



LAFCO MEETING AGENDA

Monday, October 5, 2009

4:00 P.M.

**Board Chambers, County Administration Building
1195 Third Street, Room 305
Napa, California 94559**

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

Keene Simonds, Executive Officer
Jacqueline Gong, Commission Counsel
Brendon Freeman, Analyst
Kathy Mabry, Secretary

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

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

Minutes of August 3, 2009

4. PUBLIC COMMENT

In this time period, anyone may comment to the Commission regarding any subject over which the Commission has jurisdiction. No comments will be allowed involving any subject matter that is scheduled for hearing, action, or discussion as part of the current agenda. Individuals will be limited to a three-minute presentation. No action will be taken by the Commission as a result of any item presented at this time.

5. CONSENT ITEMS

With the concurrence of the Chair, a Commissioner or member of the public may request discussion of an item on the consent calendar.

a) Ordering a Change of Organization for Silverado Community Services District's Activation of Latent Powers (Action)

The Commission will consider adopting a resolution completing conducting authority proceedings and ordering the change of organization approved at the August 3, 2009 meeting allowing Silverado Community Services District to maintain and improve sidewalks, walking paths, and any incidental works. The proposed action is ministerial.

b) First Quarter Budget Report for Fiscal Year 2009-2010 (Action)

The Commission will receive a first quarter budget report for the 2009-2010 fiscal year. The budget report summarizes overall expenses through the first three months and is being presented to the Commission to receive and file.

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

a) Draft Proposal to Establish Geographic Regions within CALAFCO

The Commission will review a draft proposal by the California Association of Local Agency Formation Commissions to establish geographic regions affecting all 58 LAFCOs. The Commission will consider providing comments on the draft proposal for consideration by the Association at the 2009 Annual Conference scheduled for October 28-30 in Yosemite.

b) Rescheduling Commission Biennial Workshop Meeting

The Commission will consider rescheduling its biennial workshop. The workshop was previously calendared for November 2, 2009, but has been cancelled by the Chair due to scheduling conflicts with several members.

8. DISCUSSION ITEMS

a) Progress Report on Study Schedule

The Commission will review a progress report on the agency's study schedule calendaring municipal service reviews and sphere of influence updates for the 2008/2009-2012/2013 period.

b) Current and Future Proposals

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

9. EXECUTIVE OFFICER REPORT

The Commission will receive a verbal report from the Executive Officer regarding current staff activities, communications, studies, and special projects. This includes, but is not limited to, the following topics:

- Legislative Update
- Los Carneros Water District
- Website and Electronic Document Management System

10. CLOSED SESSION

None

11. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

13. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING:

Monday, December 7, 2009

Materials relating to an item on this agenda that have been submitted to the Commission after distribution of the agenda packet are available for public inspection at the LAFCO office during normal business hours. Commissioners are disqualified from voting on any proposals involving entitlements of use if they have received campaign contributions from an interested party. The law prohibits a Commissioner from voting on any entitlement when he/she has received a campaign contribution(s) of more than \$250 within 12 months of the decision, or during the proceedings for the decision, from any interested party involved in the entitlement. An interested party includes an applicant and any person with a financial interest actively supporting or opposing a proposal. If you intend to speak on any hearing item, please indicate in your testimony if you have made campaign contributions totaling \$250 or more to any Commissioner during the past 12 months. Any member of the public requiring special assistance with respect to attending or listening to the meeting should contact LAFCO staff 24 hours in advance at (707) 259-8645.



Local Agency Formation Commission
LAFCO of Napa County

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

October 5, 2009
Agenda Item No. 5a (Consent: Action)

September 25, 2009

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Ordering a Change of Organization for Silverado Community Services District's Activation of Latent Powers

The Commission will consider adopting a resolution completing conducting authority proceedings and ordering the change of organization approved at the August 3, 2009 meeting allowing Silverado Community Services District to maintain and improve sidewalks, walking paths, and any incidental works. The proposed action is ministerial.

Local Agency Formation Commissions (LAFCO) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to approve, modify, or disapprove changes of organization consistent with its written policies, procedures, and guidelines. LAFCOs are also authorized to establish conditions in approving changes of organization as long as they do not directly regulate land uses. Underlying LAFCOs' determination in approving, modifying, or disapproving proposed changes of organization is to consider the logical and timely development of the affected agencies in context with local circumstances.

Government Code (G.C.) Section 57000 specifies all approved changes of organization are subject to conducting authority proceedings unless waived by LAFCO. A waiver is generally limited to instances in which registered voters (inhabited territory) and/or landowners (uninhabited territory) have provided their written consent to the proposed change of organization and no opposition has been filed by the subject agencies. If a waiver is not applicable, LAFCO must conduct a noticed protest hearing to allow registered voters and/or landowners to formally submit written opposition to an approved change of organization. Protest hearings, notably, serve as a public check on LAFCO's authority to approve changes of organization and may result in proposals requiring an election or being outright terminated if sufficient opposition exists.

Juliana Inman, Vice Chair
Councilmember, City of Napa

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

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

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

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

Brian J. Kelly, Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

A. Proposal Summary

On August 3, 2009, LAFCO of Napa County ("Commission") approved a proposal filed by the Silverado Community Services District (SCSD) to activate latent powers to maintain and improve sidewalks, walking paths, and any incidental works within its existing jurisdiction (Resolution No. 09-07). The activation of these latent powers is deemed a change of organization and is in addition to SCSD's established street cleaning, street lighting, and landscape maintenance services on and along public roadways. The Commission's approval included standard terms and conditions, such as requiring SCSD submit payment for all outstanding processing fees and sign an indemnification agreement. The Commission's approval also included ordering conducting authority proceedings in accordance with G.C. Section 57000.

B. Discussion

SCSD's jurisdiction includes 856 registered voters and thereby qualifies as inhabited territory for purposes of conducting authority proceedings. The following criteria outlines the actions required of the Commission following the completion of a protest hearing for a change of organization involving inhabited territory:

- Terminate the change of organization if 50% or more of the registered voters residing within the affected territory have filed written protests; or
- Call an election to confirm the change of organization if more than 25% but less than 50% of the registered voters residing within the affected territory have filed written protests; or
- Call an election to confirm the change of organization if at least 25% of the number of landowners who also represent at least 25% of the assessed value of the affected land have filed written protests; or
- Order the change of organization without election if less than 25% of the registered voters have filed written protests and less than 25% of the number of landowners representing less than 25% of the assessed value of the affected territory have filed written protests.

Consistent with Commission policy, the Executive Officer noticed and held a protest hearing on the approved change of organization to receive written opposition from affected landowners and registered voters within SCSD on September 14, 2009. No written opposition was received.

C. Analysis

Given no written opposition was received during the conducting authority proceedings, the Commission is required to order the change of organization by adopting the attached draft resolution. This proposed action is ministerial. Upon execution of the draft resolution, a certificate of completion will be recorded for the change of organization once all outstanding terms and conditions have been satisfied. Recordation will legally authorize SCSD to begin maintaining and improving sidewalks, walking paths, and incidental works.

D. Recommendation

It is recommended the Commission take the following action:

- 1) Adopt the draft resolution ordering the change of organization identified as "Silverado Community Services District: Activation of Latent Powers."

Respectfully submitted,

Keene Simonds
Executive Officer

Attachments:

- 1) Draft Resolution Ordering the Change of Organization

RESOLUTION NO. _____

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

**ORDERING A CHANGE OF ORGANIZATION:
SILVERADO COMMUNITY SERVICES DISTRICT: ACTIVATION OF LATENT POWERS**

WHEREAS, an application by the Silverado Community Services District proposing the activation of certain latent powers was filed with the Local Agency Formation Commission of Napa County, hereinafter referred to as the “Commission”, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, Resolution No. 09-07 is attached and identified as Exhibit “A”; and

WHEREAS, at a duly noticed public hearing held on August 3, 2009, the Commission adopted Resolution No. 09-07 approving this proposal subject to the completion of certain terms and conditions, including conducting authority proceedings pursuant to Government Code Section 57000 et. seq.; and

WHEREAS, on behalf of the Commission, the Executive Officer conducted a duly noticed protest hearing to receive written and oral opposition from affected landowners and registered voters against the said proposal on September 14, 2009; and

WHEREAS, no written or oral protests were received by the Executive Officer from affected landowners or registered voters before, during, or at the conclusion of the protest hearing, and therefore the Commission may proceed to order the change of organization without an election.

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

1. The foregoing recitals are true and correct, and the Commission hereby orders the change of organization approved and identified in Resolution No. 09-07 as:

**SILVERADO COMMUNITY SERVICES DISTRICT:
ACTIVATION OF LATENT POWERS**

2. The Executive Officer is directed to issue a Certificate of Completion and record this change of organization in the manner stated in Government Code Section 57000 et. seq. upon fulfillment of the remaining terms and conditions set forth Resolution 09-07.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on October 5, 2009 by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSTAIN: Commissioners _____

ABSENT: Commissioners _____

ATTEST: Keene Simonds
Executive Officer

Recorded by: _____
Kathy Mabry
Commission Secretary

EXHIBIT A

RESOLUTION NO. 09-07

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

**SILVERADO COMMUNITY SERVICES DISTRICT:
ACTIVATION OF LATENT POWERS**

WHEREAS, an application of the Silverado Community Services District, by resolution, proposing the activation of certain latent powers has been filed with the Executive Officer of the Local Agency Formation Commission of Napa County, hereinafter referred to as the “Commission”, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the Silverado Community Services District currently provides street cleaning, street lighting, and landscape maintenance services on and along public roadways; and

WHEREAS, the Silverado Community Services District’s proposal seeks to active latent powers to improve and maintain sidewalks, walking paths, and any incidental works within its jurisdictional boundary; and

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

WHEREAS, the proposal and the Executive Officer’s report have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a duly noticed public hearing held on said proposal; and

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

WHEREAS, the Commission found the proposal consistent with the sphere of influence established for the Silverado Community Services District and with the Commission’s adopted policy determinations.

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

1. The Commission has considered the determination by the Silverado Community Services District, lead agency under the California Environmental Quality Act, that the proposal is categorically exempt from further review under California Code of Regulations Section 15301. This exemption applies to projects involving the operation, repair, and maintenance of existing public or private structures or facilities. Based upon its own independent judgment, the Commission finds this categorical exemption is appropriate for the proposal. The Commission further finds that future projects will be subject to environmental review as they materialize.
2. The Commission finds the Silverado Community Services District has sufficient revenues to establish the maintenance and improvement of sidewalks, walking paths, and any incidental works as required under Government Code Section 56824.14
3. The proposal is APPROVED.
4. The proposal is assigned the following distinctive short-term designation:

**SILVERADO COMMUNITY SERVICES DISTRICT:
ACTIVATION OF LATENT POWERS**

5. The approved proposal affects territory located within Silverado Community Services District's existing jurisdictional boundary as depicted in Exhibit "A".
6. The Silverado Community Services District utilizes the County of Napa assessment roll.
7. The affected territory is inhabited as defined in Government Code Section 56046.
8. The Commission is designated as the Conducting Authority for further proceedings and the Executive Officer is directed to initiate proceedings in accordance with this resolution, the Commission's Policy for Conducting Authority Proceedings and Section 57000 of the California Government Code, et seq.
9. Recordation of a Certificate of Completion is contingent upon the following:
 - (a) Successful completion of Conducting Authority Proceedings; and

- (b) Payment of any and all outstanding fees owed the Commission and/or other agencies involved in the processing of this proposal.
- (c) Recordation is contingent upon receipt by the Executive Officer of an indemnification agreement signed by the District in a form provided by the Commission.

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

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on August 3, 2009 by the following vote:

AYES: Commissioners LUCE, INMAN, CHILTON AND KELLY

NOES: Commissioners NONE

ABSTAIN: Commissioners NONE

ABSENT: Commissioners DODD

ATTEST: Keene Simonds
Executive Officer

Recorded by: _____
Kathy Mabry
Commission Secretary



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October 5, 2009

Agenda Item No. 5b (Consent: Action)

September 30, 2009

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: First Quarter Budget Report for 2009-2010

The Commission will receive a first quarter budget report for the 2009-2010 fiscal year. The budget report compares adopted and actual expenses through the first three months of the fiscal year and is being presented to the Commission to receive and file.

The Local Agency Formation Commission of Napa County's ("Commission") annual budget is entirely funded by the County of Napa and the Cities of American Canyon, Calistoga, Napa, St. Helena, and Yountville. State law states the County is responsible for half of the Commission's annual budget with the remaining amount proportionally shared by the five cities based on a weighted calculation of population and general revenues. The Commission only budgets expenses given its prescribed funding sources.

The Commission divides its annual budget into three operating units: (a) salaries/benefits; (b) services/supplies; and (c) contingencies/reserves. The Commission practices bottom-line accounting allowing for shortfalls within individual accounts in the salaries/benefits and services/supplies units as long as the overall balance remains positive. Funds may not be drawn from the contingencies/reserves unit without Commission approval.

A. Discussion

On June 1, 2009, the Commission adopted a final budget for 2009-2010 totaling \$496,961. At the end of the first quarter, the Commission's actual expenses, including encumbrances, totaled \$94,998. This amount represents 19% of the total adopted budget with one quarter, or 25%, of the fiscal year complete.

Adopted and Actual Expenses Through the First Quarter

(July 1, 2008 through September 30, 2009)

Adopted Expenses	Actual Expenses	Balance	Percent Available
\$496,961	\$94,998	\$401,963	81%

A comparison of adopted and actual expenses through the first quarter within the Commission's three budget units follows.

Juliana Inman, Vice Chair
Councilmember, City of Napa

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

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

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

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

Brian J. Kelly, Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

Salaries/Benefits

The Commission has budgeted \$288,265 in salaries and benefits in 2009-2010. At the end of the first quarter, the Commission's actual expenses within the eight affected accounts totaled \$48,539. This total represents 20% of the budgeted amount. No accounts finished the first quarter with balances below 75%.

Services/Supplies

The Commission has budgeted \$118,063 in services and supplies in 2009-2010. At the end of the first quarter, the Commission's actual expenses within the 14 affected accounts totaled \$46,459. This total represents 39% of the budgeted amount. Four accounts – memberships, property lease, office expenses, and training – finished the first quarter with balances below 75%. A summary of expenses in these four accounts follows.

Membership

The membership account covers the Commission's annual due for the California Association of Local Agency Formation Commissions (CALAFCO). The Commission's budgeted membership due in 2009-2010 is \$2,275 and reflects the amount approved by CALAFCO as part of an updated annual fee schedule in September 2008. CALAFCO recently suspended all fee increases due to the economy, which lowers the Commission's annual membership due to \$2,200. This reduced membership due was collected in full by CALAFCO at the beginning of the fiscal year leaving a remaining balance of \$75.

Property Lease

The property lease account covers the Commission's rental charge for office space at 1700 Second Street in Napa. The current lease provides a fixed monthly rental charge of \$2,440 through June 2011. The total lease amount for the fiscal year (\$29,280) was encumbered at the beginning of the fiscal year.

Office Expenses

The office expense account covers the Commission's general overhead supplies ranging from a copy machine lease with Xerox to biweekly purchases with Office Depot. The Commission budgeted \$15,000 for office expenses in 2009-2010. At the end of the first quarter, the Commission spent \$6,272 in this account, which represents approximately 42% percent of the total amount budgeted. The majority of this expense is attributed to encumbering the Commission's full cost to lease its copy machine with Xerox at the beginning of the fiscal year. Staff will continue to monitor this account to help ensure a year-end deficit does not occur.

Training

The training account is used for a variety of instructional activities for staff and Commissioners. The Commission budgeted \$4,000 for training expenses in 2009-2010. At the end of the first quarter, the Commission's actual training expenses totaled \$2,960, representing 74% percent of the total budgeted amount. The majority of expenses in this account are attributed to registration costs for the 2009 CALAFCO Annual Conference. Staff will continue to monitor this account to help ensure a year-end deficit does not occur.

Contingencies/Reserves

The Commission has budgeted \$90,633 in contingences and reserves in 2009-2010. No funds have been drawn from either of the two affected accounts in the first quarter.

B. Analysis

The Commission is on course to finish 2009-2010 with a remaining balance within its three budget units of approximately \$100,000. Nearly all of the projected remaining balance is attributed to the expected retention of all funds within the contingency/reserve unit. The projected remaining balance is measurably less than the \$162,000 amount the Commission finished with at the end of the previous fiscal year. The anticipated decrease in remaining balances between the two fiscal years is tied to increases in salary and benefit costs due to the filling of the fulltime analyst position prior to the start of the current fiscal year. The Commission will return all unexpended funds (budgeted contributions, application fees, and earned interest) to the agencies in the form of credits towards their share of the adopted budget in 2010-2011.¹

C. Recommendation

It is recommended that the Commission take the following action:

- 1) Receive and file the "First Quarter Budget Report for 2009-2010."

Respectfully submitted,

Keene Simonds
Executive Officer

Attachment:

- 1) General Ledger, July 1, 2009 to September 30, 2009

¹ The Commission has collected a total of \$3,958 in application fees through the first quarter. No earned interest has been allocated to the Commission as of the date of this report.



Report ID: GLC8020w

Fund: 2910 NAPA CO LOCAL AGENCY FORMATION

Dept: 02910 NAPA LAFCO

County of Napa
General Ledger Organization Budget Status
 For Periods: 1 To: 12 FY: 2010

9/30/2009

<u>Account</u>	<u>Account Description</u>	<u>Final Budget</u>	<u>Adjustments</u>	<u>Encumbrances</u>	<u>Expenditures</u>	<u>Remaining Balance</u>	<u>Percent Available</u>
51100000	S/W:REGULAR SALARIES	195,580	0.00	0.00	34,826.85	160,753.15	82.19
51200500	S/W:PER DIEM	9,600	0.00	0.00	500.00	9,100.00	94.79
51300100	E/B:RETIREMENT	34,064	0.00	0.00	5,936.12	28,127.88	82.57
51300120	OTHER POST EMPLOYMENT BENEFITS	8,706	0.00	0.00	0.00	8,706.00	100.00
51300300	E/B:MEDICARE	2,836	0.00	0.00	471.86	2,364.14	83.36
51300500	E/B:GROUP INSURANCE	36,471	0.00	0.00	6,636.56	29,834.44	81.80
51301200	E/B:INS:WORKERS COMP	168	0.00	0.00	0.00	168.00	100.00
51301800	E/B:CELL PHONE ALLOWANCE	840	0.00	0.00	168.00	672.00	80.00
	Total Salaries & Employee Benefits	288,265	0.00	0.00	48,539.39	239,725.61	83.16
52070000	COMMUNICATIONS	3,500	0.00	0.00	235.46	3,264.54	93.27
52100300	INSURANCE:LIABILITY	347	0.00	0.00	0.00	347.47	100.00
52150000	MEMBERSHIPS	2,275	0.00	0.00	2,200.00	75.00	3.30
52170000	OFFICE EXPENSE	15,000	0.00	4,682.04	1,589.50	8,728.46	58.19
52180200	PSS:MGMT INFO SVCS	22,438	0.00	0.00	4,677.00	17,761.00	79.16
52180500	PSS:LEGAL EXPENSE	24,990	0.00	0.00	0.00	24,990.00	100.00
52185000	PSS:OTHER	7,883	0.00	0.00	0.00	7,883.00	100.00
52190000	PSS:PUBLICATNS/LGL NOTICE	1,500	0.00	0.00	192.36	1,307.64	87.18
52235000	SDE:OTHER	1,000	0.00	0.00	0.00	1,000.00	100.00
52240500	SDE:PROPERTY LEASE	29,280	0.00	19,520.00	9,760.00	0.00	0.00
52243900	SDE:FILING FEE	850	0.00	0.00	0.00	850.00	100.00
52250000	TRANSPORTATION & TRAV	4,000	0.00	0.00	476.87	3,523.13	88.08
52250800	T/T:TRAINING	4,000	0.00	0.00	2,960.00	1,040.00	26.00
52251200	T/T:PRIVATE VEH MILE	1,000	0.00	0.00	165.55	834.45	83.45
	Total Services & Supplies	118,063	0.00	24,202.04	22,256.74	71,604.69	60.65
54000900	OPERATING RESERVE	40,633	0.00	0.00	0.00	40,633.00	100.00
54001000	PROFESSIONAL SERVICES RESERVE	50,000	0.00	0.00	0.00	50,000.00	100.00
	Total Contingencies & Reserves	90,633	0.00	0.00	0.00	90,633.00	100.00
02910	NAPA LAFCO	496,961	0.00	24,202.04	70,796.13	401,963.30	80.88
2910	NAPA CO LOCAL AGENCY FORMATION	496,961	0.00	24,202.04	70,796.13	401,963.30	80.88



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October 5, 2009
Agenda Item No. 7a (Action)

September 25, 2009

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Draft Proposal to Establish Geographic Regions within CALAFCO

The Commission will review a draft proposal by the California Association of Local Agency Formation Commissions to establish geographic regions affecting all 58 LAFCOs. The Commission will consider providing comments on the draft proposal for consideration by the Association at the 2009 Annual Conference scheduled for October 28-30 in Yosemite.

The California Association of Local Agency Formation Commissions (CALAFCO) was founded in 1971 to assist its members with educational and technical resources in carrying out their duties to facilitate the orderly formation and development of local agencies. This includes organizing annual conferences and workshops, coordinating training classes, and drafting legislation. CALAFCO is governed by an elected-at-large 15-member board of directors that includes four city members, four county members, four special district members, and three public members. Paid staff consists of a fulltime Executive Director and a part-time Administrative Assistant.

A. Discussion

At its August 7, 2009 meeting, the CALAFCO Board unanimously endorsed a draft proposal prepared by its Structural Options Committee to establish geographic regions. The stated intent of the draft proposal is to increase communication, create opportunities for shared resources, and address local governmental growth and service issues among LAFCOs with common interests. It is envisioned each region would meet at least three times a year. The first two meetings would be held during the annual CALAFCO conferences and workshops. The third meeting would be held in the respective regions. Each region would be staffed by a Deputy Executive Director selected from one of the member LAFCOs and responsible for cording activities and reporting back to the Board.

In endorsing the draft proposal, the Board also adopted a strategic plan to implement the establishment of geographic regions. This includes directing the Board to solicit and discuss comments on the draft proposal from member agencies at the 2009 Annual Conference. The Board will use the input received to further refine the draft proposal with the goal of establishing the geographic regions ahead of the 2010 Annual Conference, which is scheduled for October 6-8 in Palm Springs. In addition to general input, the Board is requesting each LAFCO provide comments on the following four questions.

Juliana Inman, Vice Chair
Councilmember, City of Napa

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

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

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

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

Brian J. Kelly, Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

- Does your LAFCO believe it makes sense to be part of a regional form within CALAFCO?
- What are some of the common interests your LAFCO believes its shares with neighboring LAFCOs?
- Which LAFCOs do you work – or would like to work – more closely with?
- As the Board works to establish regions, which LAFCOs would you want to see included in your region?

B. Analysis

The draft proposal offers promise in strengthening the organizational capacities and effectiveness of LAFCOs by facilitating shared meaning and purpose among members with common interests in carrying out their regulatory and planning duties. Towards this end, establishing geographic regions will presumably draw LAFCOs closer together in understanding and identifying mutual growth management challenges and opportunities. Examples may include jointly exploring multi-county special district formations and consolidations to address, improve, and economize essential municipal services.

Notwithstanding the potential benefits identified in the preceding paragraph, the draft proposal presents challenges. Most notably, defining agreeable geographic regions may prove difficult since many LAFCOs have common interests within multiple regional groupings. Napa LAFCO serves as an example given it has common interests with several LAFCOs that are not likely to be assigned into the same region (i.e., Marin and Yolo). Establishing geographic regions may also reorient CALAFCO to focus less on statewide matters in favor of more localized interests; a dynamic that may create divisive and competitive divisions and diminish the Association's effectiveness in strategic planning.

C. Recommendation

It is recommended the Commission take the following actions:

- 1) Review and discuss CALAFCO's draft proposal to establish geographic regions;
- 2) Provide comments reflecting the position of the Commission on CALAFCO's draft proposal to establish geographic regions; and
- 3) Provide direction with respect to conveying the Commission's position on CALAFCO's draft proposal to establish geographic regions.

Respectfully submitted,

Keene Simonds
Executive Officer

Attachments:

- 1) Letter from CALAFCO Chair Roger Anderson
- 2) CALAFCO Report on Establishing Regional Structure



2 September 2009

**2009
Board of Directors**

Chair

ROGER ANDERSON
Santa Cruz LAFCo

Vice Chair

SUSAN VICKLUND WILSON
Santa Clara LAFCo

Treasurer

JERRY GLADBACH
Los Angeles LAFCo

Secretary

SEPI RICHARDSON
San Mateo LAFCo

CHERYL BROTHERS
Orange LAFCo

MARY JANE GRIEGO
Yuba LAFCo

KAY HOSMER
Colusa LAFCo

GAY JONES
Sacramento LAFCo

GEORGE LANGE
Ventura LAFCo

THEODORE NOVELLI
Amador LAFCo

DENISE RUSHING
Lake LAFCo

SIMÓN SALINAS
Monterey LAFCo

CATHY SCHLOTTMANN
Santa Barbara LAFCo

ALLEN SETTLE
San Luis Obispo LAFCo

CHRIS TOOKER
Sacramento LAFCo

Staff

WILLIAM S. CHIAT
Executive Director

PAUL HOOD
Executive Officer

CLARK ALSOP
Legal Counsel

JOYCE CROTHWAITE
Deputy Executive Officer

SR JONES
Deputy Executive Officer

Dear LAFCo Commission Chair:

For some time the CALAFCO Board of Directors has been considering how to engage member LAFCos on a regional level to discuss issues of mutual concern and to provide input to the Board on LAFCo policy and legislative issues. At our strategic retreat last February the Board discussed a proposal to create regions within CALAFCO. Over the intervening six months a Board committee studied the various options and brought a recommendation to the Board.

On August 7th the Board unanimously (and we might add enthusiastically) endorsed the committee's recommendation and asked that it be sent to the members for consideration and discussion at the upcoming CALAFCO conference.

By now your executive officer has received the details on the proposal to establish a regional structure for CALAFCO. We believe this is an important benefit to members by providing a structure to facilitate communication among commissioners within a region and assure that the many perspectives on LAFCo policies and issues are shared and considered by the Board. We hope that it will also encourage more regional sharing of information and resources amongst commissioners and staff. The staff report sent to your executive officer provides more depth on the purpose, benefits and implementation of a regional structure.

The Board is very interested in your input! We encourage you to discuss the proposal at an upcoming commission meeting and bring your thoughts and suggestions to the CALAFCO conference and business meeting for discussion. Two things we want to point out: 1) no specific number or boundaries of regions have been identified – we would first like your input on which LAFCos you share interests; and 2) the vote to make the implementing change to the Association By Laws will occur in 2010 after the Board has established the regions and members have provided input.

Clearly the governance world that LAFCos operate within is changing. We believe the proposal before you will strengthen the capacity of each member LAFCo and of the Association. The whole Board looks forward to talking with you about this at Tenaya Lodge on October 28-30. Thank you for taking time to discuss this with your commission and sharing your thoughts.

Yours Sincerely,

1215 K Street, Suite 1650
Sacramento, CA 95814

Voice 916-442-6536
Fax 916-442-6535

www.calafco.org

Roger Anderson
Chair

Susan Vicklund Wilson
Vice Chair

William Chiat
Executive Director

CALAFCO Annual Business Meeting

29 October 2009

Agenda Item No. 4.1**MEMORANDUM**

To: CALAFCO Members
From: William Chiat, Executive Director
Date: 29 October 2009
RE: **Discussion of Establishment of Regional Structure for CALAFCO**

RECOMMENDATION

1. Discuss the policy and strategy adopted by the CALAFCO Board of Directors and provide input to the Board on strategic implementation of the regional structure.

DISCUSSION**Background**

The CALAFCO Board of Directors has long believed that one of the most valuable services provided by the association is the facilitation of communications and sharing of information among its members. At each of the last four biannual strategic retreats the Board has identified communications and facilitation of regional meetings as an important goal of the association.

On 12 February 2009 the Board held its most recent Strategic Planning Workshop in Irvine California. Based on input from a number of member LAFcos, a key issue the Board discussed was how to best structure the association to both facilitate communication among members, and also assure that the many perspectives on LAFco policies and issues are heard and considered by the Board of Directors and its key policy and legislative committees.

At its 13 February 2009 meeting the Board established a Structural Options Committee to consider various ways the association could be structured to encourage more communication among members, strengthen the association, and provide a vehicle for sharing different perspectives on LAFco issues. The committee included Board Members Susan Vicklund Wilson (Santa Clara), Simón Salinas (Monterey), Cheryl Brothers (Orange), and Jerry Gladbach (Los Angeles). Executive Director Bill Chiat and Legal Counsel Clark Alsop provided staff support. The Committee met several times and presented an initial recommendation to the Board on 15 May 2009 in Sacramento. The Board provided significant feedback on the ideas presented by the Committee. The Committee met again and formulated a revised proposal. That proposal was presented to the Board on 7 August 2009. At that meeting the Board of Directors unanimously adopted the Committee recommendation and directed staff to share the strategy and policy with all Member LAFcos in anticipation of a discussion on the issue at the Annual Business Meeting in October.

Adopted Recommendation and Implementation

The recommendation adopted by the Board is captured in the attached policy statement and strategic plan. The plan calls for a 14-month implementation of the regional structure. Following input from members in October, the Board may prepare revisions to the plan and begin work on establishing regional boundaries. Preliminary regions will be sent to members for review and input next spring. The membership will vote on the ultimate structure and By-law change at the 2010 Annual Business Meeting in Palm Springs. Regional meetings will begin at the 2010 conference.

The attached policy statement discussed the purposes and benefits the Board has identified for regions. Ultimately the Board envisions that the regions could meet three times a year to share information and resources, and provide input to CALAFCO: 1) commissioners and staff at the annual CALAFCO Conference; 2) staff at the CALAFCO Staff Workshop; and 3) a third meeting in the region of commissioners and staff. Regions may hold additional meetings as desired by the members.

Member LAFCo Input Sought

The Board has asked that all member LAFCos consider this approach and provide input to the Board at the Annual Business meeting. The Board will use the input to further refine the regional structure policy and implementation. Among the questions the Board would like input:

- ◆ Does having a regional forum make sense for your LAFCo?
- ◆ What are some of the common interests you believe you share with your neighboring LAFCos?
- ◆ Which LAFCos do you work – or would like to work – more closely with?
- ◆ As the Board works to establish regions, which LAFCos would you want to see included in your region.

ATTACHMENTS

1. Policy Statement
2. Strategic Approach for Implementation
3. Proposed language for By Law Change

Policy Statement on Creating Regions within CALAFCO

CALAFCO Board of Directors – 7 August 2009

The Board has concluded after several months of review that creating a regional approach with our member LAFcos would strengthen and unify CALAFCO, thus increasing our productivity and presence with our individual members and within the legislative process. Our Board has continually verbalized and promoted structuring regions within CALAFCO in which individual LAFcos could meet and share common interests, issues, and resources. We have determined that there are significant benefits to formalizing regions.

Benefits of a regional approach include but are not limited to:

Communication:

- ◆ Promotes more efficient and effective communication.
- ◆ Provides a vehicle to give input on policy and legislative issues to the Board and the Legislative Committee, which would enhance communications with legislative representatives.
- ◆ Formalizes a structure and forum at the Commissioner level for local LAFcos to address policies which may influence other LAFcos.
- ◆ Provides various viewpoints and different perspectives to assist in making better decisions.

Economical:

- ◆ Ease of travel within a region may invite more participation in regional approaches to common interests.
- ◆ Increased opportunity for LAFcos in each region to share resources and provide more economical approaches to various matters. e.g., a group of neighboring LAFcos recently consolidated a RFP for audit services thereby reducing their costs.

Commonality Geographically:

- ◆ Local and neighboring LAFcos could specifically target their common interests.
- ◆ Localized issues can be discussed, addressed, and resolved with neighboring LAFcos.
- ◆ Recognition of geographic issues and differences impacting LAFcos
- ◆ Consistency with creation of regional transportation plans which will be acted upon regionally.
- ◆ Strengthens LAFcos in areas without COGs .

Education of Legislature:

- ◆ Legislators will recognize that CALAFCO represents all areas, regions of the state

Succession and Leadership:

- ◆ Increased involvement in LAFco by our members and more immediate accountability of Board members to the membership.
- ◆ Provides a mechanism for succession within CALAFCO generating growth and interest of board representation.
- ◆ With each region providing a staff person for CALAFCO, the volunteer workload would be balanced and more evenly distributed throughout the state and provide a mechanism for development and succession for future staff. The Board noted that several LAFco staff members have greatly assisted CALAFCO, but many of same will be retiring within the next few years.

Strategic Plan for Regional Implementation

Adopted by the CALAFCO Board of Directors on 7 August 2009

GOAL Structure member LAFcos into geographic regions to encourage communication among LAFco commissioners and staff, increase involvement in Association activities and policies, collaborate on inter-LAFco policies and issues, share resources, and provide regional input to the Board on legislative issues and regional policy issues.

ACTION 1 Adopt a policy statement on the value of regions to the members and the Association, and signal the intent of the Board to formally establish CALAFCO regions.

Timeframe: Draft statement to be presented to Board for adoption on 7 August 2009*.

ACTION 2 Amend the 2009-2011 CALAFCO Strategic Plan to reflect the revised strategic goal and the five actions described in this letter.

Timeframe: Draft strategy to be presented to Board for adoption on 7 August 2009*.

ACTION 3 Amend the CALAFCO Policy Manual to accomplish two things:

Action 3a: Define and increase the number of staff officers, and require that one staff officer be selected from each region.

This would add additional Deputy Executive Officers to the CALAFCO staff. Having a staff officer from each region would provide a resource to organize regional meetings; help identify Board candidates for the Recruitment Committee; be a voice on regional issues to Association staff; and provide professional growth opportunities for staff from around the state. The new officer(s) could be added as soon as 2010 once the Board has adopted the preliminary boundaries. This would add a \$2,000/year stipend to the CALAFCO budget for each additional staff officer.

Action 3b: Clarify “geographic diversity” in the nominations procedure.

This would specify that Nominations Committee assure that candidates are representative of all the regions. This could be done for the 2010 elections using the adopted preliminary regional boundaries.

Timeframe: Draft policy changes presented to Board for adoption on 7 August 2009*. Additional staff would be added in 2010 once the Board adopts preliminary boundaries. Nominations representative of regions could apply to the 2010 elections.

ACTION 4 Discussion of proposal to create regions and the benefits and intent of regions to be discussed at CALAFCO Annual Business Meeting on 29 October 2009.

Information packets will be sent to each member in advance of the meeting. Packet will include cover letter, policy, strategy and actions, initial by-law language and process for input and creation of regions. Discussion will be held at annual meeting.

Timeframe: Packet to be distributed to members by 29 August 2009. Discussion and any action item on 29 October 2009.

ACTION 5 Establish regions and change the Association By-Laws

Based on input from members at the 2009 Annual Meeting, the Board will establish preliminary regions for member review and comment. Board will finalize recommended

changes to By-laws to establish the regions and adopt the necessary policies to identify the members and operations of each region.

Timeframe: Preliminary regions sent to member for comment by February, 2010. Proposed policies adopted by August, 2010. By-law change to implement regions considered at Annual Meeting on 7 October 2010 in Palm Springs.

* Adopted by Board on 7 August 2009

Draft Amendments to Association By-Laws

For discussion purposes only; consideration of by-law changes anticipated at 2010 Annual Meeting in Palm Springs

2.1 **Classification and Qualifications of Members.** The Corporation shall have three (3) classes of members as follows: Member LAFCOs; Officers of Member LAFCOs; and Associate Members. Member LAFCOs shall be any local agency formation commission ("LAFCO"), which have paid the required annual membership dues and assessments and have indicated by appropriate action their desire to join the Corporation. Officers of Member LAFCOs shall be any regular or alternate Commissioner, executive officer, deputy executive officer, legal counsel, or deputy legal counsel of any LAFCO in good standing as a Member LAFCO. Associate Members of the Corporation shall be any member of the public, a government agency, a business, or an educational institution, either who or which has paid the required annual membership dues and assessments and has indicated by appropriate action its desire to join the Corporation. Notwithstanding any other provision in these Bylaws to the contrary, the terms generally meaning "approval of members or the membership" or "ratification by the members or membership" or "adopted by the members or membership" shall mean such approval or ratification or adoption by members eligible to vote.

2.1.1 Member LAFCOs shall be organized into XXXX geographic regions to facilitate interaction and communication among member LAFCOs, share resources, and provide increased opportunity for Member LAFCO input to the Board of Directors on regional and statewide issues and Corporation activities.

2.1.2 The boundaries of the regions shall be determined by action of the Board of Directors.

2.1.3 The regions shall not have authority to act independently of the Corporation.



Local Agency Formation Commission
LAFCO of Napa County

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

October 5, 2009
Agenda Item No. 7b (Action)

September 28, 2009

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Rescheduling Commission Biennial Workshop Meeting

The Commission will consider rescheduling its biennial workshop. The workshop was previously calendared for November 2, 2009, but has been cancelled by the Chair due to scheduling conflicts with several members.

It has been the practice of the Local Agency Formation Commission of Napa County ("Commission") to schedule a workshop for each odd-numbered year to discuss and strategize its goals and objectives over the next two years. These workshops also provide the Commission the opportunity to address specific policies and administrative issues of interest. Recent workshops have been facilitated by staff and held in different locations throughout Napa County. In 2007, the Commission met in Yountville and reviewed its regulatory and planning responsibilities along with discussing the implementation of new policy criteria with respect to evaluating annexations.

A. Discussion

At its June 1, 2009 meeting, the Commission adopted a meeting schedule for the remainder of the calendar year to include a workshop on November 2, 2009. The Commission also directed staff arrange a meeting place for the workshop in American Canyon while approving the following topics for discussion:

- Statewide LAFCO Themes and Trends
- Draft Island Annexation Program
- Proposal Review Factors
- Upcoming Goals and Objectives

After the June meeting, Commissioners Chilton, Dodd, and Luce notified staff that they have scheduling conflicts and would not be able to attend a workshop on November 2nd. In response, Chair Kelly canceled the November 2nd workshop and directed staff to query the Commissioners in identifying a more accommodating date for rescheduling purposes. Eight alternative dates through the end of the calendar year were identified by staff and e-mailed to Commissioners. All eight dates fall either on a Monday, Wednesday, or Thursday and are divided between mid-morning (10-1PM) and early afternoon (11-2PM) sessions. A total of six Commissioners responded to the e-mail as of the date of this report with the results summarized below.

Juliana Inman, Vice Chair
Councilmember, City of Napa

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

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

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

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

Brian J. Kelly, Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

Meeting Date	Mid-Morning	Early Afternoon
Monday, November 9 th	3	3
Thursday, November 12 th	2	2
Monday, November 16 th	1	1
Wednesday, November 18 th	2	3
Thursday, November 19 th	3	2
Monday, December 14 th	5	5
Wednesday, December 16 th	3	2
Thursday, December 17 th	6	5

B. Analysis/Review

All six Commissioners submitting responses to staff's earlier e-mail stated they are available to attend a mid-morning session on Thursday, December 17th. CALAFCO Executive Director William Chiat, however, is not available to attend and discuss statewide issues and trends as previously requested by the Chair. Mr. Chiat is available anytime on Monday, December 14th or Wednesday, December 16th.

C. Recommendation

It is recommended the Commission take the following actions:

- 1) Review options and preferences with regard to rescheduling the Commission's biennial workshop; and
- 2) Approve a new meeting date for the Commission's biennial workshop and provide direction to staff as needed.

Respectfully submitted,

Keene Simonds
Executive Officer

Attachments: none



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October 5, 2009
Agenda Item No. 8a (Discussion)

September 29, 2009

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer
Brendon Freeman, Analyst

SUBJECT: Progress Report on Study Schedule

The Commission will review a progress report on the agency's study schedule calendaring municipal service reviews and sphere of influence updates for the 2008/2009-2012/2013 period.

Local Agency Formation Commissions (LAFCOs) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 for coordinating the orderly formation and development of governmental agencies and services. This includes establishing and updating spheres of influence for each city and special district to designate the territory LAFCO believes represents the affected agency's probable future boundary and service area. All boundary changes and outside service extensions must be consistent with the spheres of influence of the affected agencies with limited exceptions.

LAFCOs are required to update spheres of influence every five years as needed. State law also requires LAFCOs to inform their sphere of influence determinations by conducting municipal service reviews to comprehensively evaluate the level and range of governmental services provided within their jurisdictions. The collective purpose in preparing these studies is to make LAFCOs more proactive and effective in fulfilling their mandate to advantageously provide for the present and future needs of the public.

A. Discussion

At its February 4, 2008 meeting, LAFCO of Napa County ("Commission") adopted a study schedule calendaring municipal service reviews and sphere of influence updates for the 2008/2009-2012/2013 period (attached). The underlying focus of the study schedule is to expand on the baseline information collected during the inaugural round of municipal service reviews and sphere of influence updates completed in 2007/2008. In particular, this includes measuring key trends relating to the adequacy, capacity, and cost of essential governmental services supporting growth and development in Napa County.

Juliana Inman, Vice Chair
Councilmember, City of Napa

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

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

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

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

Brian J. Kelly, Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

Progress on the adopted study schedule has been slow overall given delays in the data collection necessary to complete the municipal service reviews and sphere of influence updates scheduled for 2008/2009. Most notably, staff has been delayed in initiating the scheduled municipal service review and subsequent sphere of influence updates for the three agencies serving the Lake Berryessa area: Lake Berryessa Resort Improvement District; Napa-Berryessa Resort Improvement District, and Spanish Flat Water District. This delay is primarily the result of time extension requests by two of the three affected agencies to complete the Commission's questionnaire (attached). Markedly, consistent with an earlier Commission determination, the municipal service review will explore the merits of alternative governance structures with respect to economizing, improving, and sustaining governmental services in the region.

Staff has also been delayed in following up on the recently completed municipal service review on the southeast county region. This involves preparing sphere of influence updates for the City of American Canyon, American Canyon Fire Protection District, and County Service Area No. 3 calendared for 2008/2009. Staff is awaiting submittal of the official Land Use Map by American Canyon reflecting recent revisions to the City General Plan. This submittal is necessary to complete the analysis of American Canyon's request to expand their sphere of influence to reflect their adopted urban growth boundary. This delay has prohibited staff from proceeding with the sphere of influence updates for the other two agencies given American Canyon's role as a principal land use authority and municipal service provider in the region.

All studies calendared for 2009/2010 are currently underway and expected to be completed as scheduled by the end of the fiscal year. This includes preparing a countywide municipal service review on law enforcement services provided throughout the incorporated and unincorporated areas of Napa County. The other calendared studies underway include individual municipal service reviews and sphere of influence updates for County Service Area No. 4, Napa County Mosquito Abatement District, and Napa County Regional Park and Open Space District.

B. Commission Review

The Commission is invited to review and discuss the progress of the study schedule. The Commission may also provide direction to staff with respect to agendaing a future action to consider making any desired changes to the study schedule.

Attachments:

- 1) Adopted Study Schedule
- 2) Correspondence from LBRID and NBRID



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
STUDY SCHEDULE (2008/09-2012/13)**

**Municipal Service Reviews (Government Code §56430)
Sphere of Influence Reviews (Government Code §56425)**

Adopted: February 4, 2008
Amended: November 3, 2008

Fiscal Year 2008/2009

South Napa County

Municipal service review will examine the governmental services provided by the City of American Canyon, American Canyon Fire Protection District, and County Service Area No. 3. The municipal service review will precede sphere of influence reviews for all three local agencies.

Lake Berryessa Area

Municipal service review will examine the governmental services provided by the Lake Berryessa Resort Improvement District, Napa-Berryessa Resort Improvement District, and the Spanish Flat Water District. The municipal service review will precede sphere of influence reviews for all three local agencies.

Fiscal Year 2009/2010

County Service Area No. 4

Municipal service review will examine the governmental services provided by County Service Area No. 4 and will precede a sphere of influence review.

Napa County Regional Park & Open Space District

Municipal service review will examine the governmental services provided by the Napa County Regional Park & Open Space District will precede the establishment of a sphere of influence review.

Napa County Mosquito Abatement District

Municipal service review will examine the governmental services provided by the Napa County Mosquito Abatement District and will precede a sphere of influence review.

Law Enforcement Services

Municipal service review will examine public law enforcement (i.e., police protection) services provided in Napa County.

Fiscal Year 2010/2011

Central Napa County

Municipal service review will examine the governmental services provided by the City of Napa, Napa Sanitation District, Silverado Community Services District, and Congress Valley Water District. The municipal service review will precede sphere of influence reviews for all four local agencies.

Napa River Reclamation District No. 2109

Municipal service review will examine the governmental services provided by the Napa River Reclamation District No. 2109 and will precede a sphere of influence review.

Transportation Services

Municipal service review will examine public transit and road services provided in Napa County.

Fiscal Year 2011/2012

Town of Yountville

Municipal service review will examine the governmental services provided by the Town of Yountville and will precede a sphere of influence review.

Circle Oaks County Water District

Municipal service review will examine the governmental services provided by the Circle Oaks County Water District and will precede a sphere of influence review.

Napa County Flood Control and Water Conservation District

Municipal service review will examine the governmental services provided by the Napa County Flood Control and Water Conservation District and will precede a sphere of influence review.

Napa County Resource Conservation District

Municipal service review will examine the governmental services provided by the Napa County Resource Conservation District and will precede a sphere of influence review.

Fiscal Year 2012/2013

City of Calistoga

Municipal service review will examine the governmental services provided by the City of Calistoga and will precede a sphere of influence review.

City of St. Helena

Municipal service review will examine the governmental services provided by the City of St. Helena and will precede a sphere of influence review.

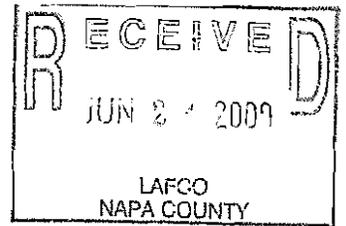
Los Carneros Water District

Municipal service review will examine the governmental services provided by the Los Carneros Water District and will precede a sphere of influence review.

Cemetery Services

Municipal service review will examine public interment services provided in Napa County and will precede a sphere of influence review of the Monticello Public Cemetery District and the Pope Valley Cemetery District.

LAKE BERRYESSA RESORT
IMPROVEMENT DISTRICT



DONALD G. RIDENHOUR, P.E.
District Engineer

June 19, 2009

Mr. Keene Simonds
LAFCO
1700 Second Street, Suite 268
Napa, California 94559

SUBJECT: Municipal Service Review and Sphere of Influence Update

Mr. Simonds:

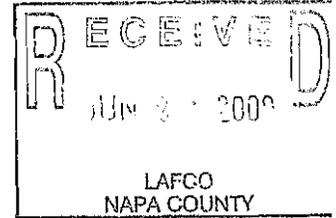
Based on your telephone conversation with Helene Franchi on Friday, I would like to formally request an extension of time to respond to the document request contained in your letter of June 19, 2009. As Helene mentioned, both districts are working with very limited staff resources due to budgetary constraints. We will respond to your request just as soon as possible and appreciate your patience.

Regards,

A handwritten signature in black ink, appearing to read "D. Ridenhour".

Donald G. Ridenhour
District Engineer

NAPA BERRYESSA RESORT IMPROVEMENT DISTRICT



DONALD G. RIDENHOUR, P.E.
District Engineer

June 19, 2009

Mr. Keene Simonds
LAFCO
1700 Second Street, Suite 268
Napa, California 94559

SUBJECT: Municipal Service Review and Sphere of Influence Update

Mr. Simonds:

Based on your telephone conversation with Helene Franchi on Friday, I would like to formally request an extension of time to respond to the document request contained in your letter of June 19, 2009. As Helene mentioned, both districts are working with very limited staff resources due to budgetary constraints. We will respond to your request just as soon as possible and appreciate your patience.

Regards,

A handwritten signature in black ink, appearing to read "Don Ridenhour".

Donald G. Ridenhour
District Engineer



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October 5, 2009
Agenda Item No. 8b (Discussion)

September 29, 2009

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer
Brendon Freeman, Analyst

SUBJECT: Current and Future Proposals
The Commission will receive a report regarding current and future proposals.
The report is being presented to the Commission for information.

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 cities and special districts. This includes approving proposed jurisdictional boundary changes and requests to provide new or extended extraterritorial services. LAFCOs are also responsible for establishing, updating, and modifying cities and special districts' spheres of influence.

A. Discussion

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

Trancas Crossing Park Annexation to the City of Napa

The City of Napa proposes the annexation of 33.3 acres of unincorporated territory located northeast of the intersection of Old Soscol Avenue and Trancas Street. The affected territory comprises one undeveloped parcel identified by the County Assessor as 038-190-020. The parcel includes a small number of physical improvements, including a well, bridge, and gravel road. Napa recently purchased the parcel from the Napa County Land Trust through a grant award and is in the process of developing the site into a public park known as "Trancas Crossing." The affected territory is located outside the City's sphere of influence, and therefore the review of the proposal will include the merits of a concurrent amendment. Additionally, consistent with established practice, approval of the proposal, with or without modifications, would engender a reorganization to include a detachment of the affected territory from County Service Area No. 4.

Status: Staff's analysis of the proposal is nearly complete with the exception of awaiting the submittal of a map and boundary description of the affected territory. Staff anticipates these documents will be submitted shortly and the proposal will be presented to the Commission for consideration at its December 7, 2009 meeting.

Juliana Inman, Vice Chair
Councilmember, City of Napa

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

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

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

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

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Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

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 affected 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 affected territory is non-contiguous to its incorporated boundary and therefore eligible for annexation under G.C. 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 to be automatically detached from the city. 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. However, the City 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 affected territory (attached). It is staff's understanding negotiations have reached an impasse with no new discussions calendared.

Jefferson Street No. 9 Annexation to Napa Sanitation District

This application has been submitted by Tom Harding to annex 0.68 acres of incorporated territory within the City of Napa to Napa Sanitation District. The affected territory consists of one parcel and an associated right-of-way portion of Jefferson Street. The subject parcel is identified by the County Assessor as 038-581-002 and includes a single-family residence that is currently dependent on an onsite septic system to hold and discharge sewage. The purpose of the proposal is to annex the affected territory into NSD to establish public sewer service for the existing single-family residence.

It is important to note the County's Environmental Management Department recently performed an onsite review of the affected territory and has determined the septic system has failed and poses a public health risk. Given annexation proceedings require a minimum of two to three months to complete, it is expected the District will soon file a request with the Commission to approve an outside service agreement. Notably, if approved by the Chair, the outside service agreement will expedite the extension of public sewer service to the affected territory while annexation proceedings are completed.

Status: Staff recently issued a request for review and comment to local agencies on the proposal. Staff anticipates completing its analysis in presenting the proposal for Commission's consideration at the December 7, 2009 meeting.

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 October 2008 request for additional information.

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

Napa Sanitation District Outside Service Agreement No. 1

Staff anticipates Napa Sanitation District will file an outside service agreement request to extend sewer service to 4220 Jefferson Street in the City of Napa. The anticipated request is intended to expedite the extension of public sewer service to an existing single family residence, which is currently dependant on a failing septic system. Approval of the request is intended to serve as a temporary measure to establish sewer service while annexation proceedings are processed as part of the aforementioned Jefferson Street No. 9 Annexation to Napa Sanitation District proposal.

Status: It is expected Napa Sanitation District will consider at its October 7, 2009 meeting adopting a resolution requesting Commission approval to enter into an outside service agreement with the affected property owner.

St. Regis Resort Project

The City of Napa has initiated a planning process to develop approximately 93 acres of land comprising four parcels located along Stanly Lane in the Stanly Ranch area. The proposed project is intended to accommodate a 245-room luxury resort with a commercial vineyard. Commission approval will be needed to annex the affected territory to Napa Sanitation District for the purpose of extending public sewer service.

Status: The City is currently accepting comments on the Draft Environmental Impact Report (DEIR) prepared for the project through October 15, 2009. Staff submitted written comments on the DEIR on September 17, 2009 (attached).

American Canyon High School and American Canyon Middle School Project

The Napa Valley Unified School District (NVUSD) has initiated a multi-phased planning process to construct a 2,200-student high school and 530-student middle school to serve the City of American Canyon. The project site is located at the northeast intersection of American Canyon Road and Newell Drive. NVUSD recently approved a final environmental impact report for the project. As part of the proposed project, Commission approval is required to annex the proposed high school site (45 acres) to American Canyon and the American Canyon Fire Protection District. Commission approval is also required to concurrently annex and add the proposed middle school site (17 acres) to both the City and District's spheres of influence. The Commission may also consider modifying the proposal to include the concurrent detachment of the affected territory from CSA No. 4.

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

American Canyon Town Center Project

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

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

B. Commission Review

The Commission is invited to review and discuss any of the current or future proposals identified in this report.

Attachments:

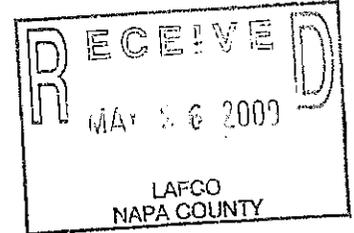
- 1) Letter from St. Helena
- 2) LAFCO comment letter on St. Regis DEIR



City of St. Helena

*"We will conduct city affairs on behalf of our citizens
using an open and creative process."*

1480 Main Street
St. Helena, Ca 94574
Phone: (707) 967-2792
Fax: (707) 963-7748
www.sthelena-city.com



May 20, 2009

Keene Simonds, Executive Officer
LAFCO of Napa County
1700 Second Street, Suite 268
Napa, CA 94559

Re: City of St. Helena Chaix Lane Annexation

Dear Keene:

The City of St. Helena requests that LAFCO defer the notice of public hearing on the Chaix Lane spray field annexation. The City Council and the County Board of Supervisors have adopted resolutions pertaining to property tax exchange agreements, however they would like additional time to reach an agreement on the future uses of the property.

It is anticipated that this agreement will be in place prior to the July LAFCO meeting. Please contact Carol Poole, Planning Director, or Shelly Mills, Associate Planner at 967-2792 if you have any questions pertaining to this.

Sincerely,

Del Britton, Mayor



Local Agency Formation Commission LAFCO of Napa County

ATTACHMENT TWO

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

September 17, 2009

DELIVERED BY E-MAIL

Mr. Michael Allen, Associate Planner
City of Napa
1600 First Street
Napa, California 94559
mallen@cityofnapa.org

SUBJECT: St. Regis Napa Valley Project Draft Environmental Impact Report

Mr. Allen:

The Local Agency Formation Commission (LAFCO) of Napa County has reviewed the City of Napa's St. Regis Napa Valley Draft Environmental Impact Report (DEIR). The DEIR evaluates the potential impacts associated with the development of an approximate 93 acre incorporated project site located in the Stanly Ranch area. The project description contemplates the site will be developed to include a 245-room luxury resort with auxiliary facilities ranging from dining to event venues. It is also contemplated the site will include a commercial vineyard and winery with a maximum annual production capacity of 25,000 cases.

LAFCO serves as a responsible agency as defined under Public Resources Code Section 21069 for the proposed project with respect to approving the annexation of the site to the Napa Sanitation District (NSD) to accommodate public sewer service. LAFCO is also responsible for overseeing the orderly and sensible development of special districts that may be impacted, directly or indirectly, by the proposed project. With these factors in mind, LAFCO offers the following comments on the DEIR:

- Section 2.3.3 states the project site is located within NSD's sphere of influence and a wastewater pipeline will be constructed connecting to the District's treatment facility. This section should be expanded to clarify the project site is located outside NSD's jurisdictional boundary and LAFCO approval is required to annex the land to the District in order to establish public sewer service.
- Section 3.2.6 discusses potential impacts and mitigation measures associated with the planned development of the project site with regard to agricultural resources. This section concludes installing a wastewater pipeline to connect the project site to NSD's treatment facility will not convert the adjacent areas that are identified as important farmlands into non-agricultural uses. Additional analysis is warranted to justify this conclusion given the extension of municipal services, such as sewer, is generally viewed as growth inducing.

Juliana Inman, Vice Chair
Councilmember, City of Napa

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

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

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

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

Brian J. Kelly, Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

- Section 3.8.6 discusses potential impacts and mitigation measures associated with the planned development of the project site with regard to hydrology and water quality. This section states existing drainage within the project site will be impacted by increasing stormwater runoff due to construction of impervious surfaces, which will be directed to a centrally located swale and wetland. The DEIR includes a mitigation measure requiring the applicant prepare a detailed drainage plan for approval before the City issues a grading or building permit for the proposed project (HYD-4). Given the project site's proximity to expansive marshlands, this mitigation measure should be expanded to also require the applicant consult with the Napa County Mosquito Abatement District in preparing a drainage plan to help control and prevent mosquito breeding grounds.
- Section 3.9.6 discusses potential impacts and mitigation measures associated with the planned development of the project site with regard to land use matters. This section accurately states the proposed project does not conflict with any applicable adopted LAFCO policies (LU-4). This section also provides substantive analysis of the factors LAFCO must review under Government Code Section 56668 in considering the annexation of the project site to NSD. LAFCO commends the City for including this analysis in the DEIR.
- Section 3.12.6 discusses potential impacts and mitigation measures associated with the planned development of the project site with regard to public services and utilities. Although it is referenced throughout the DEIR, this section does not evaluate any direct or indirect impacts relating to the planned extension of recycled water service from NSD to the project site. Due to its expected role in supporting the project site's development, the DEIR should include analyses assessing potential impacts with extending recycled water service to the area.

LAFCO appreciates the opportunity to comment on the DEIR. If you have any questions regarding our comments, please contact me by telephone at (707) 259-8645 or by e-mail at ksimonds@napa.lafco.ca.gov.

Sincerely,



Keene Simonds
Executive Officer

cc: Commissioners
Jacqueline M. Gong, Counsel
Beth Painter, Applicant Representative
Kevin Block, Applicant Representative