 2, 2013

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Approval of Agency Newsletter

The Commission will review an agency newsletter prepared by staff. The newsletter summarizes notable actions and related accomplishments in the 2012 calendar year as well as highlighting pending activities. The newsletter complies with the Commission's strategic plan to perform proactive outreach to improve the public's awareness and understanding of the agency and its various functions. The newsletter is being presented to the Commission to formally approve for public distribution.

Local Agency Formation Commissions (LAFCOs) are responsible for regulating the formation and development of local governmental agencies under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH). LAFCOs inform their regulatory powers through various planning activities, including preparing studies. The Legislature, notably, directs LAFCOs to make studies and to obtain and furnish information in contributing to the logical and reasonable development of local agencies so as to advantageously provide for the needs of each county and its communities.

A. Background

LAFCO of Napa County's ("Commission") strategic plan was adopted in June 2012 and is intended to guide agency activities over the next two years consistent with the interests and preferences of its members in administering CKH. The strategic plan includes five near-term goals paired with various implementing strategies to collectively orient the Commission to proactively fulfill its duties and responsibilities in a manner responsive to local conditions. One of the five near-term goals included in the strategic plan is for the Commission to dedicate resources in improving the public's awareness and understanding of the agency's responsibilities and activities. This includes, among other items, directing the Commission to prepare an annual newsletter for public distribution.

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

Joan Bennett, Commissioner
Councilmember, City of American Canyon

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

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

B. Discussion/Analysis

Staff has prepared the attached agency newsletter for Commission review and approval for public distribution. The focus of the newsletter is to highlight the core activities and related accomplishments during the 2012 calendar year most relevant to the general public and its understanding of the agency's role in regional growth management. The newsletter contains six distinct articles ranging in size from 100 to 500 words; summaries of which are provided below. Supplemental items are also included regarding the Commission's legislative mission, roster, meeting times, and contact information.

- **LAO Review of Napa LAFCO**
This article summarizes the recent review of the Commission by the Legislative Analyst's Office (LAO) as one of three case-studies selected in assessing the effectiveness of LAFCOs in overseeing special districts. The article also provides related commentary on LAO's accompanying suggestions for possible new legislation to further improve LAFCOs' growth management services.
- **Examining Law Enforcement Services in Napa County**
This article outlines the key conclusions and recommendations included in the Commission's recently completed municipal service review on law enforcement services in Napa County. This includes drawing attention to the municipal service review's conclusion that a tipping point appears imminent in which the structure of existing law enforcement services – and in particular in the north county cities – will no longer be sustainable given baseline costs.
- **Island Annexation Program**
This article addresses the Commission's ongoing efforts to annex and eliminate the 20 unincorporated islands existing within the City of Napa. The article notes the emphasis of the program is to achieve voluntary action (i.e., annexation) through community education with respect to explaining the benefits of annexation to residents and landowners.
- **Adoption of First Strategic Plan**
This article reviews the central policy objectives and near-term goals included in the Commission's adopted strategic plan. The article also outlines the implementing strategies identified over the next two years with regards to reconciling agency goals with measurable actions.
- **Napa LAFCO: 49 Years and Counting**
This article summarizes the Commission's main policies tied to administering LAFCO law in Napa County. This includes noting the agency's basic and pervasive orientation to encourage urban-centered growth. The article notes this orientation is affirmatively reflected in growth trends as the percentage of unincorporated residents has decreased from 48% to 18% despite the an overall doubling of the county population since the Commission was established in 1963.

- **Financial Snapshot**

This article outlines the Commission's current fiscal year budget and related information regarding the agency's fund balance.

C. Recommendation

It is recommended the Commission approve the newsletter prepared by staff for public distribution with any desired changes as identified by members.

D. Alternatives for Action

The following three alternatives are available to the Commission:

Alternative Action One (Recommended):

Approve the newsletter with any desired changes.

Alternative Action Two:

Continue consideration of the newsletter to a future meeting and provide direction to staff to provide additional information as needed.

Alternative Action Three

Take no action.

E. Procedures for Consideration

This item has been agendaized as part of the consent calendar. Accordingly, a successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation unless otherwise specified by the Commission.

Respectfully submitted,

Keene Simonds
Executive Officer

Attachments:

- 1) Draft Newsletter
- 2) Adopted Strategic Plan

Local Agency Formation Commission

Napa County / Subdivision of the State of California

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



**Planning for
the present and future needs
of the community.**

Local Agency Formation Commissions (LAFCOs) provide regional growth management services in all 58 counties in California. The Legislature specifically tasks LAFCOs with overseeing the formation, revision, and – in some cases – elimination of local governmental agencies' boundaries and service areas for the purpose of facilitating appropriate urban uses while protecting against the premature conversion of agriculture and open-space resources. LAFCOs are also tasked with regularly preparing studies to independently evaluate the adequacy of local governmental services in addressing community needs.

Agency Newsletter

A YEAR IN REVIEW

The 2012 calendar year proved to be an eventful year for Napa LAFCO.

As detailed in this newsletter, and among other activities, Napa LAFCO approved the agency's first strategic plan, completed a long-awaited office relocation, prepared a municipal service review on countywide law enforcement services, and adopted sphere of influence updates for two special districts; the latter of which, notably, were prepared entirely in-house. Napa LAFCO also continued work in updating the agency's policies and procedures to improve and streamline the implementation of LAFCO law in Napa County. Proposal activity also began to pick up beginning in the middle of the calendar year after an extended slowdown tied to the recent recession with Napa LAFCO processing and approving two reorganizations and one outside service extension.

LOOKING AHEAD TO 2013

It appears the 2013 calendar year will be equally eventful as Napa LAFCO is scheduled to prepare a study on the central county region. This study will be anchored by a municipal service review examining governmental services for an estimated resident population of 85,000 and will precede individual sphere of influence updates for the City of Napa, Congress Valley Water District, Napa Sanitation District, and Silverado Community Services District. Napa LAFCO is also expected to continue work in implementing an island annexation program with the City of Napa and completing an informational report of private community water systems. Proposal activity is also expected to increase as the economy continues to show signs of improvement.



Commission Roster

Brad Wagenknecht, Chair
County of Napa

Brian J. Kelly, Vice Chair
General Public

Joan Bennett
City of American Canyon

Lewis Chilton
Town of Yountville

Bill Dodd
County of Napa

Juliana Inman / Alternate
City of Napa

Mark Luce / Alternate
County of Napa

Gregory Rodeno / Alternate
General Public

Agency Staff

Keene Simonds, Executive Officer

Jacqueline M. Gong, Counsel

Brendon Freeman, Analyst

Kathy Mabry, Secretary

Administrative Office

1030 Seminary Street, Suite B

Napa, California 94559

707.259.8645

www.napa.lafco.ca.gov

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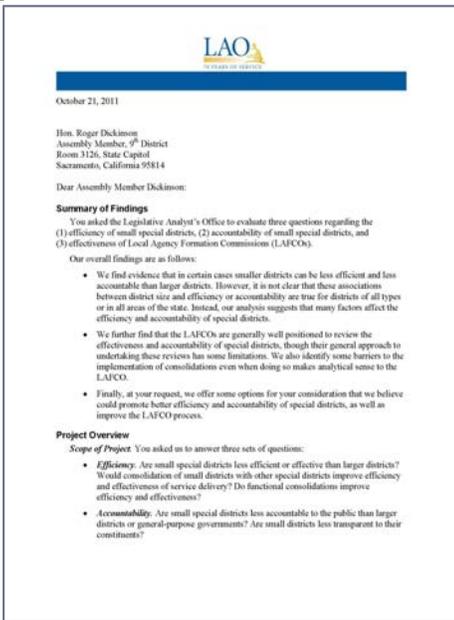
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POINTS OF INTEREST

- Legislative Analyst's Office weighs in on Napa LAFCO
- Opportunities to improve and sustain law enforcement services
- Demystifying the cost and impact of island annexations
- Napa LAFCO's goals for the next two calendar years

LAO REVIEW OF NAPA LAFCO

LAO PROVIDES HIGH MARKS ON NAPA LAFCO; SUGGESTS ADDITIONAL LEGISLATION FOR LAFCOS GOING FORWARD



“Based on our site visits and reviews of various documents, we found the LAFCOs in Napa, San Diego and San Bernardino appear to be fulfilling their legislative mission. In each of these counties, the LAFCOs do the analysis of the services and boundaries, produce reports, and make specific recommendations designed to encourage orderly government. The work of these LAFCOs are deliberate and professional.”

The Legislative Analyst’s Office (LAO) was established in the 1940s and is tasked with providing non-partisan analysis and advice on statewide governance issues to the California Legislature. In January 2012, and at the request of the Assembly Committee on Accountability and Administrative Review, LAO published a report analyzing the effectiveness of LAFCOs in overseeing special districts. LAO used a case-study approach and focused its analysis on evaluating the accountability of special districts and related oversight by LAFCOs in Napa, San Diego, and San Bernardino.

LAO’s report includes two substantive findings. The first finding counters a common presumption and notes there is no clear association between district size and efficiency or accountability; a finding that serves as caution to consolidating special districts without clear evidence that creating one big special district is better than having two smaller special districts with respect to meeting the needs of a community. The second finding notes the three LAFCOs evaluated (Napa, San Diego, and San Bernardino) are appropriately positioned to assess and determine the effectiveness and accountability of special districts in their jurisdictions.

LAO’s report also raises several policy questions for future consideration by the Legislature. This includes asking whether legislation is needed to direct LAFCOs to apply consistent statewide metrics of agency effectiveness and efficiency when preparing municipal service reviews. Napa LAFCO believes this direction would be problematic given the difficulty in incorporating and/or reconciling statewide performance standards with the local conditions — whether in the form of policies, preferences, or constraints — underlying regional service provision.

LAO also raises the question of whether joint-power authorities should become subject to LAFCOs’ oversight and included in municipal service reviews. Given these arrangements have and will likely continue to assume more responsibilities in delivering essential municipal services in support of urban development, this type of legislation would appear beneficial so long as some discretion is afforded to LAFCOs. Specifically, if such legislation is pursued, it would appear appropriate to provide LAFCOs the discretion in determining which authorities’ rise to levels warranting inclusion in a municipal service review since some function only to facilitate shared ownership in public facilities and equipment.

MEET THE COMMISSION



Brad Wagenknecht, Chair
Brad has served on LAFCO as a county member since 2000. Brad was elected Supervisor for District One in 1999.



Lewis Chilton, Regular
Lewis has served on LAFCO as a city member since 2009. Lewis is a Councilmember for the Town of Yountville having been first elected in 2007.



Juliana Inman, Alternate
Juliana has served on LAFCO as a city member since 2007. Juliana is a Councilmember for the City of Napa having been first elected in 2006.



Brian J. Kelly, Vice Chair
Brian has served as a public member on LAFCO since 2005. Brian previously served as CEO for Charter Oak Bank and now operates a private consulting firm in Napa.



Bill Dodd, Regular
Bill has served on LAFCO as a county member since 2003. Bill was elected as Supervisor for District Four in 2000.



Mark Luce, Alternate
Mark has served on LAFCO as a county member since 2005. Mark was elected as Supervisor for District Two in 1997.



Joan Bennett, Regular
Joan has served on LAFCO as a city member since 2009. Joan is a Councilmember for the City of American Canyon having been first elected in 1992.

Napa LAFCO generally meets on the first Monday of every even-numbered month. Regular meetings begin at 4:00 P.M. in the County of Napa Administration Building’s Supervisor Chambers on the third floor. Special meetings are scheduled as needed.



Gregory Rodeno, Alternate
Gregory has served as a public member on LAFCO since 2007. Gregory maintains a private law practice in Napa and a family-owned vineyard in Oakville.

EXAMINING LAW ENFORCEMENT SERVICES IN NAPA COUNTY

NAPA LAFCO COMPLETES STUDY ON LOCAL POLICE SERVICES

In June 2012, Napa LAFCO completed work on a countywide municipal service review on law enforcement. The municipal service review was prepared in-house and, among other considerations, evaluates the availability and adequacy of law enforcement provided by the six local service providers subject to Napa LAFCO oversight: (a) American Canyon; (b) Calistoga; (c) Napa; (d) St. Helena; (e) Yountville; and (f) County.

With respect to central issues identified, the municipal service review concludes local law enforcement services are effectively managed and largely responsive in meeting current community needs; needs that distinctly vary throughout the region based on policies, preferences, and demographics. The municipal service review also notes overall crime levels in Napa County are trending downward and the most serious offenses — violent — have decreased by nearly 20% over the last five reported years. Nonetheless, the municipal service review concludes there are three key issues underlying local law enforcement services going forward directly relevant to the region's growth management.

• Approaching Tipping Point

The municipal service review substantiates there is an increasing fiscal pressure on local law enforcement agencies in keeping up with baseline costs; costs that are predominately dependent on an increasingly scarce source of general tax revenues. This dynamic suggests there may be an approaching “tipping point” in which current service levels will no longer be sustainable given agency-wide considerations. This latter comment appears particularly applicable to the two northern cities: Calistoga and St. Helena.

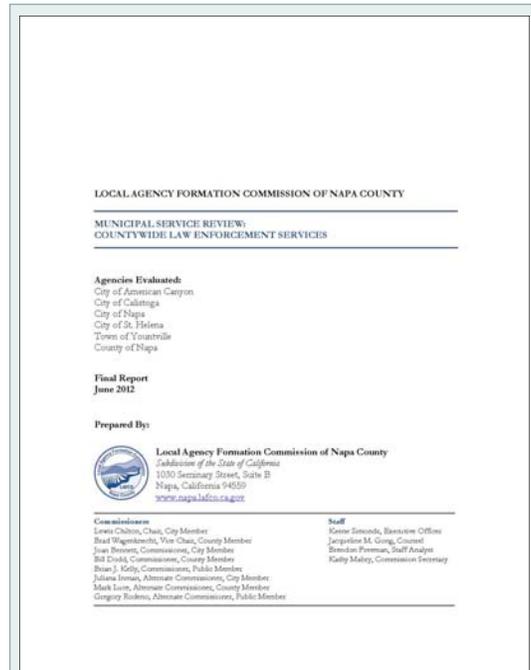
• Growth Matters

The municipal service review demonstrates there are two key correlations between growth and crime in Napa County. First, crime totals over the last five reported years for each of the six affected agencies generally correspond with resident population changes. This point is highlighted by American Canyon having experienced relatively matching changes in both population (+32%) and crime (+40%). Second, higher densities generally produce higher crime rates. This point is illustrated by comparing Calistoga and St. Helena given both have relatively similar resident population amounts, but have averaged dramatically different annual crime totals at 30 and 18 reported incidents for every 1,000 residents, respectively. The exceedingly high number of average annual crimes in Calistoga compared to St. Helena appears most attributed to the former's resident density being nearly double the latter.

• More than Economies of Scale

The municipal service review draws attention to significant geographical distinctions in law enforcement services between the north and south county cities relative to costs, demands, and other key factors: factors that appear fueled in part, *but not exclusively*, by economies of scale (emphasis added). These distinctions include the north county cities — Calistoga and St. Helena — averaging between 60% and 100% more in sworn staffing expenditures and service calls than the two south county cities — American Canyon and Napa — on a per capita measurement. Average clearance rates in the south county cities are also notably higher than their counterparts to the north.

A copy of the municipal service review is available on the studies page at www.napa.lafco.ca.gov.



Formal Action...

Napa LAFCO's municipal service review on countywide law enforcement services was approved at a public hearing held on June 4, 2012. Approval of the municipal service review included adopting an accompanying resolution making determinative statements on a range of governance and service factors prescribed for consideration by the California Legislature anytime LAFCO prepares a municipal service review. One particular and key determination was included in response to the conclusions of the municipal service review and for the intended purpose of generating additional discussion within the region on perceived opportunities to improve and sustain local law enforcement service in north county. Specifically, Napa LAFCO adopted a statement encouraging collaboration between Calistoga and St. Helena as it immediately relates to animal control and dispatch with the eventual objective of working towards merging their respective law enforcement services through a joint-authority and/or contracting with a third-party provider, such as the County.

WHAT ARE ISLANDS?

Islands are county lands that are surrounded by a city and are typically created as a result of leap-frog development. Islands are located throughout California and are often older communities with limited and aging public infrastructure relative to nearby incorporated lands. Most islands were created many decades ago, leaving residents unaware they are in the county and not the city.



WHAT ARE THE KEY PROBLEMS WITH ISLANDS?

Disorderly Growth
(inconsistent densities, connectivity)

Inefficient Public Service
(police, fire, emergency medical)

Unfunded Demands on Services
(city parks and streets)

Representation
(non-participation in city elections)



WHAT TOOLS ARE AVAILABLE TO LAFCOs IN ANNEXING ISLANDS?

In 2000, the Legislature passed special legislation to further empower LAFCOs in proactively annexing unincorporated islands. This special legislation, notably, establishes an expedited annexation process specific to islands and anchored by limiting LAFCO's disapproval authority and waiving protest proceedings so long as certain conditions apply. These conditions are premised on the application being filed by the subject city and include finding that the affected island does not include prime agricultural land and is developed or developing as defined by LAFCO. The Legislature also delegates authority to LAFCOs to define "substantially surrounded" in applying the expedited island annexation proceedings.

ISLAND ANNEXATION PROGRAM

NAPA LAFCO TAKES AIM AT ANNEXING 20 ISLANDS IN THE CITY OF NAPA

The California Legislature encourages and empowers LAFCOs through special legislation to partner with cities in proactively eliminating unincorporated "islands" and the governance inefficiencies they perpetuate. Islands are typically older areas that are remnants from earlier leap-frog development in which county lands have been left either entirely or substantially surrounded by a city. Importantly, and to the central public policy issue, islands commonly lack equitable municipal service provision relative to neighboring areas and create additional expenses for both citizens and local governments. Common problems perpetuated by islands include disjointed growth as measured by inconsistent densities and lack of roadway connectivity with adjacent areas, inefficient public service provision and most evident as it relates to police and fire protection, and unfunded demands on city services, such as parks and streets.

Given these policy considerations, Napa LAFCO directed resources in 2012 in establishing its own island annexation program. This program is being developed in coordination with the City of Napa and with the specific intent of eliminating as many of the existing 20 islands that are currently surrounded by the City's incorporated boundary. These islands comprise over 900 properties with an estimated resident population exceeding 2,300.

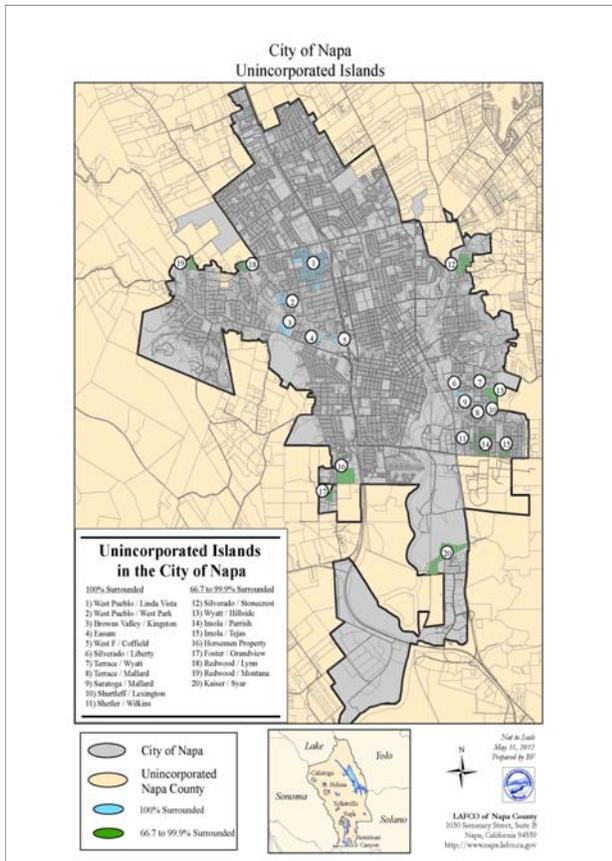
Napa LAFCO's island annexation program is predicated on achieving action through education; specifically investing resources in educating landowners and residents with respect to the benefits, costs, and related pertinent issues tied to annexation. Accordingly, although empowered to do so under the law, Napa LAFCO is not interested in "forcing" annexation upon non-consenting landowners and residents; rather the program's objective is to engender voluntary annexation applications from landowners and residents.

There are 20 islands in the City of Napa comprising over 900 properties with an estimated population of 2,300.

Towards this end, and as an additional incentive, Napa LAFCO has waived its application fee to process an island annexation: a minimum savings of \$4,300. Work to date has included mailing informational packets to all 900-plus island landowners/residents within the City as well as making presentations to community stakeholders.

A key focus of Napa LAFCO's current and ongoing efforts to encourage island annexation, importantly, has been aimed at addressing common misconceptions regarding annexation. Arguably the most pertinent and common misconception regarding annexation involves costs with many island landowners and residents believing annexation will generate more expenses. Not true; annexation for most island landowners/residents will actually save money as shown below.

ANNUAL TAX/SERVICE COSTS BEFORE AND AFTER ANNEXATION			
Category	Napa	County	Difference
Paramedic Tax	\$37.50	N/A	(\$37.50)
Storm Fee	\$12.00	N/A	(\$12.00)
Water Charge	\$530.34	\$769.08	\$238.74
Sewer Charge	\$421.00	\$421.00	\$0.00
Carbage Charge	\$395.28	\$303.72	(\$91.56)
Totals	\$1,396.12	\$1,493.80	\$97.68



NAPA LAFCO: 49 YEARS AND COUNTING

CORE POLICY ORIENTATION FOR URBAN-CENTERED DEVELOPMENT LEADS TO MEASURED AND SUSTAINABLE GROWTH

Napa LAFCO was formally established as a subdivision of the State of California on June 1, 1963. Napa LAFCO's initial powers and duties were primarily limited to regulating the establishment and revision of local governmental boundaries. In 1971, the Legislature amended LAFCO law to establish planning powers for the explicit purposes of informing subsequent regulatory actions. This includes — most notably — establishing the requirement LAFCOs designate spheres of influence for all cities and special districts. The pertinent connection underlying this new legislation was the requirement that from 1971 forward all boundary changes must be consistent with the affected agencies' spheres of influence with limited exceptions. More legislative amendments followed over the next several decades with increasing emphasis on expanding LAFCOs' authority and autonomy. These efforts were most recently highlighted by the Cortese Knox Hertzberg Act of 2000; a comprehensive rewrite that includes the following changes:

- Requires LAFCOs to be independent of county government; directs LAFCOs to appoint their own Executive Officers.
- Mandates cities and, if applicable, special districts join counties in funding LAFCOs' annual operating costs.

- Directs LAFCOs to review and update spheres of influence every five years in conjunction with preparing municipal service reviews.

A core and enduring policy orientation of Napa LAFCO since the time of its establishment has been a commitment to urban-centered growth. This commitment is currently memorialized in Napa LAFCO's General Policy Determinations, which serves as the agency's "constitution." This policy document directs Napa LAFCO, among other things, to defer to the County General Plan to determine appropriate sites for urban uses unless special circumstances merit otherwise. This commitment to urban-centered growth is also reflected in overall growth trends in Napa County since Napa LAFCO's establishment in 1963. Markedly, and despite an overall doubling of the population, the percentage of Napa County's population in the unincorporated areas has decreased from 48% to 18% during this period. This trend, importantly, demonstrates that new growth — which advantageously continues and is generally accommodated through boundary changes — has been overwhelming directed away from agricultural and open space lands and into areas best positioned to provide the essential urban services needed to maintain an appropriate quality of life for citizens.

NAPA LAFCO SINCE 1963...

Number of Commissioners

- 34 county members
- 22 city members
- 10 public members

Incorporations

- Town of Yountville
- City of American Canyon

Special District Formations

- Circle Oaks County Water District
- County Service Area No. 3
- County Service Area No. 4
- Lake Berryessa Resort Improvement
- Los Carneros Water District
- Napa-Berryessa Resort Improvement
- Napa County Regional Parks District
- Silverado Community Services District
- Spanish Flat Water District

Notable Boundary Changes

- Approved 515 City Boundary Changes - involves 10,500 acres / represents close to one-half of all incorporated lands currently in Napa County

Studies (Since 2002)

- 17 Municipal Service Reviews - agency, service, or region
- 24 Sphere of Influence Updates

GOALS INTO ACTION...

An underlying intent of Napa LAFCO's strategic plan is to serve as a performance measurement in reconciling goals with actions. To this end, the strategic plan prescribes the following five implementing strategies for the next two years.

Improve Service Efficiencies

- Expand website for online applications and login-based updates
- Prepare cost-analysis to transition agenda packets to electronic tablets

Expand Use and Relevance of MSRs

- Establish formal process in soliciting scoping comments on studies
- Conduct scoping workshop for study on the central county region

Renew Coordination with Other Agencies

- Present updates to local agencies on current and pending activities

Evaluate Regional/Statewide Issues

- Prepare an informational report on private community water systems
- Provide reports on relevant regional agency activities

Improve Public's Understanding of LAFCO

- Prepare annual newsletters for agency and public distribution.

ADOPTION OF FIRST STRATEGIC PLAN

AGENCY ADOPTS PLAN TO DIRECT RESOURCES OVER THE NEXT TWO YEARS

Napa LAFCO adopted the agency's first strategic plan in 2012. The strategic plan is the byproduct of an earlier workshop discussion and intended to guide the agency's resources over the next two years in a manner consistent with the collective preference of current members. The strategic plan is anchored by a vision statement orienting Napa LAFCO to proactively fulfill its responsibilities in a manner responsive to local conditions.

The strategic plan identifies five near-term goals for Napa LAFCO to accomplish through June 2014. The first goal directs Napa LAFCO to focus its activities — external and internal — on improving service efficiencies. The second goal directs resources to proactively expand the use and relevance of the municipal service reviews. The third goal directs Napa LAFCO to reemphasize partnerships with local agencies in coordinating planning activities. The fourth and fifth goals direct Napa LAFCO to actively participate in regional and statewide discussions impacting local agencies and services as well as improve the public's understanding of the agency and its functions.

A copy of the strategic plan is available by visiting the policy page at www.napa.lafco.ca.gov.

FINANCIAL SNAPSHOT

MODEST INCREASE IN NAPA LAFCO'S OPERATING EXPENSES IN 2012-2013

Napa LAFCO's annual operating expenses are primarily funded by the County of Napa and the Cities of American Canyon, Calistoga, Napa, St. Helena, and Yountville. State law specifies the County is responsible for one-half of Napa LAFCO's expenses while the remaining amount is to be apportioned among the five cities; the latter of which is determined based on a weighted calculation of population and general tax revenues. Additional funding—typically representing less than one-fifth of the total revenues—is budgeted from application fees and interest on the fund balance.

The adopted operating budget for 2012-2013 represents a modest increase of 1.0% over the previous fiscal year and totals \$432,461. This amount represents the total approved operating expenditures for the fiscal year within Napa LAFCO's three active expense units: salaries/benefits; services/supplies; and capital replacement. The 1.0% increase is primarily tied to Napa LAFCO's current staff support services agreement with the County; an agreement covering employee salaries and benefits as well as legal and accounting services. Budgeted revenues total \$423,650 with nine-tenths tied to new agency contributions. An operating shortfall of (\$8,810) was intentionally budgeted to reduce the funding requirements of local agencies and to be covered by drawing on available reserves; the latter totaling \$118,523 as of July 1, 2012.

Expenses	Adopted FY11-12	Adopted FY12-13	Change %
1) Salaries/Benefits	307,780	311,287	1.1
2) Services/Supplies	116,559	117,243	0.6
3) Capital Replacement	3,931	3,931	0.0
	\$428,270	\$432,461	1.0

Revenues	Adopted FY11-12	Adopted FY12-13	Change %
1) Agency Contributions	383,101	409,574	6.9
2) Application Fees	10,000	10,000	0.0
3) Interest	2,340	4,076	74.2
	\$395,441	\$423,650	7.0

Activity through the end of the first quarter indicates Napa LAFCO is on pace to finish 2012-2013 with an operating surplus of \$2,955; an amount that would represent a significant improvement compared to the (\$8,811) deficit budgeted at the beginning of the fiscal year. This projected improvement in the year-end financial standing is attributed – among other factors – to anticipated savings in budgeted employee health insurance. Further, if these projections prove accurate, Napa LAFCO will be positioned to increase its unreserved fund balance from \$118,523 to \$121,477; a change that would mark the first year-end increase in reserves since 2007-2008.

PLEASE
PLACE
STAMP
HERE

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

Administrative Office
1030 Seminary Street, Suite B
Napa, California 94559

Phone: 707-259-8645
Fax: 707.251.1053
www.napa.lafco.ca.gov



Register your e-mail account and/or mailing address with Napa LAFCO to receive notices on agenda, hearing, and public review issuances. Registration is fast and can be done online by visiting Napa LAFCO's website at www.napa.lafco.ca.gov. Napa LAFCO also invites you to "like us" on Facebook.

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Mailing Address Line 4
Mailing Address Line 5



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

Strategic Plan 2012-2013

Vision Statement

Provide effective oversight of local government agencies and their municipal service consistent with the tenets and ideals of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and in a manner responsive to local character and circumstances. The Commission will strive diligently to achieve this vision by emphasizing the following core values at all times.

a) Professional

The Commission will be accountable and transparent in developing, implementing, and communicating its policies, procedures, and programs.

b) Principled

The Commission will maintain a higher set of standards in fulfilling its prescribed duties and responsibilities with integrity and fairness in facilitating orderly growth.

c) Reasonable

The Commission will be objective in its decision-making with particular focus in considering the “reasonableness” of all potential actions before the agency.

Goals and Strategies

The Commission’s goals supporting its vision statement along with corresponding implementation strategies for the 2012-2013 planning period follow.

1. Improve Service Efficiencies

The Commission shall focus its prescribed duties and responsibilities in assisting local governmental agencies in pursuing efficiencies relative to available resources to reduce costs and enhance services. The Commission, accordingly, will lead by example and use creativity and innovation in improving its own service efficiencies by doing more with less for the benefit of both local funding agencies and the general public. This includes:

- a) Prepare a cost-benefit analysis for the Commission to purchase electronic tablets for purposes of converting all agenda packets to digital-only copies.
- b) Expand the use of the Commission website to allow applicants to submit all required proposal forms on-line. The website should also be expanded to allow each applicant to log-in with a personal password to check the status of their proposal.

2. Expand Use and Relevance of Municipal Service Reviews

The Commission shall proactively expand the use and relevance of municipal service reviews by focusing on issues of local significance within each affected community. This includes:

- a) Formally invite all affected local agencies and the general public to submit comments on governance and service related issues for consideration before the start of each scheduled municipal service review. Include a summary of the comments received along with staff responses in the final report.
- b) Conduct a scoping workshop for the pending central county municipal service review (City of Napa, Napa Sanitation District, Silverado Community Services District, and Congress Valley Water District) to help inform the report's direction and focus on specific areas of analysis as it relates to potential sphere of influence changes.

3. Renew and Strengthen Coordination with Local Governmental Agencies

The Commission shall fulfill its prescribed duties and responsibilities in partnership with local governmental agencies. To this end, and given the significant change in boards, councils, directors, and senior staff over the last several years, the Commission shall make a concerted effort to renew and strengthen its coordination with local agencies to help ensure appropriate communication relative to current and planned activities exists. This includes:

- a) Invite the County of Napa, cities, and special districts to make individual presentations to the Commission summarizing their current and future planning activities. Presentations will be scheduled by the Executive Officer and subject to the Chair's approval.
- b) Present formal updates to the County of Napa, cities, and special districts on current and future activities relevant to the affected agency. Updates should be scheduled in consultation with the affected agency's director/manager.
- c) Prepare a report for Commission use on local school districts and boards. The report shall be prepared in consultation with the affected agencies and address, among other items, the relationship between current/planned growth and school resources. The report shall also be distributed to all local agencies for review and file.

4. Anticipate and Evaluate Regional and Statewide Issues Impacting Municipalities and their Services

The Commission shall participate and provide, as appropriate, its expertise and perspective in regional and statewide discussions on critical issues that have the potential for significantly affecting local municipalities and their services. The Commission shall also, as appropriate, assume a leadership role in convening discussions among multiple stakeholders on critical service and growth issues affecting Napa County. This includes:

- a) In conjunction with Assembly Bill 54, prepare a report on private water companies operating in Napa County. The report shall be limited initially to identifying the location, service area, and general service capacity/demand of each private water company and distributed to all local agencies for their review and file.
- b) Actively follow the Association of Bay Area Governments and Metropolitan Transportation Commission. Provide annual reports on these agencies' current and planned activities as it relates to issues of interest to the Commission.

5. Improve the Public's Understanding of the Commission

The Commission shall make a concerted effort to improve the public's awareness and understanding of the agency's responsibilities and activities. This includes:

- a) Actively utilize print and social media resources in expanding the public's understanding of the role and function of the Commission.
- b) Prepare an annual newsletter for public distribution summarizing recent and planned Commission activities. The annual newsletter will be made available on the Commission website and directly e-mailed out through the agency's distribution list.



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

1030 Seminary Street, Suite B
Napa, California 94559
Telephone: (707) 259-8645
Facsimile: (707) 251-1053
www.napa.lafco.ca.gov

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

January 7, 2013
Agenda Item No. 5c (Consent/Action)

January 2, 2013

TO: Local Agency Formation Commission

FROM: Kathy Mabry, Commission Secretary

SUBJECT: Approval of Minutes for Regular Meeting on December 3, 2012

A. Discussion and Recommendation

Attached are summary minutes prepared for the Commission's Regular Meeting on December 3, 2012. Staff recommends approval.

Respectfully submitted,

Kathy Mabry
Commission Secretary

Attachment: as stated

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

Joan Bennett, Commissioner
Councilmember, City of American Canyon

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

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



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

MEETING MINUTES OF DECEMBER 3, 2012

1. CALL TO ORDER; ROLL CALL

Chair Chilton called the regular meeting of December 3, 2012 to order at 4:00P.M. At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Lewis Chilton, Chair	Juliana Inman	Keene Simonds, Executive Officer
Brad Wagenknecht, Vice Chair	Mark Luce (<i>arrived 4:07pm</i>)	Jackie Gong, Commission Counsel
Joan Bennett	Gregory Rodeno	Brendon Freeman, Analyst
Bill Dodd		Kathy Mabry, Secretary
Brian J. Kelly		

2. PLEDGE OF ALLEGIANCE

Chair Chilton led the Pledge of Allegiance.

3. AGENDA REVIEW

Chair Chilton asked if there were any changes to the prepared agenda.

Staff noted that on Agenda Item #5f, it was inadvertently noted that Commissioner Bennett's term ends in 2013, when actually her term ends in May 2015.

The Commission unanimously approved a motion to accept the agenda as modified and clarified.

4. PUBLIC COMMENT

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

5. CONSENT ITEMS

a) First Quarter Budget Report for 2012-2013

The Commission reviewed a first quarter budget report for 2012-2013. The report compared budgeted versus actual transactions through one-fourth of the fiscal year. The report projected the Commission is on pace to improve its year-end financial position by eliminating its budgeted funding gap of (\$8,811) and finish with an overall operating surplus of \$2,955.

b) Approval of Meeting Calendar for First Half of 2013

The Commission considered approving a meeting calendar for the first six months for 2013. The Commission approved regular meetings for the following dates: January 7th, February 4th, April 1st, and June 3rd.

c) Progress Report on Strategic Plan

The Commission received a report on progress made in meeting goals and implementing strategies in the current 2-year strategic plan, including the preparation of an informal report on private water service provision in Napa County (see agenda item no. 8a), and making a presentation on LAFCO's policies/programs during a recent study session with the County Planning Commission.

d) Approval of Meeting Minutes

The Commission considered minutes prepared by staff for the October 1, 2012 meeting.

5. CONSENT ITEMS – continued:

e) Designation of Chair and Vice Chair for Calendar Year 2013

The Commission received a report regarding the designation of the Chair and Vice Chair for the 2013 calendar year. The Commission's adopted policy designates Commissioner Wagenknecht as Chair and Commissioner Kelly as Vice Chair, respectively.

A letter will be sent to the City Selection Committee for appointments/reappointments for the two seats currently held by Commissioners Chilton and Inman.

f) Notice of Expiring Commissioner Terms in 2013

The Commission received a report identifying the member terms scheduled to expire in 2013. Three terms are set to expire and affect members Chilton, Inman, and Luce.

CORRECTION: In the staff report, staff inadvertently noted that Commissioner Bennett's term ends in 2013; when in fact, it ends in May 2015. A letter will also be sent to the Board of Supervisors for appointment/reappointment to the seat currently held by Commissioner Luce.

g) CALAFCO Quarterly Report

The Commission received the most recent quarterly report prepared by the California Association of Local Agency Formation Commissions, noting the appointment of the new Executive Director Pamela Miller, who was formerly the County of Napa's Clerk of the Board.

h) Report on Website Visits

The Commission received a report summarizing visitor traffic to the agency's new website since December 2011.

i) Current and Future Proposals

The Commission received a report summarizing current and future proposals. No new proposals have been submitted since the October 3, 2012 meeting.

Upon motion by Commissioner Wagenknecht and second by Commissioner Dodd, all of the consent calendar items were approved.

6. PUBLIC HEARING ITEMS

a) Sphere of Influence Update on Lake Berryessa Resort Improvement District

The Commission held a public hearing to consider taking actions with respect to its scheduled sphere of influence update on the Lake Berryessa Resort Improvement District (LBRID); the governmental entity tasked with providing water and sewer services to the Berryessa Estates community.

Staff provided an overview of the report prepared on the scheduled update and highlighted three distinct options available with regards to addressing the sphere. The report recommends "Option Three" which would update the sphere with no changes and explicitly table all related policy issues for discussion to the next update. Staff added this option is consistent with the preferences expressed by the Commission at the October meeting.

Chair Chilton opened the public hearing.

Belia Ramos-Bennett spoke to the Commission, representing the Ramos Family Trust. Her family owns a parcel in Unit One on the map provided, which is located within the jurisdictional boundary of LBRID, but outside its sphere of influence. Citing 19 particular lots, Ms. Ramos stated that the property owners have been struggling for water rights for a very long time and have held discussions with County Supervisors and Public Works staff. Ms. Ramos-Bennett stated that the property owners in Unit One would like for the sphere to ultimately match the jurisdictional boundaries. Ms. Ramos added, however, she appreciated the value of holding off on making any changes to the sphere at this time for reasons provided in the report.

6. PUBLIC HEARING ITEMS - continued:

a) Sphere of Influence Update on Lake Berryessa Resort Improvement District – continued:

Chair Chilton closed the public hearing.

Commissioner Wagenknecht stated he recommends the staff recommendation of Option Three.

Chair Chilton closed the public hearing.

Upon motion by Commissioner Wagenknecht and second by Commissioner Bennett, the Commission approved the staff recommendations to: (a) accept the final report as presented, and (b) adopt the resolution confirming the determinative statements therein in updating LBRID's sphere of influence update with no changes at this time (**Resolution No. 2012-09**).

Additionally, Commissioner Inman suggested that instead of reprinting the final version of the report, the Commission should retain their copy and mark over the word 'draft' with the word 'final'. Staff indicated that would be acceptable.

7. ACTION ITEMS

a) Financial Audit for Fiscal Year Ending June 30, 2012

The Commission reviewed a written report from an outside consultant auditing the agency's financial statements for the 2011-2012 fiscal year.

Staff provided the Commission with a brief overview of the report and highlighted the attached spreadsheet summarizing the audited fund balance which was prepared by Auditor-Controller, Tracy Schulze.

Staff commended the Auditor's staff and Secretary Mabry for their work relating to the successful audit again this year.

Commissioner Dodd inquired about the process for selecting the outside consultant and suggested it would make sense for the audit to go out for bid to avoid the appearances of favoritism.

Commissioner Wagenknecht agreed with Commissioner Dodd's point and noted we should probably have a policy for the term of CPA's used for audits. Commissioner Kelly recommended sending the consultant job out for bid and not including the current CPA firm. Chair Chilton agreed and stated this issue should probably be taken up as a policy consideration at a future meeting.

Upon motion by Commissioner Dodd and second by Commissioner Wagenknecht, the audit report for the 2011-2012 fiscal year was received and filed.

b) Amendments to Policy on Preparing an Annual Budget/Budget Committee Appointments

The Commission considered two separate actions concerning the preparation of an annual budget for the agency. The first action proposed minor amendments to the Commission's adopted policy on preparing an annual budget to reflect existing practices. The second action requested appointments of two members to serve with the Executive Officer on the 2013-2014 Budget Committee.

Chair Chilton said he would be happy to serve again, although his appointment will end in May 2013. Commissioner Bennett felt Commissioner Kelly was doing a good job and should continue.

Upon motion by Commissioner Bennett and second by Commissioner Dodd, the following was approved: (a) proposed amendments to the policy on preparing an annual budget as noted in Attachment Two of the staff report, and (b) Commissioners Kelly and Chilton were reappointed to serve on the Budget Committee for 2013-2014.

7. ACTION ITEMS

c) Approval of an Outside Service Extension to Allow the Napa Sanitation District to Provide Public Sewer to 1166 Monticello Road (APN No. 039-310-017)

The Commission considered approving a written request filed by the Napa Sanitation District (NSD) to provide extraterritorial public sewer service by contract to an unincorporated property located at 1166 Monticello Road.

Staff provided an overview of the request and noted the lot includes a single-family residence and is in between two distinct service areas: City of Napa, and Silverado. In addition, Milliken Creek is adjacent to the property. The property owners have recently requested to build a guest cottage, but have found that the septic system is failing due to unchecked growth of tree roots invading the leach fields. This is a determination and has been validated by Napa County's Environmental Health (copy of letter in staff report). There is currently a sewer line in the property as the result of an easement that was executed decades ago which provides for the Milliken trunk line and serves the City of Napa.

Staff recommends approval of the request on the basis the outside service extension would address an impending threat to public health and safety consistent with Government Code 56133.

Chair Chilton opened up public hearing.

Commissioner Dodd asked for further clarification on the relationship between the lot and the existing NSD sewer line.

Commissioner Wagenknecht noted that this lot is not expandable due to the formerly mentioned factors.

Rangel Gonzalez, Stillwater Engineering, a Civil Engineer representing the property owners asked the Commission to approve this request to connect to the NSD, given the property owners are very limited with the area to produce another septic system due to various constraints, such as setbacks. Eve Kahn, resident, sought clarification on development opportunities in the area.

Commissioner Dodd said he fully expects there to be requests to bring all or part of this area into the sphere in the future, but as of now, he has not heard any discussion.

Commissioner Wagenknecht noted two factors with this request including Environmental Health saying that we have an environmental issue, and that this lot is not expandable due to the formerly mentioned factors, providing justification for the outside service request.

Commission Inman questioned whether Environmental Health requires/prevents planting trees over septic systems, which may have been a factor here.

Commissioner Rodeno commented that this was not a good location for a septic tank due to the easement, a setback, nearby wetlands, etc.

Commissioner Bennett said this seems like a sensible thing to do and agreed with Commissioner Wagenknecht comments. Chair Chilton said he agreed with the comments.

Chair Chilton closed up public hearing.

Upon motion by Commissioner Kelly and second by Commissioner Bennett, the Outside Service Extension request was approved (**Resolution No. 2012-10**).

8. DISCUSSION ITEMS

a) Informational Report on Private Community Water Systems

Staff Analyst, Brendon Freeman, provided the Commission with a report identifying the scope and range of private community water systems operating in Napa County. The preliminary report complies with the Commission's strategic plan to broaden the agency's understanding of private water systems supporting local growth and development as well as new legislation enacted earlier this year with Assembly Bill 54.

8. DISCUSSION ITEMS

a) Informational Report on Private Community Water Systems – continued:

The report was presented for discussion and feedback in anticipation of presenting a complete report at a future regular meeting.

Commissioner Dodd commented that the report seemed unnecessary and was concerned LAFCO was utilizing resources that could otherwise be applied more appropriately.

Commissioner Wagenknecht commented the report was interesting in showing the scope of private community water services in Napa County.

b) Anticipated Work Plan for 2013

The Commission received a work plan outlining anticipated activities in 2013. The work plan was presented for discussion and for the Commission to provide direction to staff with respect to amendments relative to member preferences and priorities for the next 12 months.

Commissioner Kelly asked whether the work plan contemplated the County or City of Napa bringing forward an application on Napa Pipe. Staff commented the work plan does not directly contemplate Napa Pipe, but notes the scheduled study on the central/county region would indirectly incorporate Napa Pipe. Staff added the work plan would be amended as needed if an application is filed by either agency.

c) Report on the 2012 CALAFCO Annual Conference

The Commission received a report summarizing the activities associated with the 2012 CALAFCO Annual Conference held on October 3-5 at the Monterey Hyatt Regency.

Commissioner Bennett commented that it was the most extensive conference she's ever been to.

Commissioner Wagenknecht stated he enjoyed the conference. Several Commissioners also expressed gratitude for the work of retiring CALAFCO Executive Director Bill Chiat, and suggested the Commission formally recognize his service at a later date.

9. EXECUTIVE OFFICER REPORT

The Commission received a verbal report from the Executive Officer regarding current staff activities.

10. CLOSED SESSION

a) Public Employee Annual Performance Evaluation: LAFCO Executive Officer

There was no reportable action, per Jackie Gong, Counsel.

11. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

There was no discussion of this item.

12. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING: January 7, 2013

The meeting was adjourned at 5:15 p.m. The next regular LAFCO meeting is scheduled for Monday, January 7, 2013 at 4:00 p.m.

Lewis Chilton, Chair

ATTEST: Keene Simonds, Executive Officer

Prepared by: _____
Kathy Mabry, Commission Secretary



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

January 7, 2013

Agenda Item No. 5d (Consent/Information)

January 2, 2013

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer
Brendon Freeman, Analyst

SUBJECT: Current and Future Proposals

The Commission will receive a report summarizing current and future proposals. The report is being presented for information. Three new proposals have been submitted since the December 3, 2012 meeting.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 delegates Local Agency Formation Commissions (LAFCOs) with regulatory and planning duties to coordinate the logical formation and development of local governmental agencies. This includes approving or disapproving proposals involving the formation, expansion, merger, and dissolution of cities and special districts.

A. Information

There are currently five active proposals on file with LAFCO of Napa County (“Commission”). A summary of these active proposals follows.

Pressey Annexation to the City of Napa

The City of Napa Council adopted a resolution of application for the Pressey annexation at its December 4, 2012 meeting. The subject territory is approximately 1.1 acres and comprises one entire unincorporated parcel located at 1101 Grandview Drive in the Hilton Subdivision. Staff recommends the proposal be reorganized to expand the boundary to include an approximate 0.1 acre adjacent right-of-way portion of Grandview Drive as well as concurrent detachment from County Service Area No. 4.



Status: The Commission is expected to consider the proposal as item 7b on today’s meeting agenda.

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

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

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

Joan Bennett, Commissioner
Councilmember, City of American Canyon

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

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

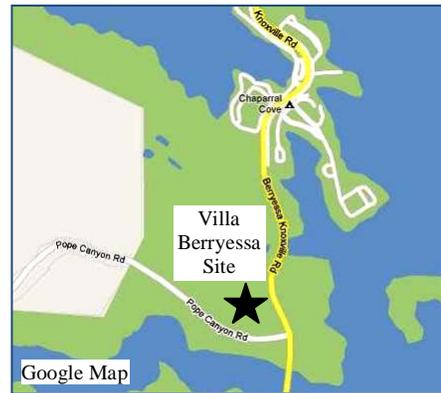
Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

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

Keene Simonds
Executive Officer

Formation of the Villa Berryessa Water District

This application has been submitted by Miller-Sorg Group, Inc. The applicant proposes 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

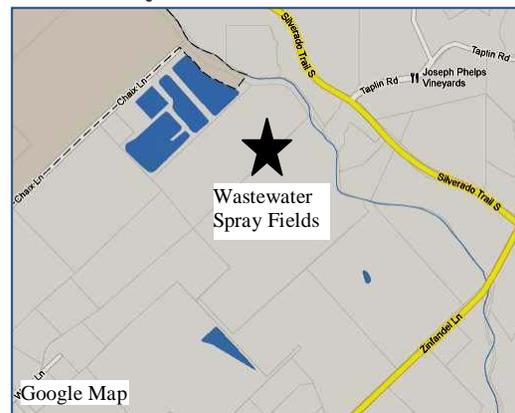


on the applicants receiving written approval from the United States Bureau of Reclamation to construct an access road and intake across federal lands to receive water supplies from Lake Berryessa. Based on their own review of the project, the Bureau is requesting a governmental agency accept responsibility for the construction and perpetual operation of the water and sewer systems serving the subdivision.

Status: Staff is currently awaiting a response to an earlier request for additional information from the applicant.

Silverado Trail/Zinfandel Lane Annexation to the City of St. Helena

The City of St. Helena proposes the annexation of approximately 100 acres of unincorporated territory located northwest of the intersection of Silverado Trail and Zinfandel Lane. The subject territory consists of one entire parcel and a portion of a second parcel, which are both owned and used by St. Helena to discharge treated wastewater from an adjacent treatment plant through a spray irrigation system. Both subject parcels are located outside the City's sphere of influence. Rather than request



concurrent amendment, St. Helena is proposing only the annexation of a portion of the second parcel to ensure the subject territory is non-contiguous to its incorporated boundary and therefore eligible for annexation under Government Code Section 56742. This statute permits a city to annex non-contiguous land it owns and uses for municipal purposes without consistency with its sphere of influence. However, if sold, the statute requires the land be automatically detached. The two subject parcels are identified by the County Assessor as 030-240-017 (portion) and 030-250-018.

Status: Staff has completed its review of the proposal. St. Helena has filed a request with the Commission to delay consideration of the proposal in order to explore a separate agreement with the County to extend the current Williamson Act contract associated with the subject territory.

Alumbaugh Annexation to the City of Napa

The City of Napa Council has adopted a resolution of application for the Alumbaugh annexation. The subject territory is approximately 6.0 acres and comprises one entire unincorporated parcel located at 29 Forest Drive in northwest Browns Valley. A review of LAFCO records shows the subject territory was added to Napa's sphere of influence in June 1978 as part of an approved amendment involving several other properties in the Redwood Road/Forest Drive area. The purpose of the potential proposal would be to allow the landowner to begin work with Napa in processing a residential subdivision application consistent with the City's General Plan and Zoning Ordinance.



Status: Staff has received the application from the City of Napa and will begin review of the proposal in anticipation of presenting the item to the Commission as early as its February 4, 2013 meeting.

Materials Diversion Facility Annexation to the City of Napa

The City of Napa Council has adopted a resolution of application for the Materials Diversion Facility annexation using special proceedings codified under Government Code Section 56742. This section permits LAFCO to approve the annexation of noncontiguous territory to a city without requiring consistency with the sphere of influence so long as the subject lands are owned and used by the annexing agency for municipal purposes. The subject territory comprises six entire unincorporated parcels totaling approximately 18.6 acres located at 820 Levitin Way. The City owns and uses the subject territory to remove reusable materials from curbside collected refuse. The purpose of the proposal is to eliminate an approximate \$50,000 annual property tax obligation.

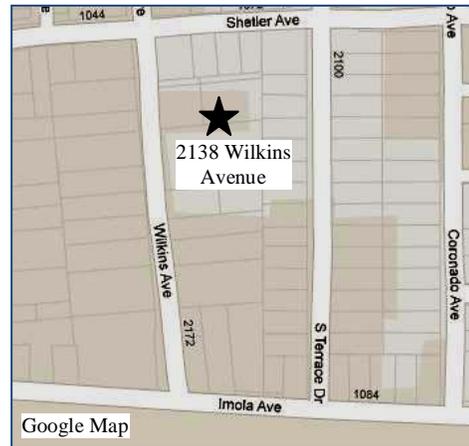


Status: Staff has received the application from the City of Napa and will begin review of the proposal in anticipation of presenting the item to the Commission as early as its February 4, 2013 meeting.

There are five potential new proposals that may be submitted to the Commission in the near future based on extensive discussions with proponents. A summary of these anticipated proposals follows.

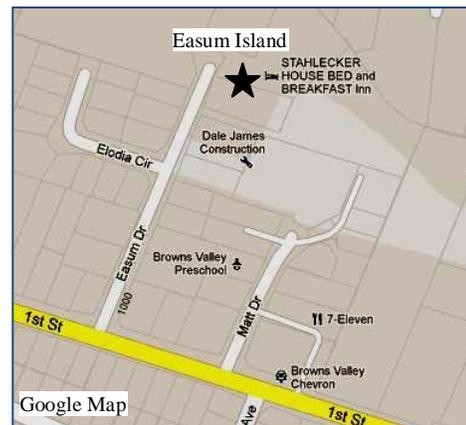
Sibsey Annexation to the City of Napa

A representative for an interested landowner of a 0.77 acre unincorporated property located at 2138 Wilkins Avenue has inquired about re-initiating annexation to the City of Napa. This property was conditionally approved for annexation by the Commission on February 2, 2009. The conditions, however, were never satisfied and annexation proceedings were formally abandoned on April 5, 2010. Staff is working with the landowner's representative and the City to discuss resuming annexation proceedings. This includes preparing a new application in consultation with the City.



Stahlecker Annexation to the City of Napa

An interested landowner within a completely surrounded unincorporated island located near Easum Drive in the City of Napa has inquired about annexation. The landowner owns and operates a bed and breakfast and is interested in annexation in response to an informational mailer issued by LAFCO outlining the cost benefits to annexation. Subsequent follow up indicates one of the other two landowners within the island is also agreeable to annexation if there is no financial obligation. Staff is working with the City on its interest/willingness to reduce or waive fees associated with adopting a resolution of application in order to initiate "island proceedings".



Garaventa Annexation to the City of Napa

An interested landowner within a substantially surrounded unincorporated island located near the intersection of Imola Avenue and Tejas Avenue has inquired about annexation to the City of Napa. The interested landowner owns an approximate 1.5 acre undeveloped lot and is interested in ultimately pursuing a development project, although no specific plans exist at this time. Staff worked with the landowner on gauging interest to increase the scope of the annexation through a mailed survey. The results of the survey indicated, however, there is not sufficient interest to expand the boundary to eliminate the entire island. Accordingly, and in consultation with the City, staff supports the landowner moving forward with the City in initiating an application to LAFCO for the affected territory with the caveat that it may be amended at the dais if deemed appropriate by the Commission.



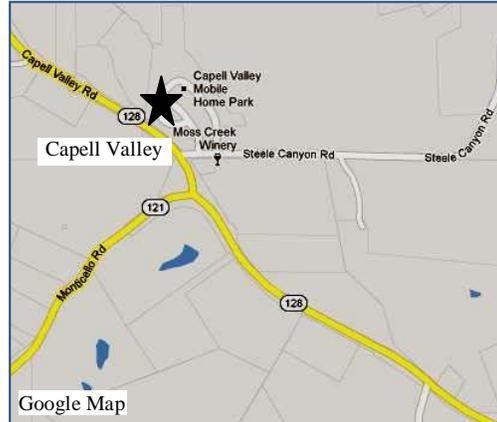
Airport Industrial Area Annexation to County Service Area No. 3

LAFCO staff recently completed a sphere of influence review and update for County Service Area (CSA) No. 3. This included amending CSA No. 3's sphere to add approximately 125 acres of unincorporated territory located immediately north of the City of American Canyon in the Airport Industrial Area. The County of Napa is expected to submit an application to annex the 125 acres to CSA No. 3 by the end of the fiscal year. The subject territory is completely uninhabited and includes seven entire parcels along with a portion of an eighth parcel. This eighth parcel, notably, comprises a railroad track owned and operated by Southern Pacific. The subject territory also includes segments of Airport Drive, Devlin Road, and South Kelly Road. Annexation would help facilitate the orderly extension of street and fire protection services to the subject territory under the land use authority of the County.



Formation of a Community Services District at Capell Valley

An interested landowner has inquired about the formation of a new special district for purposes of assuming water responsibilities from an existing private water company. The subject area includes the 58-space mobile home park adjacent to Moskowitz Corners as well as two adjacent parcels that are zoned for affordable housing by the County. Staff has been working with the landowner in evaluating governance options as well as other related considerations under LAFCO law. This includes presenting at a



community meeting earlier this year. The meeting was attended by approximately 25 residents and provided staff the opportunity to explain options and processes available to residents with respect to forming a special district as well as to answer questions. Commissioner Dodd was also in attendance. The landowner subsequently requested a fee waiver for the cost of submitting an application to form a new special district at the Commission's June 4th meeting. The Commission denied the request without prejudice and noted the opportunity exists for the landowner to return at a future date with additional information to justify a fee waiver request as well as the underlying action: forming a new special district.

B. Commission Review

This item has been agendaized as part of the consent calendar for information only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair.

Attachments: none



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

January 7, 2013
Agenda Item No. 7a (Action)

January 3, 2013

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Commendation for Dedicated Service: William Chiat

The Commission will recognize the distinguished service of William Chiat upon his recent retirement as the Executive Director for the California Association of Local Agency Formation Commissions. A draft resolution of commendation will be presented for formal adoption.

California Association of Local Agency Formation Commissions (CALAFCO) was established in 1971 to assist members in effectively fulfilling their duties to coordinate the orderly formation and development of governmental agencies and services. Key services include facilitating information sharing among members by organizing annual conferences and workshops as well as providing technical assistance through ongoing educational training classes. CALAFCO also serves as a resource to the Legislature and actively drafts and reviews new legislation on behalf of members.

A. Background / Discussion

At the December 3, 2012 meeting, LAFCO of Napa County (“Commission”) received a report from attending members on the 2012 CALAFCO Annual Conference held on October 3-5 at the Hyatt Regency and Conference Center in Monterey. Markedly, and among other items discussed, several members expressed interest for the Commission to formally recognize the pertinent and lasting contributions made to CALAFCO by its recently retired Executive Director William Chiat. Members specifically noted Mr. Chiat’s leadership in advancing CALAFCO’s legislative advocacy efforts, establishing needed training sessions for members, and improving the quality and depth of conference and workshop sessions. Members also noted Mr. Chiat’s service with CALAFCO also served the particular interest of Napa County given his commitment to educate and empower LAFCOs in their role in protecting open-space and agricultural resources.

With the preceding considerations in mind, the Commission will consider formally adopting the attached draft resolution commending Mr. Chiat for his dedicated service to CALAFCO and by extension to the people of Napa County.

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

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

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

Joan Bennett, Commissioner
Councilmember, City of American Canyon

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

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

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

Keene Simonds
Executive Officer

B. Alternatives for Commission Action

The following alternative actions are available to the Commission:

Alternative Action One (Recommend):

Adopt the attached draft resolution commending William Chiat for his dedicated service to CALAFCO.

Alternative Action Two:

Continue consideration of the item to the next regular meeting and provide direction to staff as needed. This option would be appropriate if Mr. Chiat is unable to attend the meeting.

C. Recommendation

The Executive Officer recommends Alternative One as outlined in the preceding section.

D. Procedures for Consideration

This item has been agendized for formal action. Mr. Chiat has been invited and is scheduled to be in attendance. The following procedures are recommended with respect to the Commission's consideration of this item:

- 1) Commissioner comments; and
- 2) Invite public comments (discretionary);
- 3) Consider action on recommendation.

Respectfully submitted,

Keene Simonds
Executive Officer

Attachment:

- 1) Draft Resolution: Commendation for William Chiat

RESOLUTION NO. ____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
COMMENDATION FOR WILLIAM CHIAT**

WHEREAS, William Chiat, served as the Executive Director for the California Association of Local Agency Formation Commissions (CALAFCO) between 2004 and 2012; and

WHEREAS, under William Chiat's leadership and guidance, CALAFCO has become an effective and respected information resource and legislative advocate to the enduring benefit of all 58 Local Agency Formation Commissions (LAFCOs) in California; and

WHEREAS, William Chiat earned the respect and gratitude of his colleagues with his thoughtful approach in assisting and improving the ability of LAFCOs to fulfill their legislative mission to oversee and facilitate logical and orderly municipal growth and development; and

WHEREAS, LAFCO of Napa County, hereinafter referred to as the "Commission," is particularly grateful for William Chiat for his commitment to further educate and empower LAFCOs in protecting against the premature conversion of open-space and agricultural resources; a commitment the Commission first came to appreciate in William Chiat's previous service as the Executive Officer for the County of Napa; and

WHEREAS, the Commission wishes William Chiat continued happiness and success upon his recent retirement from CALAFCO;

NOW, THEREFORE, BE IT RESOLVED, the members of the Commission, individually and collectively, convey their heartfelt appreciation and admiration for the service rendered by William Chiat to CALAFCO and wish to acknowledge and commend the value his service has added to this Commission and to the people of Napa County.

The foregoing resolution was passed and adopted by the Commission at a public meeting held on January 7, 2013.

Brad Wagenknecht, Chair

Attest:

Keene Simonds, Executive Officer



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Subdivision of the State of California

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

January 7, 2013
Agenda Item No. 7b (Action)

January 2, 2013

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer
Brendon Freeman, Analyst

SUBJECT: Proposed Annexation of 1101 Grandview Drive to the City of Napa

The Commission will consider a proposal from the City of Napa to annex approximately 1.1 acres of unincorporated territory located at 1101 Grandview Drive (043-091-013). Staff recommends approval of the proposal with two discretionary amendments to expand the proposed annexation boundary to include an additional 0.1 acre portion of adjacent right-of-way and concurrent detachment of the affected territory from County Service Area No. 4. Standard conditions are also recommended.

Local Agency Formation Commissions (LAFCOs) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving proposed changes of organization, such as boundary changes, consistent with adopted policies and procedures pursuant to California Government Code (G.C.) Section 56375. Two or more of these actions in a single proposal are referred to as a reorganization. LAFCOs are authorized with broad discretion in amending and conditioning change of organizations or reorganizations as long as the latter does not directly regulate land uses or subdivision requirements.

A. Discussion

Applicant Proposal

LAFCO of Napa County (“Commission”) has received a proposal from the City of Napa (“City”) requesting the annexation of approximately 1.1 acres of unincorporated territory. The proposed territory to be annexed is an undeveloped lot located at 1101 Grandview Drive in the Hilton Subdivision. The County Assessor’s Office identifies the subject lot as 043-091-013. The underlying and immediate purpose of the proposal is to facilitate the future development of the subject lot to include one single-family residence as allowed under City land use policies.

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

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

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

Joan Bennett, Commissioner
Councilmember, City of American Canyon

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

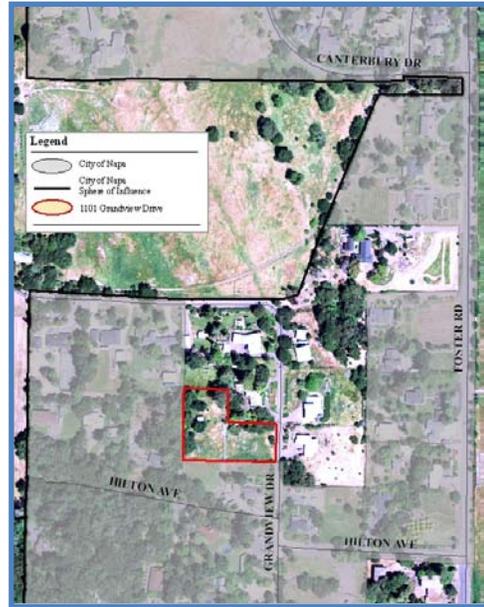
Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

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

Keene Simonds
Executive Officer

The City's proposal has been filed with the Commission at the request of the subject lot's landowners, Daniel and Ana Pressey. The Presseys purchased the subject lot in 2011 with the explicit intention of developing a single-family residence under the County's land use authority while establishing an outside connection to an adjacent City water line. In the course of exploring this latter option, however, it was learned the City Council had previously established by resolution a requirement that all water service connections within the Hilton Subdivision be permitted only upon completion of annexation proceedings.¹ The Presseys have redirected their development plans, accordingly, and will file for a building permit with the City if annexation is approved by the Commission.



Possible Amendments to Proposal

In reviewing the application materials, and in consideration of directed and adopted policies, staff has identified and evaluated the merits of three possible amendments to the proposal for Commission consideration. Two of these three possible amendments – expanding the proposal boundary to include an adjacent right-of-way portion and requiring concurrent detachment from County Service Area (CSA) No. 4 – are recommended. The third considered amendment – requiring concurrent annexation to the Napa Sanitation District (NSD) – is not recommended. Expanded justifications for the preceding amendment considerations follow.

Recommended: Expand Proposal Boundary to Include Additional Territory Comprising an Approximate 0.1 Acre Right-of-Way Portion of Grandview Drive

The Legislature directs the Commission to consider boundary alternatives – expansions or reductions – any time it reviews change of organization or reorganization proposals to provide a more orderly and logical designation. Towards this end, it appears appropriate for the Commission to amend the annexation boundary to include the entire right-of-way portion immediately adjacent to the subject lot on Grandview Drive. The affected right-of-way portion is approximately 0.1 acres in size and its inclusion in the annexation boundary would ensure the City's jurisdiction over the lone and immediate access point to the subject lot.²

¹ Reference City Council Resolution No. 81-247.

² The recommended addition of the public right-of-way portion of Grandview Drive would not trigger protest proceedings. Public agencies are not defined as landowners under LAFCO law when the subject land involves highways, rights-of-way, easements, waterways, or canals under G.C. Section 56408(c).

Consideration has also been given to expanding the annexation boundary to include additional lands given the affected territory is part of a substantially surrounded unincorporated island that includes seven total properties and 9.3 acres in size.³ Interest among the adjacent landowners in joining the annexation, however, is uncertain at this time given feedback to the Commission's recent survey for the area produced only a single "oppose" response.⁴ (A more recent survey conducted by the City in the course of filing the proposal with the Commission did not generate any responses.) The lone documented opposition, nonetheless, reasonably suggests expanding the boundary to include one or certainly all of the remaining island lands would trigger protest proceedings; proceedings that would generate additional applicant costs and could potentially terminate Commission approval.⁵ The potential for triggering protest proceedings may prove particularly problematic for the Presseys given any further delays to those already experienced may make it difficult to complete construction of a new single-family residence by October 1st; the date in which the grace period for their construction loan will end.

Recommended: Concurrent Detachment from CSA No. 4

Commission policy requires all annexations to cities be reorganized to include concurrent detachment from CSA No. 4 unless waived given special circumstances.^{6 7} The prescribed waiver involves a determination the affected territory has been, or is expected to be, developed to include planted vineyards totaling one acre or more in size. The subject lot is currently vacant with no physical improvements and the landowners' stated intent is to develop a single-family residence. These factors substantiate there is no existing or expected tie between the affected territory and CSA No. 4's role in providing public farmworker housing services in Napa County.

³ The island is 81% surrounded by the existing City limits. This amount exceeds the 66.6% threshold adopted by the Commission with respect to defining a substantially surrounded island.

⁴ The Commission surveyed the "Foster/Grandview" island on January 3, 2012 as part of the agency's island annexation program. The lone response to the Commission survey was an oppose submittal from the landowners at 1131 Grandview Drive.

⁵ Protest proceedings – also known as conducting authority proceedings – are required any time the Commission approves a boundary change without notice and consent of landowners and, if applicable, registered voters unless a waiver is specifically authorized. Protest proceedings would initially involve the Executive Officer holding a separate noticed hearing no sooner than 21 days and no later than 60 days following Commission approval of the underlying boundary change in order to receive any filed letters of opposition among the affected landowners or registered voters. Assuming there are 12 or more affected registered voters, approval of a boundary change without 100% consent would be outright terminated if protest proceedings generate filed opposition from either 50% or more of the registered voters or landowners of properties representing 50% or more of the total assessed value within the area. An election would be required if protest proceedings generate filed opposition from 25% to 50% of registered voters or landowners of properties representing 25% to 50% of the total assessed value. Approval of an expanded annexation boundary would be confirmed and not require an election if less than 25% of registered voters or landowners representing less than 25% of the total assessed value file written opposition. G.C. Section 56375.3 allows the Commission to waive protest proceedings for island annexations if – among other considerations – the proposal has been filed by the annexing city and involves the entire island.

⁶ 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 sponsor a voter-approved assessment on all assessor parcels within its jurisdiction containing one acre or more of planted vineyards for the purpose of funding farmworker housing services.

⁷ Commission General Policy Determination VII/D/3(a).

Not Recommended: Concurrent Annexation to NSD

Commission policy requires all annexations to the City be reorganized to include concurrent annexation to NSD if the affected territory lies in the District's sphere of influence and sewer service is available unless waived given special circumstances. The subject lot does lie within NSD's sphere of influence, but is over 1,000 feet away from the nearest sewer line located at Foster Road and Canterbury Drive. The estimated cost to extend the sewer line to the subject lot would be a minimum amount of \$100,000.⁸ This estimated cost appears substantially prohibitive for the landowner to assume and therefore staff believes it would be appropriate to waive the concurrent annexation requirement to NSD.

B. Analysis

G.C. Section 56375 delegates LAFCOs the responsibility to approve or disapprove, with or without amendment, proposals for change of organization or reorganization consistent with its adopted written policies, procedures, and guidelines. LAFCOs are also authorized to establish conditions in approving proposals as long as they do not directly regulate land uses or subdivision requirements. Underlying LAFCOs' determination in approving or disapproving proposals for change of organization or reorganization is to consider the logical and timely development of the affected agencies in context with statutory objectives and local circumstances.

Required Factors for Review

G.C. Section 56668 requires LAFCOs to consider 15 specific factors anytime it reviews proposals for change of organization or reorganization involving cities. No single factor is determinative. The purpose in considering these factors is to inform the Commission in its decision-making.

An evaluation of the factors mandated for review as it relates to the proposal follows. This includes incorporating into the evaluation the two recommended amendments detailed in the preceding section that involve (a) expanding the boundary to include the adjacent right-of-way portion of Grandview Drive and (b) detachment from CSA No. 4. Lands subject to the amended proposal as recommended are referred to hereafter as "affected territory."

⁸ The estimated cost is based on consultation with NSD and incorporates a ratio of \$100 for every one foot of sewer line. NSD also indicates the cost to extend service to the subject lot would likely be greater given the District's preference to extend the sewer line in a manner providing service capabilities to the entire subdivision.

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 affected territory is currently undeveloped with no physical improvements with the exception of the paved right-of-way portion of Grandview Drive. The subject lot most recently changed ownership in 2011 and is currently assessed at \$150,000. Topography within the affected territory is relatively flat with a peak terrain point at 155 feet above sea-level. The Napa River is the closest waterway with its nearest crossing point located approximately 6,000 feet to the east of the affected territory.



The affected territory lies within a developing estate-residential subdivision with existing homes on all four adjacent lots; two of which are already in the City. Development potential within the subject lot is effectively limited to one single-family residence whether under the County or City's land use authority.⁹ Actual development potential, however, for the subject lot is functionally dependent on accessing the City's nearby water service line given the physical limitations of accessing groundwater.¹⁰ Annexation of the affected territory would not be expected to result in any new development within the adjacent lands.

2) The need for municipal services; the present cost and adequacy of municipal 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 need for elevated municipal services within the affected territory based on its planned and anticipated residential land use includes water, sewer, fire protection/emergency medical, and law enforcement. An analysis of the availability and adequacy of these core municipal services relative to projected needs if the proposal – with or without the recommended amendments – follows.

⁹ Auxiliary uses, such as a guest cottage, may also be permitted under either land use authority.

¹⁰ Buildout population of the affected territory would be 2.6 and is based on the most recent household resident estimate assigned to the City by the California Department of Finance.

Water

Water needs for the affected territory and specifically the subject lot upon annexation and buildout are expected to be provided by the City. Staff estimates the daily water demand to accommodate the anticipated construction of an approximate 2,500 square foot single-family residence within the affected territory is 340 gallons; an amount equivalent to 0.38 acre-feet annually. This anticipated demand within the affected territory at buildout would have negligible impacts to the City’s existing water system infrastructure as measured by supply, storage, and treatment capacities as depicted in the following subsections.

Water Supply and Demand

Napa’s water supplies are derived from three distinct sources: Lake Hennessey, Milliken Reservoir, and the State Water Project. These three sources collectively provide Napa with 31,340 acre-feet of raw water for treatment during normal year conditions based on historical patterns. These historical patterns also indicate Napa’s annual water supply decreases during multiple and single dry year conditions to 19,896 and 13,533 acre-feet, respectively. Conversely, Napa’s most recently recorded annual water demand totals 13,877 acre-feet; an amount representing an average daily use of 38 acre-feet. These current demands result in an available supply surplus during normal and multiple dry year conditions. Further, the existing shortfall projected during single dry years is relatively minimal and would be likely offset by voluntary and mandatory water conservation measures that could be adopted by the City Council consistent with their Urban Water Management Plan (UWMP).

The annual water demand associated with the annexation and buildout of the affected territory – 124,100 gallons or 0.38 acre-feet – would represent only one one-hundredth of the current average day systemwide water demand for the City. Annexation and buildout of the affected territory, accordingly, would have no measurable impact on existing or future water demands on the City as depicted in the following tables.

Baseline <u>Without</u> Annexation of the Affected Territory (Amounts in Acre-Feet)			
Category	Normal Year	Multiple Dry Year	Single Dry Year
Annual Supply	31,340	19,896	13,533
Annual Demand	13,877	13,877	13,877
Difference	17,463	6,019	(344)

Adjusted <u>With</u> Annexation/Buildout of the Affected Territory (Amounts in Acre-Feet)			
Category	Normal Year	Multiple Dry Year	Single Dry Year
Annual Supply	31,340	19,896	13,533
Annual Demand	13,877	13,877	13,877
Difference	17,463	6,019	(344)

Water Treatment and Storage

Napa operates treatment facilities for each of its three water sources. These three facilities provide a combined daily treatment capacity of 135 acre-feet.¹¹ This combined treatment amount is more than three times greater than the current average day water demand (38 acre-feet) and nearly two times greater than the current estimated peak day water demand (76 acre-feet).¹² Furthermore, Napa’s combined treated water storage capacity overlaying its five pressure zones – including clearwell tanks – is 86 acre-feet. This combined storage amount accommodates current estimated peak day water demands in Napa.

Average day water demands associated with the annexation and buildout of the affected territory – 340 gallons or 0.001 acre-feet – would have no measurable impact on the City’s existing water treatment and storage capacities as depicted in the following tables.

Baseline Without Annexation of the Affected Territory (Amounts in Acre-Feet)			
Treatment Capacity	Average Day Demand	Peak Day Demand	Storage Capacity
135.0	38.0	76.0	86.2

Adjusted With Annexation/Buildout of the Affected Territory (Amounts in Acre-Feet)			
Treatment Capacity	Average Day Demand	Peak Day Demand	Storage Capacity
135.0	38.0	76.0	86.2

Sewer

Sewer needs for the affected territory and specifically the subject lot upon annexation and buildout are expected to be accommodated through an onsite septic system; connection to the nearest public sewer service line approximately 1,000 feet in distance does not appear feasible at this time. Staff estimates the design and construction of an onsite septic system would need to accommodate average daily sewer flows of 272 gallons during dry periods and 680 gallons during wet periods. County Environmental Services confirms an onsite septic system design has been submitted by the landowners and approved for the subject lot consistent with these estimates.

¹¹ The combined daily treatment capacity for Napa is divided between the Milliken facility at 4.0, Jamieson facility at 20.0, and Hennessey facility at 20.0 million gallons, respectively.

¹² Based on recent usage records, the estimated peak day demand factor for Napa is 2.0.

Fire Protection and Emergency Medical

Annexation of the affected territory would immediately transfer fire protection and emergency medical service responsibilities from the County to the City. Proximity of the affected territory, however, suggests 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. Approval of the proposal would eliminate any duplication and related inefficiencies associated with the City providing fire protection and emergency medical services to the affected territory. Furthermore, the Commission's 2005 municipal service review on countywide fire protection services noted the City has generally developed sufficient capacities and controls to serve existing and anticipated demands. This includes noting the affected territory is located within an adequately served area in which the City is reasonably expected to respond within its adopted five minute standard time. Additional analysis indicates information in the referenced municipal service review remains valid and applicable to this proposal.

Law Enforcement

Annexation of the affected territory would immediately transfer law enforcement service responsibilities from the County to the City. However, and similar to fire protection, the affected territory's proximity suggests the City is already the probable first-responder for emergency law enforcement service calls based on an established mutual aid agreement with the County. Approval of the proposal would eliminate any duplication and related inefficiencies associated with the City already providing law enforcement services to the affected territory. The Commission's recently completed municipal service review on countywide law enforcement services also notes the City has developed sufficient capacities and controls to serve existing and anticipated demands. The municipal service review also notes no service deficiencies within the area surrounding the affected territory.

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 have an advantageous effect in memorializing existing social and economic ties between the affected territory and the City. These ties are drawn from the affected territory's standing inclusion into the sphere of influence adopted for the City; inclusion approved by the Commission in 1976 and marking an expectation the site should eventually develop for urban uses under the City's land use and service authority. The recommendation to amend the proposal to concurrently detach the affected territory from CSA No. 4 would also reflect the social and economic ties underlying the District's operations. Detachment would support CSA No. 4's logical development by removing incorporated land designated for urban use that does not have a tie to the District's role in funding public farmworker housing services by taxing vineyards.

- 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 proposal generally conforms with the adopted policies of the Commission and is highlighted by the affected territory lying entirely within the adopted sphere of influence for the City; a demarcation outlining the probable future service area and jurisdictional boundary of the City as determined by the Commission. The recommended amendments to expand the annexation boundary to include an adjacent right-of-way portion and concurrent detachment from CSA No. 4 further enhance the conformity of the proposal relative to the directives and policies of the Commission as detailed on pages two and three. Additional amendments to expand the annexation boundary to include the remaining island properties as well as concurrent annexation to NSD would further conform with Commission policies, but are not practical and therefore unwarranted at this time.

Approximately one half of the affected territory qualifies as “open-space” under LAFCO law based on its land use designation under the County of Napa General Plan. The potential use of the affected territory for urban uses, nonetheless, appears appropriate given local conditions and circumstances. Specifically, the affected territory lies within the adopted sphere of influence for the City as well as the City’s rural-urban limit line. The affected territory also does not qualify as “prime agricultural land.” These factors signify the development of the affected territory for urban uses is appropriately planned and orderly relative to the policies and priorities outlined 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” under LAFCO law. Specifically, the affected territory is not used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program.

- 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.**

The proposal as submitted is parcel-specific and includes all of the property identified by the County of Napa Assessor’s Office as 043-091-013. The recommended amendment modifies the affected territory to also include the public right-of-way portion of Grandview Drive immediately adjacent to the

subject lot. Annexation approval of the affected territory would reduce the size of an existing substantially surrounded island as defined under Commission policy. Commission approval would include a standard term requiring the applicant submit a map and geographic description of the approved action in conformance with the requirements of the State Board of Equalization. The submitted map and geographic description would be subject to review and possible edits by the Executive Officer before filing with the State Board of Equalization.

7) Consistency with the city or county general plans, specific plans, and adopted regional transportation plan.

Development opportunities within the affected territory and specifically involving the subject lot are generally equivalent between the County and the City. Both land use authorities have established minimum lot requirements under their existing land use designations and zoning standards that preclude any further division of the subject lot. Future development opportunities of the subject lot are limited and generally oriented to the construction of one single-family residence and a detached guest unit under either land use authority.¹³ Specific designations and zonings for the subject lot follow.

Category	County	City
Land Use Designation	Agriculture Watershed OS (50%) Rural Residential (50%)	Single-Family Residential - 128
Zoning Standard	Residential Single	Residential Single – 40
- Minimum Lot Size	10 acres	0.9 acres
- Permitted Uses	single-family residence detached second unit family care / day facility public/private school	single-family residence detached second unit family care / day facility public/private school
Overlay Zoning	Urban Reserve	Hillside

The Metropolitan Transportation Commission’s regional transportation plan (RTP) was last updated in April 2009 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2035. No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

8) The sphere of influence of any local agency affected by the proposal.

See analysis on page nine.

¹³ Both land use authorities would also allow small family and residential care facilities and public/private schools.

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

Staff provided notice of the proposal to all subject agencies and other interested parties as required under LAFCO law on December 14, 2012. Subsequent communications were also circulated to subject agencies in the course of the staff review. This includes providing notice of the likelihood of staff recommending the proposal be amended by the Commission to (a) expand the annexation boundary to include the adjacent right-of-way portion of Grandview Drive and (b) concurrent detachment from CSA No. 4. The following written comments were received in the course of the subject agencies' review of the proposal.

- **Napa Sanitation District**

NSD provided a written letter attesting the nearest existing sewer line is located approximately 1,000 feet north of the subject lot. NSD also commented – at the request of Commission staff – that the approximate cost to extend public sewer to the subject lot would be a minimum amount of \$100,000.

- **County of Napa / Environmental Services**

The County's Environmental Services confirmed – at the request of Commission staff – the landowners have filed and received design approval for an onsite septic system.

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.

Information collected and analyzed in the Commission's last municipal service review on the City concluded Napa had developed adequate financial resources and controls relative to its service commitments. Additional analysis performed subsequent to the filing of the proposal provides reasonable assurances the City's fiscal resources and controls would enable the agency to provide an appropriate level of services to the affected territory relative to anticipated land uses. A summary of the City's current financial resources follows.

General Fund

The City's total available (undesignated/emergency) balance in its General Fund at the beginning of the current fiscal year totaled \$7.6 million and equals 12% of its adopted operating costs in 2012-2013.¹⁴ At the time of budget adoption, the City anticipated a \$4.0 million shortfall in operating costs for the current fiscal year and would – if realized – further reduce the available fund balance to \$3.6 million. A summary of the balances within the City's General Fund over the last five fiscal years follows.

¹⁴ The City's adopted general fund expenses in 2012-2013 total \$63.2 million.

City General Fund Balance

(Source: City of Napa)

Category	2008-09	2009-10	2010-11	2011-12	2012-13
Reserved: Reoccurring	2.127	0.509	0.509	0.509	0.509
Reserved: Non Reoccurring	--	--	0.900	0.900	0.900
Unreserved: Emergency	7.934	7.537	7.485	7.578	7.578
Unreserved: Undesignated	8.262	5.826	4.567	3.335	0.002
<i>Total</i>	<i>\$18.323</i>	<i>\$13.872</i>	<i>\$13.505</i>	<i>\$12.323</i>	<i>\$8.989</i>

Dollars in Millions / Amounts as of July 1st

The recent economic recession and corresponding stagnation of general tax revenues paired with increasing service costs underlie the City’s recent and ongoing structural imbalance. Recent administrative measures taken by the City – including reducing employment levels by 40 fulltime positions and eliminating cost-of-living adjustments over the last four years – have helped to stabilize the imbalance and decrease the demand on reserves to cover annual operating costs. Markedly, and assuming these administrative controls continue to be employed going forward, the relatively minor general service demands (i.e. public safety) anticipated and associated with the annexation and probable development of the subject lot is not expected to have an adverse fiscal impact on the City.¹⁵

The recommendation to amend the proposal to also include concurrent detachment from CSA No. 4 will not have any financial impact given the affected territory is not part of the District’s special assessment on vineyard properties.

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

Proposal approval and the probable development of the affected territory and more specifically the subject lot to include a single-family residence would likely generate a new water demand for the City. As previously referenced, the City’s available water supplies are draw from three separate sources: 1) Lake Hennessey; 2) Milliken Reservoir; and 3) the State Water Project. The City’s most recent Urban Water Management Plan (UWMP) was adopted in 2011 and estimates the total annual water supply generated from these three sources during normal conditions and based on historical patterns is 31,340 acre-feet. These historical patterns also indicate the total annual water supply decreases to 19,896 and 13,533 acre-feet during multiple and single dry year conditions, respectively.

¹⁵ Additional services to be extended to the subject lot upon annexation and development, such as water, are self-funded through (a) connection fees and (b) usage charges. These revenue sources serve as the City’s buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive water services as well as fund ongoing maintenance expenses. Accordingly, these other services would not generate any new unfunded demands on the City.

Information provided in the UWMP identifies the City's available water supplies are more than sufficient in accommodating both current annual demands – 13,877 acre-feet – and the projected buildout demands within the affected territory – 0.38 acre-feet – during normal and multiple dry year conditions. The City's available water supplies, however, are deficient under current estimated single dry years; a deficit that would be insignificantly increased with approval of the proposal along with the associated planned development of a single-family residence. The City, accordingly, has established conservation efforts within its UWMP to address the projected deficiency during single dry years. These factors provide reasonable assurances of the City's ability to effectively accommodate water demands with the minimal increases tied to the affected territory in accordance with G.C. Section 65352.5.

- 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 of Chapter 3 of Division 1 of Title 7.**

The proposal would not impact any local agencies in accommodating their regional housing needs. The affected territory is already located within the City's sphere of influence, and as a result, all potential units tied to the land are assigned to Napa by the Association of Bay Area Governments.

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

The landowners of the subject lot have provided their written consent to the proposal. Notice of the recommended amendments to modify the proposal to (a) expand the annexation boundary to include the adjacent right-of-way portion of Grandview Drive and (b) concurrent detachment from CSA No. 4 were also provided to the subject agencies. No comments were received.

- 14) Any information relating to existing land use designations.**

See analysis on page 10 of this report.

- 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 proposal approval would have a measurable effect with respect to promoting environmental justice. There is also no documentation or evidence suggesting the recommended amendments to also include the adjacent right-of-way portion and detachment from CSA No. 4 will measurably effect environmental justice.

Property Tax Agreement

Revenue and Taxation Code Section 99(b)(6) requires adoption of a property tax exchange agreement by affected local agencies before the Commission can consider a proposed boundary change.¹⁶ With this in mind, and upon receipt of the applicant's proposal, staff provided notice to the City and the County of the proposed jurisdictional change affecting both agencies and the need to apply a property tax exchange to the proceedings.

Staff has advised the City and the County of its recommendation to amend the proposal and intent to apply a master property tax exchange agreement adopted by both governing boards in 1980 unless otherwise informed during the 30 day noticing period; an agreement specifying Napa shall receive 55% of the County's existing portion of property tax revenues generated from the affected territory. Neither agency has responded with any concerns to the approach outlined by staff.

Environmental Review

The City serves as lead agency for the proposal under the California Environmental Quality Act (CEQA) given it is the initiating entity with sole responsibility for approving the underlying purpose of this action: development of the subject lot. The City has determined the proposal qualifies as a "project" under CEQA, but qualifies as a categorical exemption under California Code of Regulations Section 15319(b). This section exempts annexation of an individual small parcel that can only be developed with a single family residence. On behalf of the Commission in its role as responsible agency under CEQA, staff has independently reviewed this matter and believes the City has made an appropriate determination.

Conducting Authority Proceedings

The proposal is not subject to conducting authority proceedings under G.C. Section 56663. This section authorizes the Commission to waive protest for the proposal given all affected landowners have provided their written consent and no subject agencies have filed written opposition to the waiver. This statement applies to the proposal with or without the recommended amendments to (a) expand the annexation boundary to include the adjacent public right-of-way on Grandview Drive and (b) concurrently detach from CSA No. 4. Public rights-of-way are not defined as having landowners under LAFCO law and CSA No. 4 did not file opposition after having been provided notice of the recommended amendment.

D. Recommendation

Staff recommends approving the proposal to annex the subject lot to the City with two distinct amendments to also include the adjacent right-of-way portion of Grandview Drive and concurrent detachment from CSA No. 4. Standard approval conditions are also recommended and are outlined in the attached draft resolution.

¹⁶ CSA No. 4 was formed after Proposition 13 and therefore not eligible for property tax revenues.

E. Alternatives for Commission Action

Staff has identified three options for Commission consideration with respect to the proposal. These options are summarized below.

Alternative Action One (Recommended):

Adopt the draft resolution identified as Attachment One approving the proposal with the recommended amendments along with standard terms and conditions.

Alternative Action Two:

Adopt the draft resolution identified as Attachment One with the desired amendments or modifications as identified by members.¹⁷

Alternative Action Three:

Continue consideration of the item to the next regular meeting and provide direction to staff for additional information as needed.¹⁸

Alternative Action Four:

Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year.

F. Procedures for Consideration

This item has been agenzized for action. The following procedures are recommended with respect to the Commission's continued consideration of this item:

- 1) Receive verbal report from staff;
- 2) Invite comments from any interested audience members (voluntary); and
- 3) Discuss item and consider action on recommendation.

Respectfully submitted,

Keene Simonds
Executive Officer

Brendon Freeman
Analyst

Attachments:

- 1) Draft Resolution Approving the Proposal with Recommended Amendments
- 2) Application Materials / Resolution of Application and Justification for Proposal
- 3) Letter from Landowners Requesting Commission Approval
- 4) Agency Correspondence

¹⁷ This option would be appropriate, for example, if it is the preference of the Commission to approve the proposal without the recommended amendments and/or to further expand the annexation boundary to include other properties.

¹⁸ This option would be appropriate, for example, if it is the preference of the Commission for more outreach and/or information be provided with respect to expanding the annexation boundary to include other properties.

RESOLUTION NO. ____

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

PROPOSED ANNEXATION OF 1101 GRANDVIEW DRIVE TO THE CITY OF NAPA

WHEREAS, the City of Napa, by resolution of application, has filed a proposal 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 approximately 1.07 acres of unincorporated land to the City of Napa and represents an entire legal lot identified by the County of Napa Assessor’s Office as 043-091-013; 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 January 7, 2013;

WHEREAS, the Commission considered all the factors required by law under Government Code Section 56668 and adopted local policies and procedures.

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

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report.
2. The Commission, as responsible agency, certifies it has reviewed and considered the environmental determination prepared by the designated lead agency – City of Napa – concerning potential impacts associated with the proposal in accordance with the California Environmental Quality Act (CEQA). The Commission finds the City of Napa has made an appropriate determination that the proposal qualifies as a categorical exemption under Public Resources Code Section 15319(b). This section exempts annexation of an individual small parcel that can only be developed with a single family residence. The Commission’s findings are based on its independent judgment and analysis. The records upon which these findings are made are located at the Commission’s administrative office located at 1030 Seminary Street, Suite B, Napa, California 94559.

3. The proposal is APPROVED with the following amendments:
 - a) The affected territory is expanded to include an approximate 0.06 acre public right-of-way portion of Grandview Drive immediately adjacent to 043-091-013.
 - b) The affected territory is concurrently detached from County Service Area No. 4.

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

GRANDVIEW DRIVE NO. 1 REORGANIZATION

5. The affected territory is depicted in the vicinity map provided in Exhibit "A".
6. The affected territory is uninhabited as defined in Government Code Section 56046.
7. The City of Napa utilizes the regular assessment roll of the County of Napa.
8. 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.
9. The Commission authorizes conducting authority proceedings to be waived in accordance with Government Code Section 56663.
10. Approval is contingent upon the satisfaction of following conditions as determined by the Executive Officer:
 - (a) A map and geographic description of the affected territory conforming to the requirements of the State Board of Equalization for annexation of the affected territory to the City of Napa.
 - (b) Payment of any outstanding fees owed to other agencies involved in the processing of this proposal.
 - (c) An indemnification agreement signed by the City of Napa in a form provided by the Commission Counsel.
11. 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.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on January 7, 2013, by the following vote:

Yes: _____

Attest: Keene Simonds
Executive Officer

No: _____

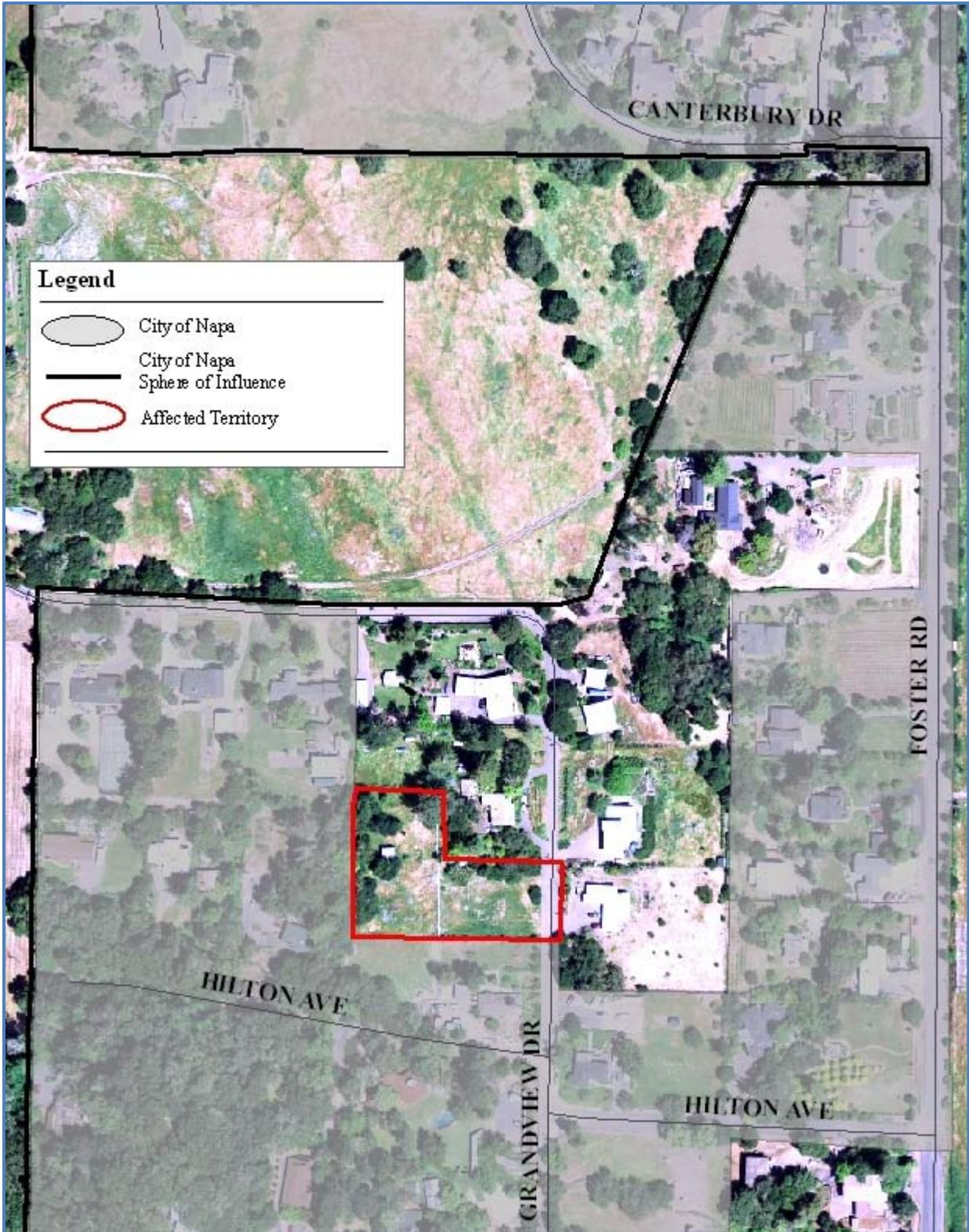
Abstain: _____

Recorded by: _____

Absent: _____

Kathy Mabry
Commission Secretary

EXHIBIT A



RECEIVED

DEC 6 2012

NAPA COUNTY
LAFCO

FORM D

Date Filed: 12/6/12
Received By: BF

JUSTIFICATION OF PROPOSAL
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: SCOTT KLINGBEIL CITY OF NAPA
Contact Person Agency/Business (If Applicable)
Address: 1600 FIRST ST NAPA 94559
Street Number Street Name City Zip Code
Contact: 257-9530 257-9522 SKLINGBE@CITYOFNAPA.ORG
Phone Number Facsimile Number E-Mail Address

B. Applicant Type: (Check One) Local Agency Registered Voter Landowner

II. PROPOSAL DESCRIPTION

A. Affected Agencies:
Name Address
Name Address
Name Address

Use Additional Sheets as Needed

B. Proposal Type: (Check as Needed) Annexation Detachment City Incorporation District Formation
 City/District Dissolution City/District Merger Service Activation (District Only) Service Divestiture (District Only)

C. Purpose Statement: (Specific)
REQUEST TO ANNEX THE 1.06 ACRE
PROPERTY AT 1101 GRANDVIEW DR.

III. GENERAL INFORMATION

A. Location: 1101 GRANDVIEW DR 043-091-013 1.06
Street Address Assessor Parcel Number Acres

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) 1.16

B. Landowners:

(1) Assessor Parcel Number : 043-091-013 Name: DANIEL PRESSEY
Mailing Address: 24079 @XBCW LANE NORTH, SONORA CA 95370
Phone Number: 707 225-1831 E-mail: DANIELOVINES @ GMAIL . COM

(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: 0

(2) Total Number of Registered Voters: 0

D. Land Use Factors:

- (1a) County General Plan Designation: _____
- (1b) County Zoning Standard: _____
- (2a) Applicable City General Plan Designation: SFR-128
- (2b) Applicable City Rezoning Standard: RS-40:HS

E. Existing Land Uses:
(Specific)

VACANT

F. Development Plans:

- (1a) Territory Subject to a Development Project? Yes No
- (1b) If Yes, Describe Project: SINGLE FAMILY RESIDENCE

- (1c) If No, When Is Development Anticipated? _____

G. Physical Characteristics:

- (1) Describe Topography: SLOPED

- (2) Describe Any Natural Boundaries:

- (3) Describe Soil Composition and Any Drainage Basins:

- (4) Describe Vegetation: GRASSES WITH SEVERAL OAK
TREES

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 WATER WILL BE PROVIDED TO PARCEL

(2) Level and Range of Services to Be Provided to the Affected Territory:

(3) Indication of When Services Can Feasibly Be Extended to the Affected Territory:

(4) Indication of Any Infrastructure Improvements Necessary to Extend Services to the Affected Territory:

(5) Information On How Services to the Affected Territory Will Be Financed:

WATER HOOK UP TO BE FINANCED BY
PROPERTY OWNER

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(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
- Categorical/Statutory Exemption: CLASS 19
Type
- None

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

Use Additional Sheets As Needed

B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence:

(1) Recipient Name: _____
Mailing Address: _____
E-Mail: _____

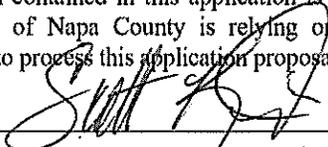
(2) Recipient Name: _____
Mailing Address: _____
E-Mail: _____

(3) Recipient Name: _____
Mailing Address: _____
E-Mail: _____

VII. CERTIFICATION

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: _____



Printed Name: _____

SCOTT KLINGBEIL

Title: _____

SENIOR PLANNER

Date: _____

12/6/12

CITY OF NAPA CITY COUNCIL
AGENDA REPORT

CONSENT HEARING
AGENDA ITEM 26.B.
Date: December 04, 2012

To: Honorable Mayor and Members of City Council
From: Rick Tooker, Community Development Director
Prepared by: Scott Klingbeil, Senior Planner
Subject: Grandview Drive Annexation of a 1.06 acre parcel at 1101 Grandview Drive.

ISSUE STATEMENT:

Adopt a resolution requesting the Local Agency Formation Commission (LAFCO) initiate proceedings for the Pressey Property Annexation at 1101 Grandview Drive.

DISCUSSION:

Property owner Daniel Pressey has requested annexation of the 1.06 acre parcel at 1101 Grandview Drive. Mr. Pressey is requesting annexation in order to access City water service and build a single family residence. The parcel is located within an unincorporated "island" substantially surrounded by the City, within the City's Rural Urban Limit line (RUL) and the LAFCO Sphere of Influence. As is City practice, staff has surveyed the other property owners within the unincorporated "island" for their interest in being included in the annexation request. None of the additional six property owners within this unincorporated area responded to the request. Historically, the City's general policy has been to respect the interests of property owners who are unwilling to participate in the annexation process. Thus, this annexation proposal does not include any additional properties. LAFCO staff encourages the City to expand the boundaries of the annexation request and notes that LAFCO reserves the right to expand the boundaries of the annexation to include the entire island.

The proposed annexation was reviewed by City department representatives at an interdepartmental meeting on September 24, 2012, and no comments regarding the proposed annexation were received. The parcel is rezoned RS 40: HS, Single Family Residential, 40,000 sq. ft. minimum lot size, Hillside Overlay District. The Hillside Overlay District reduces densities based on hillside slopes and requires Design Review approval for a single family residence. The Hillside Overlay also includes design criteria and development standards.

The procedure to accomplish annexation of the subject territory is for the City Council to adopt a Resolution of Application requesting that LAFCO of Napa County take proceedings to complete the annexation. This is an annexation request only. Any development proposal would occur after completion of annexation.

FINANCIAL IMPACTS:

There would be a slight increase in City revenues due to property tax reapportionment and paramedic fees, as well as corresponding increases in City service costs associated with the proposed single family residence.

CEQA:

City staff recommends that the City Council determine that the Recommended Action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15319 (Categorical Exemptions, Class 19) which exempts the annexation of an individual small parcel that can only be developed with a single family residence.

DOCUMENTS ATTACHED:

1. Attachment 1: Resolution requesting that LAFCO take proceedings for the annexation of the Pressey property at 1101 Grandview Drive – Napa Project No. 12-0131.
2. Attachment 2: Applicant’s written statement and location map

NOTIFICATION:

Jesus and Patricia Romero 1110 Grandview Drive, Napa, CA 94558
Jeffrey and Martina Cornell 1120 Grandview Drive, Napa, CA 94558
Mary Scheidecker, 1130 Grandview Drive, Napa, CA 94558
Steven and Mariana Barloggi, 1271 Foster Road, Napa, CA 94558
Fred and Lisa McWilliams. 1131 Grandview Drive, Napa, CA 94558
John Conner, 1115 Grandview Drive, Napa, CA 94558
Napa Valley Unified School District
Local Agency Formation Commission
Napa County Planning
Napa Sanitation District
Legal notice of public hearing published in the Napa Valley Register on November 20, 2012.

RECOMMENDED ACTION:

Staff recommends that the City Council move, second and approve each of the actions set forth below, in the form of the following motion. Move to:

Adopt a Resolution requesting the Local Agency Formation Commission (LAFCO) initiate proceedings for the Pressey Property Annexation at 1101 Grandview Drive.

RESOLUTION R2012 __

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NAPA, STATE OF CALIFORNIA, REQUESTING THAT THE
LOCAL AGENCY FORMATION COMMISSION (LAFCO)
INITIATE PROCEEDINGS FOR THE PRESSEY
PROPERTY ANNEXATION AT 1101 GRANDVIEW DRIVE

WHEREAS, this annexation request is in accordance with applicable provisions of the California Environmental Quality Act (CEQA), pursuant to the CEQA Guidelines Section 15319 (Categorical Exemptions, Class 19) which exempts the annexation of an individual small parcel that can only be developed with a single family residence; and

WHEREAS, factors identified in Government Code Section 56668 have been identified and shall be considered by the Napa County Local Agency Formation Commission (LAFCO) in review of the proposal; 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 annexation of the Pressey property at 1101 Grandview Drive, and;

WHEREAS, the territory proposed to be annexed is within the City's Rural Urban Limit and coterminous LAFCO Sphere of Influence, is uninhabited (per LAFCO law), and a description of the boundaries of the territory is set forth in the location map exhibit attached hereto as Exhibit C, and incorporated herein by reference; and

WHEREAS, the territory proposed to be annexed has been pre-zoned in accordance with the City of Napa General Plan, which land use map (portion) and Zoning Map (portion) are set forth in Exhibits A and B, attached hereto and incorporated herein by reference; and

WHEREAS, the chief petitioner for the annexation, Daniel Pressey, 24079 Oxbow Lane North, Sonoma, CA 95370, has signed the petition for annexation; and

WHEREAS, the reasons for annexation include development of land in accordance with the City's General Plan, and providing for logical boundaries and service provision in the area; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting 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:

ATTACHMENT 1

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. This resolution of Application is hereby adopted and LAFCO is hereby requested to initiate proceedings for the annexation of territory as shown in Exhibit "C" including the following parcel at 1101 Grandview Drive, APN 043-091-013, according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

3. The City Council finds that the parcel has been rezoned and will have the RS 40: HS (Single Family Residential; Hillside Overlay Zoning District) designation upon annexation.

4. Pursuant to Government Code Section 56663, the City Council hereby consents to annexation of the subject territory as submitted.

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

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the City Council of the City of Napa at a regular meeting of said City Council held on the 4th day of December, 2012, by the following roll call vote:

AYES:

NOES:

ABSENT:

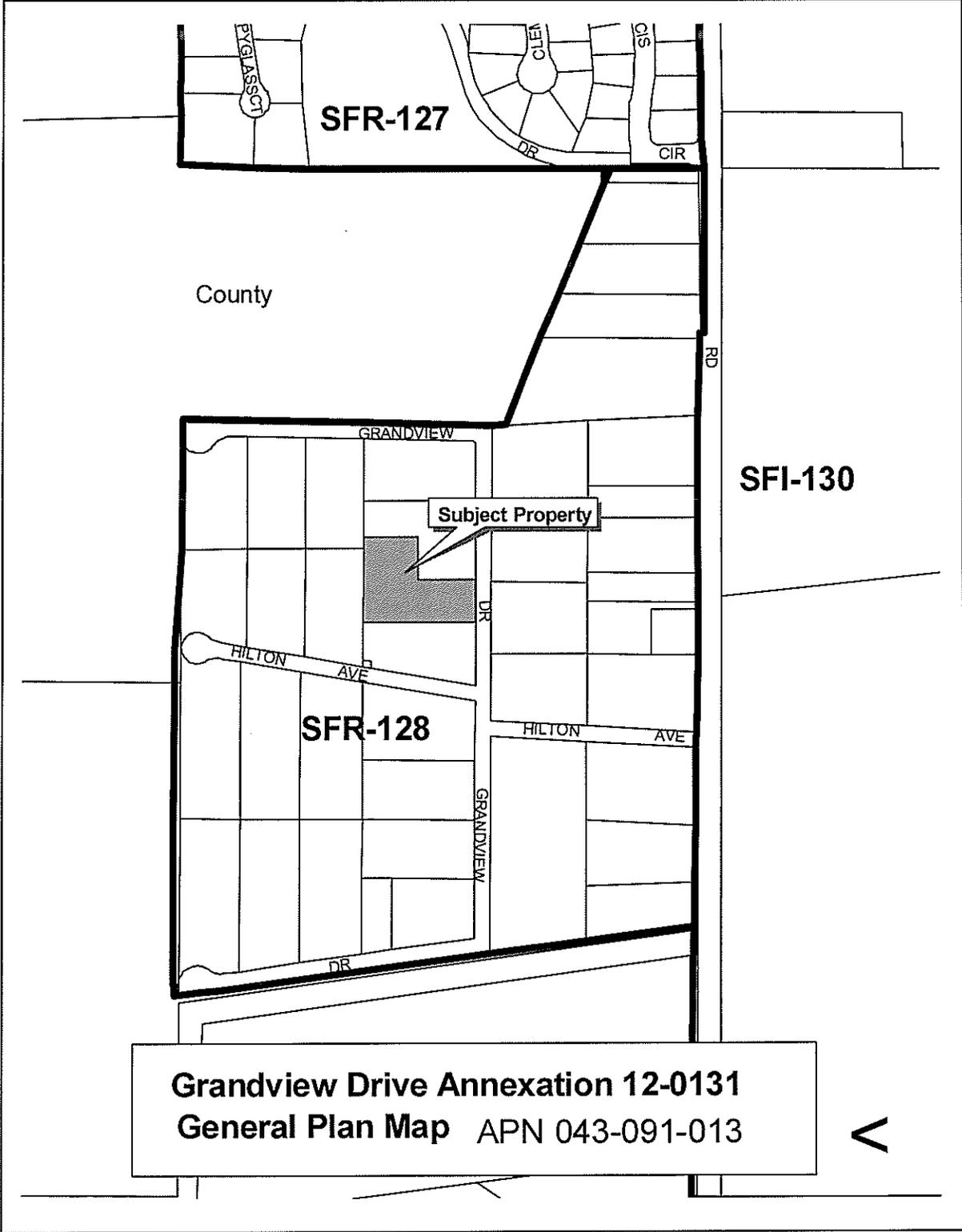
ABSTAIN:

ATTEST: _____
Dorothy Roberts
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney

EXHIBIT "A"



Grandview Drive Annexation 12-0131
General Plan Map APN 043-091-013



EXHIBIT "B"

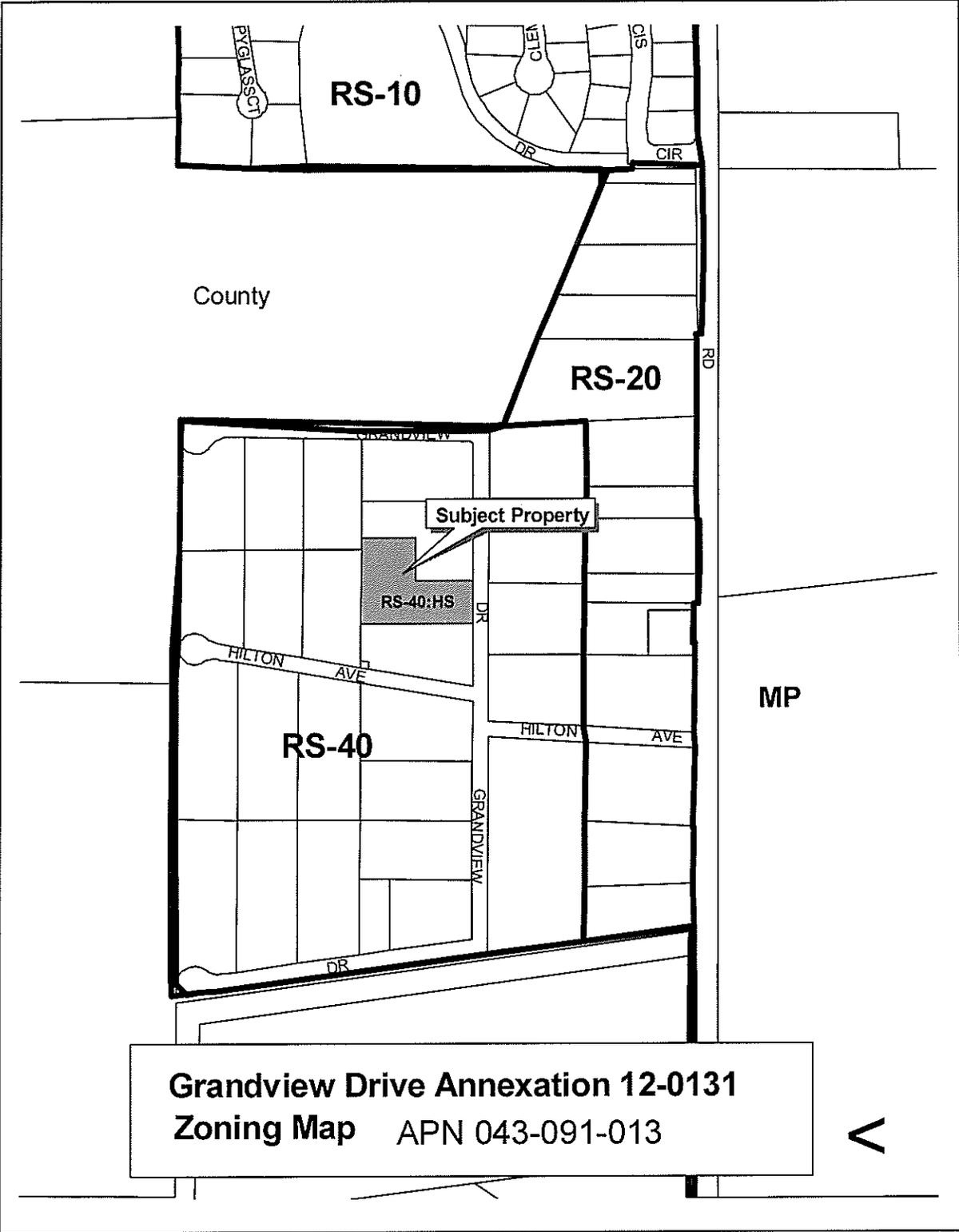
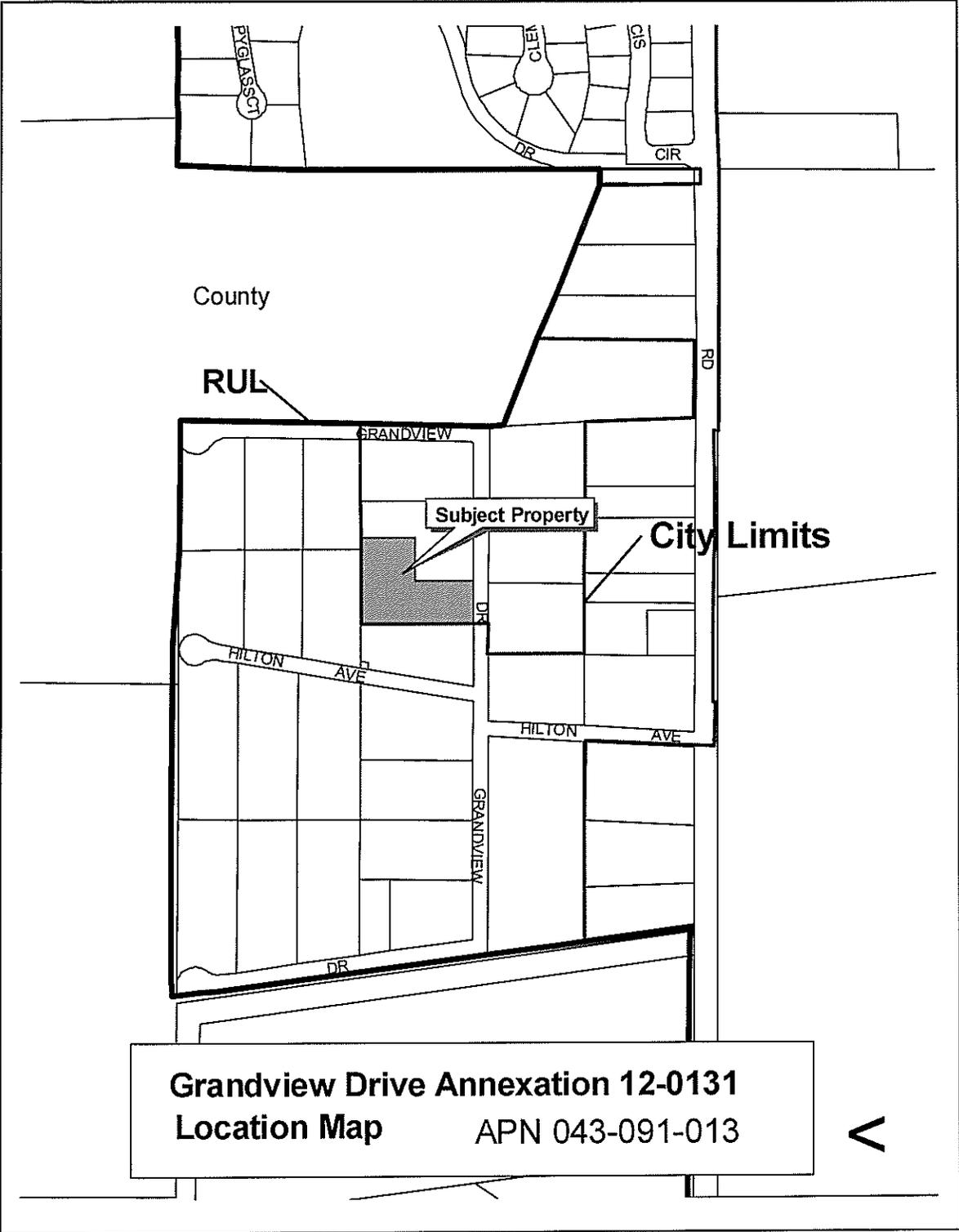


EXHIBIT "C"



1101 Grandview Dr. Napa, CA 94559

Parcel number 043091013000

1. Reasons why annexation is necessary for our parcel.

We have plans to build a single family residence at 1101 Grandview. This will be our permanent residence. Annexation is our only option to secure a water source (city water) for this particular parcel. We do not have an area that is enough distance from the neighbors parcels to put in a well. The only water source available is the city water, and the only way that we can access the water is through annexation. We have abandoned our plans with the County, and need to pursue annexation right away, and move ahead with building plans through the City of Napa.

2. City Sewer is not available at this parcel. We have plans to put in a septic system. Our plans are done, and have already been submitted.

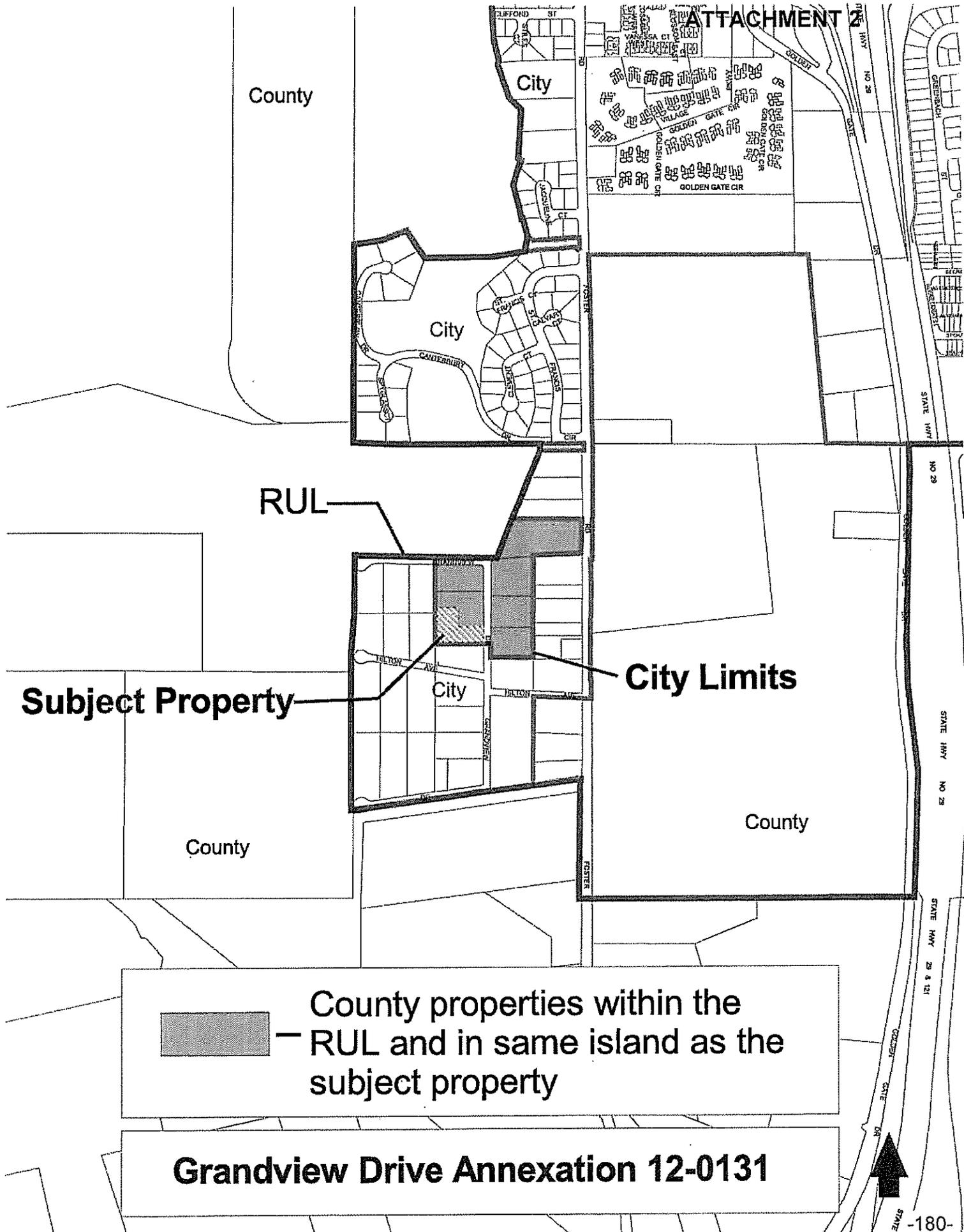
Cheers,
Daniel and Ana Pressey
707-225-1831

Daniel Pressey 9-18-12
Ana Pressey 9/18/12

RECEIVED

SEP 18 2012

COMMUNITY DEVELOPMENT
DEPARTMENT



ATTACHMENT 2

County

City

City

RUL

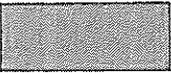
Subject Property

City

City Limits

County

County

 County properties within the RUL and in same island as the subject property

Grandview Drive Annexation 12-0131



Dear Lewis Chilton,

My wife and I have plans to build our permanent residence at 1101 Grandview Dr. in Napa, as soon as possible. It is crucial that we complete the annexation process for this property in order to continue with our plans to build our home. We have already closed on our construction loan, this past October. The loan allows 1 year to complete building. We are unable to obtain our city building permits, without the completed annexation. The reason annexation is mandatory for building on this parcel, is we cannot access the City Water supply at the front of the property, without being fully annexed into the city first. We can't get our building permits without the water supply, and we do not have a suitable place on the property to put in a well, and remain in the county. Our only option for building on this parcel is to get annexed into the city, and connect to the city water supply. We have had to re-locate from Napa, until our home is built, and we are looking forward to moving back as soon as possible.

Thank you very much.

Ana and Daniel Pressey

Daniel Pressey

707-225-1831



Dedicated to Preserving the Napa River for Generations to Come

December 13, 2012

Mr. Keene Simonds
Executive Officer
Local Agency Formation Commission of Napa County
1030 Seminary Street, Suite B
Napa, CA 94559

SUBJECT: Annexation – Request for Review
1101 Grandview Drive (APN 043-091-013)

Dear Mr. Simonds:

The Napa Sanitation District (District) is in receipt of Notice of Review for the annexation of the subject parcel from the Local Agency Formation Commission (LAFCO) of Napa County.

The subject parcel is within the Sphere of Influence of the District but outside the District's Boundary. The nearest public sewer is over 1,000 feet away located at Foster Road and Canterbury Drive. Design and construction of public sewer main will be required prior to annexation to the District. Additional conditions of annexation may apply.

If you have further questions, please contact me at (707) 258-6000 ext 507.

Sincerely,

Andrew Damron, P.E.
Associate Engineer

Freeman, Brendon

From: Sapoznik, Sheldon
Sent: Monday, December 17, 2012 8:02 AM
To: Freeman, Brendon; Secheli, Christine; Lederer, Steven
Cc: Ex, Peter
Subject: RE: Grandview Drive No. 1 Annexation: Question for Public Works

FYI, they have already submitted and have an approved design for an onsite system for this property.

*Sheldon Sapoznik, REHS
Environmental Health Supervisor
Napa County Planning, Building and Environmental Services
1195 Third Street, Room 101
Napa, CA 94559
Phone: 707-253-4471
Fax: 707-253-4545*

From: Freeman, Brendon
Sent: Friday, December 14, 2012 11:30 AM
To: Secheli, Christine; Lederer, Steven
Cc: Sapoznik, Sheldon; Ex, Peter
Subject: RE: Grandview Drive No. 1 Annexation: Question for Public Works

Great; thanks for the quick follow up.

From: Secheli, Christine
Sent: Friday, December 14, 2012 11:28 AM
To: Lederer, Steven; Freeman, Brendon
Cc: Sapoznik, Sheldon; Ex, Peter
Subject: RE: Grandview Drive No. 1 Annexation: Question for Public Works

Generally a 1.1 acre lot with City water is adequate for an on-site septic system however without seeing a map of the property or knowing the slope, and without knowing if there are any wells on adjoining lots that could impact the 1.1 acre property's ability to install a septic system I cannot say for certain. If relatively flat and no wells to impact the allowable septic area, it should be ok.

I copied our land use folks that do septic systems so they are familiar with the proposal, and if you have further questions they can probably assist as well.

Christine M. Secheli, R.E.H.S.
Assistant Director

Napa County Department of Planning, Building and Environmental Services
1195 Third Street, Room 101
Napa, CA 94559
phone: 707.253.4471
fax: 707.299.4043

From: Lederer, Steven
Sent: Friday, December 14, 2012 11:21 AM
To: Freeman, Brendon; Secheli, Christine
Subject: Re: Grandview Drive No. 1 Annexation: Question for Public Works

Septic is in PBES. Christine can help you.

From: Freeman, Brendon
Sent: Friday, December 14, 2012 11:08 AM
To: Lederer, Steven
Subject: Grandview Drive No. 1 Annexation: Question for Public Works

Hi Steve,

We recently sent out a request for review for the proposed annexation of 1101 Grandview Drive to the City of Napa. The purpose of the proposal is to allow the landowners to develop a single family residence on the undeveloped lot; an action that is not available to them under the County given the site needs a public water service connection and the City's policies do not allow an outside service extension for any lands in the Hilton Subdivision.

Here is our question for your department. The lot is 1.1 acres in size. NSD reports its nearest sewer line is about 1,000 feet away. With this in mind, is it reasonable to assume the County would permit a new septic system on the lot or is there not enough land for the various requirements. Would appreciate any assistance your staff could provide.

Many thanks,

Brendon.