LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
Political Subdivision of the State of California
We Manage Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE CHECKLIST

May 2016

AGENCY PROFILE

OVERVIEW

The Napa County Flood Control and Water Conservation District (NCFCWCD) was established in 1951 by a special act of the California Legislature. The District's formation was engendered by the County of Napa for the purpose of creating a separate government entity responsible for developing and managing domestic water supplies and managing flood and storm waters in Napa County. Notably, the formation of the District enabled the County to begin participating in government programs and joint-use activities to augment and enhance local water supplies and obtain federal and state assistance to finance flood risk management projects.

Since its formation, NCFCWCD has developed two principal and distinct service activities with respect to water conservation and flood control. The District's water conservation services primarily involve administering contracts with the State of California and the United States Bureau of Reclamation for annual water supply entitlements from the State Water Project and the Solano Project, respectively. As part of its administrative duties, the District subcontracts its imported water supply entitlements to cities and special districts throughout Napa County. The District's flood management services focus on managing and coordinating projects intended to protect local communities from inundation by maintaining and clearing tributary channels and sponsoring capital improvements. This includes currently serving as the local sponsor of the voter-approved "Napa River/Napa Creek Flood Protection Project," which is designed to protect the City of Napa from a 100-year flood.

GOVERNANCE

NCFCWCD is organized under the Napa County Flood Control and Water Conservation District Act of 1951. From 1951 through 1996, the County of Napa Board of Supervisors acted *ex officio* as the District's Board of Directors. In 1996, in preparation for a countywide vote regarding the Napa River/Napa Creek Flood Protection Project, the Board was expanded to include 11 members consisting of all five County Supervisors, the mayors of the five incorporated cities, and a council member from the City of Napa. The Board is empowered to establish and enforce any rule or regulation deemed necessary to carry out the business of the District.[1] Meetings are conducted twice monthly at the County of Napa's Administration Building and are open to the public.

[1] In 2003, the Napa County Flood Control and Water Conservation District Act was amended to allow the Board its own purchasing and resolution powers. Prior to this amendment, the Board followed the policies and procedures of the County of Napa.

NCFCWCD is authorized to provide a broad range of services relating to water conservation and flood control. Specific service powers enumerated under the District's legislative act include:

- Acquire, distribute, and store water for domestic, irrigation, and other beneficial uses. This includes storing water in surface or underground reservoirs, conserving and reclaiming water for present and future uses, and appropriating and acquiring water supplies and water rights.

- Control, reclaim, and retain flood and storm waters for beneficial uses. This includes spreading, storing, or causing water to percolate into the soil.

- Perform studies or analyses as it relates to water supplies, water rights, and the control of flood and storm waters for beneficial uses.

* NCFCWCD is also authorized to exercise the right of eminent domain to take land, water, water rights, or other property necessary to carry out its duties.

ADMINISTRATION

NCFCWCD's legislative act provides that all employees, deputies, and officers of the County of Napa may be asked to perform their respective duties *ex officio* for the District. In 2003, to clarify and expand its administrative authority, the enabling act was amended to allow the District Board to appoint, employ, or contract with any other persons or entities as necessary to carry out the duties of the District.

NCFCWCD is presently staffed by the County of Napa Public Works Department. This arrangement is based on practice and provides that the Deputy Director of Public Works for Flood Control and Water Resources serve as District Engineer. The District Engineer reports to the Board and is responsible for managing day-to-day activities. There are currently ten County Public Works employees assigned to the District, including four specifically to the Napa River/Napa Creek Flood Protection Project.

SERVICE AREA AND POPULATION

NCFCWCD's jurisdictional boundary is approximately 506,517 acres and includes all incorporated and unincorporated lands in Napa County. This jurisdictional boundary is coterminous with the District's sphere of influence, which was established by LAFCO in 1984. A map of the District's boundary and sphere is included as **Appendix A**. The District operates under the land use authority of six agencies, which include the County of Napa, the Cities of American Canyon, Calistoga, Napa, St. Helena, and the Town of Yountville. The Association of Bay Area Governments (ABAG) estimates that there are approximately 140,000 people currently residing in Napa County. ABAG projects an estimated annual population growth rate for Napa County of 0.61 percent over the next 20 years.

ABAG Population Projections, 2010-2030

Jurisdiction	2010	2020	2030
American Canyon	19,454	21,500	23,700
Calistoga	5,155	5,300	5,500
Napa	76,915	80,700	85,100
St. Helena	5,814	6,000	6,100
Yountville	2,933	3,100	3,400
Unincorporated	26,213	27,600	29,300
Total	136,484	144,200	153,100

Source: ABAG, Projections 2013

MUNICIPAL SERVICES

Since its formation in 1951, NCFCWCD has developed two principal and distinct service activities with respect to flood control and water conservation. This includes managing and coordinating local and countywide flood control projects and administering water supply contracts with the State of California and the United States Bureau of Reclamation. A summary of the development and delivery of these services follows.

Flood Control

Upon formation in 1951, NCFCWCD's flood control activities involved coordinating small and supplemental projects with local communities. One of the first flood control projects undertaken by the District involved the purchase and operation of a pump station to serve the unincorporated community of Edgerly Island.[2] Other initial flood control activities of the District included providing channel maintenance and recording flow measurements for the Napa River and its tributaries.

[2] The pump station on Edgerly Island was funded through an annual assessment paid by local property owners as part of a benefit zone established by NCFCWCD in 1952. This benefit zone was dissolved and the pump station was turned over to the Napa River Reclamation District No. 2109 following its formation in 1975.

Prior to NCFCWCD's formation, organized flood control activities in Napa County were primarily the responsibilities of local jurisdictions. However, in 1938, the United States Congress passed legislation authorizing and funding the Army Corps of Engineers (USACE) to study flood-hazard waterways throughout the nation for the purpose of developing and implementing protection plans.[3] The Napa River, on record as having severely flooded more than a dozen times, was among the subjects studied.[4]

As a step toward generating local assessment funds needed for financing USACE projects, NCFCWCD was formed in 1951 by special legislation at the request of the County of Napa. In 1965, Congress authorized a new flood protection project for the City of Napa in conjunction with the USACE and made a standing authorization of $14.95 million for the project. However, local access to this funding was contingent upon the completion of a specific project design and designated local matching funds. With this in mind, by the mid-1970s, the District had set aside approximately $3.0 million as a portion of the local cost-share for the project. Between 1976 and 1977, the District worked with local officials to generate the remaining matching funds through sponsoring special tax initiatives. However, after voters rejected two separate tax initiatives, USACE set aside the flood project for the City of Napa.

In 1977, in response to the failed tax measures, NCFCWCD reduced its tax rate to zero. One year later, Proposition "13" was passed by California voters curtailing the ability of the District to increase its tax rate without two-thirds voter approval.

In 1987, a year after a flood caused significant damage in the City of Napa, NCFCWCD began working with local and federal stakeholders to request assistance from USACE in developing and funding a comprehensive flood control project. In 1995, dissatisfied with the design plans developed by USACE, a community coalition emerged and began working with the District on developing a new flood protection plan. By 1997, the working group achieved consensus on a new design eventually culminating in the Napa River/Napa Creek Flood Protection Project.[5]

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[3] Following the Great Mississippi Flood of 1927, recorded as the worst flood in United States history, the federal government began shifting policies toward more aggressive and direct involvement of flood control efforts throughout the nation. Legislation in 1938 put investigations of flood waters and the construction of flood protection projects under jurisdiction of the Department of War and directed the Secretary of War to begin the acquisition of all lands nationally needed for constructing flood control projects.

[4] The Flood Control Act of 1944 authorized the construction of thousands of dams and levees across the United States. For the Napa River, the USACE study recommended channel improvements and construction of a dam on Conn Creek to establish a water supply reservoir for Napa County. Although this recommended project was authorized as part of the Flood Control Act of 1944, no appropriations were allocated because of a lack of local funds to help finance and ultimately maintain the project. (In 1948, the City of Napa funded and constructed a dam on Conn Creek, which resulted in the creation of Lake Hennessey.)

[5] The Napa River/Napa Creek Flood Protection Project affects six miles of the Napa River between Trancas Street on the north and the Butler Bridge on the south. The project includes riverbank terracing, the removal or replacement of seven bridges, and the creation of a dry bypass channel at the Oxbow where the Napa River and Napa Creek meet. Also, floodwalls, levees, and trails have been constructed throughout the project area. The project is designed to reduce flood levels to the point where water levels in the Napa River and Napa Creek will remain within the designated floodway during a "100-year" flood event.

In order to fund the Napa River/Napa Creek Flood Protection Project, the County Board of Supervisors formed a special taxing authority, the Napa County Flood Protection and Watershed Improvement Authority (the "Authority).[6] The Authority, whose Board consists of all five County Board of Supervisors, was established for the purpose of implementing a county-wide half-cent sales tax to serve as the local match required to receive the federal funds for the project. These efforts resulted in the drafting of "Measure A," the Napa County Flood Protection Sales Tax Ordinance, which was approved by Napa County voters in 1998 and provides revenue to fund specified flood and water quality and enhancement projects through 2018.[7]

In addition to implementing certain Measure A projects, NCFCWCD works with local jurisdictions with respect to implementing and maintaining local flood control and stormwater quality improvements. This work is funded through a District assessment collected throughout Napa County with the exception of the City of American Canyon. (Given that the City of American Canyon does not collect the District assessment used to fund these maintenance and improvement projects, they do not receive these services from NCFCWCD.) Key activities include:

- clearing and maintaining channels;
- clearing problem areas within the Napa River and its tributaries;
- repairing and stabilizing the Napa River and local stream banks;
- installing and operating a countywide early-warning system for flooding;
- replacing and installing major storm drain trunk lines;
- managing and monitoring groundwater;
- overseeing adjudicated watersheds;
- preparing special studies for flood protection and water management; and
- developing standardized and integrated flood plain management regulations.

NCFCWCD also administers the Napa County Stormwater Management Program (NCSWMP) on behalf of each of the five Cities and the County of Napa. Though each of the five cities carry out their own individual stormwater pollution prevention programs and hold their own NPDES permit, the NCSWMP provides for the coordination and consistency of approaches between the individual participants and documents their efforts in annual reports. The NCSWMP is funded on a pro-rata basis by each participating agency.

Water Conservation

NCFCWCD's water conservation services were initiated in 1963 following an agreement with the State of California's Department of Water Resources (DWR). The agreement, which has been amended several times, provides the District with an annual entitlement of water drawn from the State Water Project (SWP) and enables the District to subcontract its annual entitlement with local agencies. This feature allows the cost of SWP water to be passed directly to the local subcontractors. In exchange for an annual entitlement, the District is responsible for repayment

[6] NCFCWCD does not have the power to impose sales or use taxes.

of costs for the construction, maintenance, and operation of SWP facilities. Notably, along with the Solano County Water Agency, the District is responsible for the costs associated with the construction and operation of the North Bay Aqueduct, which facilitates delivery of SWP entitlements to Napa and Solano Counties. The District currently subcontracts its annual entitlement to SWP water to the Cities of American Canyon, Calistoga and Napa. A current breakdown of the District's local subcontracts follows.

NCFCWCD Subcontracts involving the State Water Project (acre feet)

Napa	American Canyon	Calistoga	Total
21,900	5,200	1,925	29,025

NCFCWCD also maintains a water supply agreement with the United States Bureau of Reclamation for an annual entitlement of water drawn from Lake Berryessa as part of the Solano Project.[8] The District subcontracts this entitlement to several individual property owners in the Lake Berryessa area as well as to three special districts: Lake Berryessa Resort Improvement District, Napa-Berryessa Resort Improvement District, and Spanish Flat Water District. Each subcontractor is responsible for the construction and operation of their own intake and delivery system to Lake Berryessa.

NCFCWCD Subcontracts for the Solano Project (acre feet)

Subcontractor	Amount
Lake Berryessa Resort Improvement District	200
Napa Berryessa Resort Improvement District	200
Spanish Flat Water District	200
Private Property Owners (five)	173

NCFCWCD's water conservation services are provided with direction from its subcontractors. To increase its responsiveness to the collective needs of Napa County, the District formed an advisory group consisting of the public works directors and staffs of the five cities and the County. The group, the Water Technical Advisory Committee, also termed "Water TAC," provides the District and the local jurisdictions a forum to discuss current and future water issues.

[8] The Solano Project was developed between 1953 and 1958 and involved the construction of Monticello Dam on Putah Creek in Napa County for the purpose of forming Lake Berryessa. The majority of water drawn from Lake Berryessa is used by the Solano County Water Agency.

In addition, to help inform its planning activities, NCFCWCD facilitates collaborative studies aimed at examining local water supplies and enhancement opportunities. In 2005 the District facilitated the countywide 2050 Napa Valley Water Resources Study, commonly referred to as the "2050 Study," to identify current and projected water demand within each of its participating agency's service areas as well as documenting agricultural demands in unincorporated areas served by groundwater. The District also participated in a study with the United States Geological Survey to update and review the hydrological and geological properties for the lower basins of the Milliken, Sarco, and Tulocay Creeks in Napa County. As a result of this study, the District began work on the Milliken-Sarco-Tulocay (MST) Recycled Water Plan. The MST Recycled Water Plan involves developing design plans, cost estimates, financing mechanisms, and implementation strategies for importing recycled water from the Napa Sanitation District (NSD) to the MST area for landscaping uses in order to help offset demands on local groundwater supplies. The County and NSD have completed the first phase of construction of a pump station and backbone pipeline which will begin delivering recycled water in Spring 2016.

FINANCIAL

NCFCWD adopts an annual line-item budget that projects anticipated revenues and expenditures for the upcoming fiscal year. In 2015-2016, the District adopted a total operating budget of $26,453,749.00. Over the last five fiscal years, the District's overall budget has fluctuated between revenues as high as $25 million dollars and as low as $13 million. District expenditures during the same five years have been relatively stable averaging $29 million dollars. The revenue fluctuations are primarily attributable to the Napa River/Napa Creek Flood Protection Project portion of the budget.

For administrative purposes, NCFCWCD segregates its annual budget into three units. A summary of these budget units follows.

Flood and Watershed Management

This unit is associated with the District's annual maintenance of the Napa River and its tributaries. This unit is primarily funded through tax assessments and intergovernmental service charges. In 2015-2016, the unit's adopted budget projected total revenues and expenses at $2,131,906, and $2,406,906, respectively.

Water Supply Contracts

This unit is associated with the District's contracts with the State of California and the United States Bureau of Reclamation for annual water supply entitlements to State Water Project and the Solano Project. The District's cost for these contracted water supplies are reimbursed by local subcontractors, which include cities, special districts, and property owners. In 2015-2016, the unit's adopted budget projected both total revenues and expenses at $10,936,650.

Napa River/Napa Creek Flood Protection Project

This unit is associated with the District's local sponsorship of a comprehensive flood projection project for the City of Napa. The unit is funded by the Napa County Flood Protection and Watershed Improvement Authority through a transfer of sales tax revenues generated by Measure A and also with matching federal and state funds. Principal expenses include implementing design and construction costs along with acquiring all necessary lands, easements, right-of-ways, and relocating existing facilities and structures. In 2015-2016, the unit's adopted budget projected total revenues and expenses at $680,000 and $13,110,193, respectively.

1. GROWTH AND POPULATION Growth and population projections for the affected area.	**YES**	**MAYBE**	**NO**
a) Is the agency's territory or surrounding area expected to experience any significant population change or development over the next 5-10 years?	☐	☐	*X*
b) Will population changes have an impact on the subject agency's service needs and demands?	☐	☐	*X*
c) Will projected growth require a change in the agency's service boundary?	☐	☐	*X*

Discussion:

NCFCWCD's jurisdictional boundary is approximately 506,517 acres and includes all incorporated and unincorporated lands in Napa County. This jurisdictional boundary is coterminous with the District's sphere of influence, which was established by LAFCO in 1984. The District operates under the land use authority of six agencies, which include the County of Napa, the Cities of American Canyon, Calistoga, Napa, St. Helena, and the Town of Yountville. The Association of Bay Area Governments (ABAG) estimates that there are approximately 140,000 people currently residing in Napa County. Based on ABAG estimates, an annual population growth rate for Napa County of 0.61 percent over the next 20 years is expected. This will not impact service needs or demands and the boundary will not be affected.

Determinations:

1. The projections prepared by the Association of Bay Area Governments are satisfactory estimates of the current and future service population of the Napa County Flood Control and Water Conservation District.

2. All 140,000 people currently estimated by the Association of Bay Area Governments to reside in Napa County benefit from the services provided by the Napa County Flood Control and Water Conservation District.

3. The Association of Bay Area Governments projects an annual population growth rate for Napa County at 0.6 percent over the next 20 years. Although limited, this projected growth rate will contribute to the intensification of land uses and result in the continued demand and need for adequate flood control and water conservation services in Napa County.

4. Projected population growth within Napa County Flood Control and Water Conservation District's jurisdictional boundary will increase at a level identical to projected growth rates for Napa County. It should be expected that increases to the County's population will necessitate a greater demand for water service within the District's jurisdictional boundary. This increase in demand is expected to be largely accommodated by the District's municipal subcontractors.

5. Approximately 10 percent of Napa County Flood Control and Water Conservation District's jurisdictional boundary is located within a flood zone designated by the Federal Emergency Management Agency. A significant portion of these zones are located in or near existing urban areas within the Napa Valley, heightening the need for effective and timely flood control services.

2. CAPACITY AND ADEQUACY OF PUBLIC FACILITIES AND SERVICES

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

	YES	MAYBE	NO
a) Are there any deficiencies in agency capacity to meet service needs of existing development within its existing territory?	☐	☐	*X*
b) Are there any issues regarding the agency's capacity to meet the service demand of reasonably foreseeable future growth?	☐	☐	*X*
c) Are there any concerns regarding public services provided by the agency being considered adequate?	☐	☐	*X*
d) Are there any significant infrastructure needs or deficiencies to be addressed?	*X*	☐	☐
e) Are there changes in state regulations on the horizon that will require significant facility and/or infrastructure upgrades?	☐	☐	*X*
f) Are there any service needs or deficiencies for disadvantaged unincorporated communities related to sewers, municipal and industrial water, and structural fire protection within or contiguous to the agency's sphere of influence?	☐	☐	*X*

Discussion:

NCFCWCD's funding, staffing and governance are adequate to for it to achieve its core mission. However, the Napa River/Napa Creek Flood Protection Project is only two-thirds complete and additional Federal appropriations are uncertain. Work continues with the USACE to retain Federal interest in completing the project.

Determinations:

1. The Napa River/Napa Creek Flood Protection Project is only two-thirds complete and additional Federal appropriations are needed. The Napa County Flood Control and Water Conservation District should continue working with the United States Army Corps of Engineers to retain Federal interest in completing the project.

2. The Napa County Flood Control and Water Conservation District operates and maintains an infrastructure system of channels, storm drains, and drainage basins designed to intercept and direct excessive storm and flood waters away from populated areas in Napa County. The District has established an annual maintenance program to help ensure this infrastructure system provides an adequate level of flood control service within its jurisdictional boundary.

3. An important challenge for the Napa County Flood Control and Water Conservation District will be to transition and expand its service and funding capacities to operate and maintain infrastructure and facilities constructed as part of Measure A.

4. On behalf of local agencies, the Napa County Flood Control and Water Conservation District administers water supply contracts for annual entitlements to the State Water Project and the Solano Project. These administrative services facilitate the delivery of needed imported water supplies underlying the ability of local agencies to meet present and future water demands within their respective service areas.

5. The Napa County Flood Control and Water Conservation District does not own, lease, or operate any facilities relating to the provision of water service. Due to its contractual relationship with its subcontractors, it is not anticipated that the District will pursue changes in its operations within the timeframe of this study.

6. Through its contractual agreements, the Napa County Flood Control and Water Conservation District administers imported water supplies on behalf of three cities and three special districts in Napa County. In accordance with its legislative mandate, the District should continue to explore opportunities to increase and enhance available water supplies through mutually beneficial water supply projects. These efforts will assist local water agencies to meet increasing service demands, while supplementing and conserving local water resources.

7. It is anticipated that the increase in demand projected by Napa County Flood Control and Water Conservation District's municipal subcontractors will necessitate a greater demand for withdrawals from the State Water Project. Accordingly, the District should continue to explore opportunities with the California Department of Water Resources and the Solano County Water Agency to ensure the timely availability of adequate capacity through the North Bay Aqueduct to coincide with these increased demands.

   Improvements to the North Bay Aqueduct are needed to increase its available capacity to equal the amount of entitlements contracted by the Napa County Flood Control and Water Conservation District. The District is currently working with the Department of Water Resources and the Solano County Water Agency to finance and implement the first of these improvements: construction of the alternate intake pipeline and pump station. Key factors involved in these improvements are the completion of the original design of the North Bay Aqueduct and to satisfy the increase in State Water Project entitlements generated from the District's water transfer agreement with the Kern County Water Agency.

8. On behalf of its subcontractors, the Napa County Flood Control and Water Conservation District should continue to monitor conditions relating to current and future deliveries drawn from the State Water Project. These efforts will assist affected subcontractors to implement proper water supply planning contingencies to mitigate service constraints during below normal and dry year conditions, when deliveries are restricted.

9. In 2015, the Department of Water Resources issued the *State Water Project Delivery Capability Report*. The report provides an assessment of State Water Project deliveries using historical precipitation rates along with projected land and water use demands through 2021. Notably, this report includes delivery estimates during drought periods. This report is a valuable tool for all State Water Project contractors and should be incorporated into each of the District's affected subcontractors' water supply planning efforts.

10. The Napa County Flood Control and Water Conservation District has made reasonable efforts to assist local public water agencies secure additional water supplies for supplemental and drought protection purposes. These efforts demonstrate a continued effort by the District to be responsive to the collective needs of Napa County by lessening the impact incurred by ratepayers during below normal and dry years when water supplies are at a premium.

    A recent example includes the Napa County Flood Control and Water Conservation District's 2000 water transfer agreement with the Kern County Water Agency. This agreement provides each of the five cities in Napa County an annual share of the District's purchase of 4,025 acre-feet of additional State Water Project entitlement. In addition, the District continually monitors interest among its subcontractors with respect to participating in provisional water supply programs facilitated by the California Department of Water Resources as well as open water market purchases.

3. FINANCIAL ABILITY Financial ability of agencies to provide services.	YES	MAYBE	NO
a) Does the organization routinely engage in budgeting practices that may indicate poor financial management, such as overspending its revenues, failing to commission independent audits, or adopting its budget late?	☐	☐	*X*
b) Is the organization lacking adequate reserve to protect against unexpected events or upcoming significant costs?	☐	☐	*X*
c) Is the organization's rate/fee schedule insufficient to fund an adequate level of service, and/or is the fee inconsistent with the schedules of similar service organizations?	☐	☐	*X*
d) Is the organization unable to fund necessary infrastructure maintenance, replacement and/or any needed expansion?	☐	☐	*X*
e) Is improvement needed in the organization's financial policies to ensure its continued financial accountability and stability?	☐	☐	*X*
f) Is the organization's debt at an unmanageable level?	☐	☐	*X*

Discussion:

NCFCWCD is managed by the same staff that manages Napa County. It is subject to an annual independent audit. Its budgets, Consolidated Annual Financial Reports, and audit reports are available online. Please refer to the Agency Profile for additional information.

Determinations:

1. The Napa County Flood Control and Water Conservation District's water conservation services are primarily financed from reimbursement fees collected from its subcontractors. These revenues cover actual costs of importing water supplies on behalf of its subcontractors along with administration fees based on staff time. This arrangement enables the District to recover all costs associated with its water conservation services, however, limits cost recovery to services that have been approved by the affected agencies.

2. Opportunities for the Napa County Flood Control and Water Conservation District to increase revenues for its water conservation services through assessments are constrained by Article XIII of the California Constitution, which requires two-thirds voter approval to raise special taxes.

3. In 1998, Napa County voters approved "Measure A" authorizing a special tax over a 20-year period for the purpose of funding specified flood control and watershed improvement projects. Revenue generated from this special tax is managed by a technical advisory committee and helps to finance District operations relating to flood control.

4. The Napa County Flood Control and Water Conservation District is primarily funded by federal and state appropriations and local sales tax proceeds associated with Measure A. These funding sources fluctuate annually and create an external constraint on the District with respect to financing and implementing capital improvements in a timely manner.

5. The Napa County Flood Control and Water Conservation District serves as an important instrument in securing federal and state funding that would otherwise not be available for flood control and water conservation services in Napa County.

6. The Napa County Flood Control and Water Conservation District is empowered under its legislative act to establish zones for assessment purposes within its jurisdictional boundary. This feature allows the District to provide elevated and focused flood control and water conservation services to a particular area in a manner that is directly funded by benefiting property owners.

7. The Napa County Flood Control and Water Conservation District does not determine imported water rates for its subcontractors; rates are determined by the United States Department of the Interior, Bureau of Reclamation, for entitlements drawn from the Solano Project and the California Department of Water Resources for entitlements drawn from the State Water Project. These rates are passed directly to each subcontractor based on their water usage along with an administration fee based on District staff time.

8. The Napa County Flood Control and Water Conservation District benefits from cost-savings associated with its relationship with the County of Napa. Savings drawn from this relationship include providing the District with administrative and operational staff support at a controlled and below market cost.

4. SHARED SERVICES AND FACILITIES Status of, and opportunities for, shared facilities.	YES	MAYBE	NO
a) Is the agency currently sharing services or facilities with other organizations? If so, describe the status of such efforts.	*X*	☐	☐
b) Are there any opportunities for the organization to share services or facilities with neighboring or overlapping organizations that are not currently being utilized?	☐	☐	*X*
c) Are there any governance options that may produce economies of scale and/or improve buying power in order to reduce costs?	☐	☐	*X*
d) Are there governance options to allow appropriate facilities and/or resources to be shared, or making excess capacity available to others, and avoid construction of extra or unnecessary infrastructure or eliminate duplicative resources?	☐	☐	*X*

Discussion:

NCFCWCD is staffed by employees of Napa County, primarily Public Works, and thus shares all of the county's resources. The District has also established effective partnerships with other agencies to fund various flood control and water conservation activities within its jurisdictional boundary. These partnerships enhance and expand the District's service activities and produce mutually beneficial projects throughout Napa County. Please refer to the Agency Profile for additional information.

Determinations:

1. The Napa County Flood Control and Water Conservation District has established effective partnerships with other agencies to fund various flood control and water conservation activities within its jurisdictional boundary. These partnerships enhance and expand the District's service activities and produce mutually beneficial projects throughout Napa County.

2. The Napa County Flood Control and Water Conservation District and the Napa County Resource Conservation District share similar legislative responsibilities and jurisdictional boundaries. Due to their natural service relationships, opportunities to pursue cost efficiencies and shared facilities between these two agencies should be more fully examined in future studies.

5. ACCOUNTABILITY, STRUCTURE, AND EFFICIENCIES

Accountability for community service needs, including governmental structure and operational efficiencies.

	YES	MAYBE	NO
a) Are there any issues with meetings being accessible and well publicized? Any failures to comply with disclosure laws and the Brown Act?	☐	☐	*X*
b) Are there any issues with filling board vacancies and maintaining board members?	☐	☐	*X*
c) Are there any issues with staff turnover or operational efficiencies?	☐	☐	*X*
d) Is there a lack of regular audits, adopted budgets and public access to these documents?	☐	☐	*X*
e) Is the agency involved in any Joint Powers Agreements/Authorities (JPAs)?	*X*	☐	☐
f) Are there any recommended changes to the organization's governance structure that will increase accountability and efficiency?	☐	☐	*X*
g) Are there any governance restructure options to enhance services and/or eliminate deficiencies or redundancies?	☐	☐	*X*
h) Are there any opportunities to eliminate overlapping boundaries that confuse the public, cause service inefficiencies, unnecessarily increase the cost of infrastructure, exacerbate rate issues and/or undermine good planning practices?	☐	☐	*X*

Discussion:

NCFCWCD is organized under the Napa County Flood Control and Water Conservation District Act of 1951. The Board includes 11 members consisting of all five County Supervisors, the mayors of the five incorporated cities, and a council member from the City of Napa. The Board is empowered to establish and enforce any rule or regulation deemed necessary to carry out the business of the District.[9] Meetings are generally conducted every month at the County of Napa's Administration Building and are open to the public. All meetings are conducted in accordance with the Brown Act. Please refer to the Agency Profile for additional information.

[9] In 2003, the Napa County Flood Control and Water Conservation District Act was amended to allow the Board its own purchasing and resolution powers. Prior to this amendment, the Board followed the policies and procedures of the County of Napa.

Determinations:

1. The Napa County Flood Control and Water Conservation District is authorized under its legislative act to provide a wide range of municipal services relating to the provision of water service in Napa County. Although its jurisdictional boundary overlaps several other public agencies in the County empowered to provide similar water services, the District provides a unique service: administration of master water supply agreements on behalf of multiple public agencies throughout the County.

2. The Napa County Flood Control and Water Conservation District is authorized under its legislative act to establish "zones" within its jurisdictional boundary for the purposes of establishing assessments to finance projects for the specific benefit of a particular area. This feature enables the District to act responsively to beneficial water quality and enhancement projects within a specified area, while limiting costs to property owners directly benefiting from the project. When appropriate, the District should explore opportunities to establish project zones within the County to assist public agencies and property owners to improve local water resources.

3. The Napa County Flood Control and Water Conservation District provides an annual summary of past and projected revenues and expenditures relating to its water conservation services as part of its annual budget. The budget is adopted following a publicly noticed board meeting in which members of the public are allowed to comment and offer suggestions with respect to expenditures relating to the District's water conservation services. In addition to enhancing the accountability of appointed representatives, the budget process provides a clear directive towards staff with respect to prioritizing district resources.

4. In 1996, the Napa County Flood Control and Water Conservation District's governing board was restructured to include elected representatives from all five incorporated cities in Napa County. This restructuring has helped make the District more responsive to the collective needs of its jurisdictional boundary.

5. The Napa County Flood Control and Water Conservation District has been successful in achieving its original service objective to enhance local water supplies and to provide an elevated level of flood control in Napa County.

6. Services provided by Napa County Flood Control and Water Conservation District are guided by annual work plans that identify goals and objectives for the upcoming year. These work plans serve as effective performance measures and encourage management efficiencies by prioritizing District resources in a transparent manner.

7. Expenditures of the Napa County Flood Control and Water Conservation District involving Measure A funds are subject to the approval of the Napa County Flood Protection and Watershed Improvement Authority and a Fiscal Oversight Committee. These arrangements provide additional safeguards regarding the District's management and allocation of Measure A funds.

8. The Napa County Flood Control and Water Conservation District is governed by 11 board members representing the five cities and County of Napa. As elected officials, District board members are accountable to the voters that reside within their appointing jurisdictions.

9. Meetings of the Napa County Flood Control and Water Conservation District are conducted twice a month and are open to the public. These meetings provide an opportunity for District constituents to ask questions of their appointed elected representatives and help to ensure that service information is being effectively communicated to the public.

10. The United States Department of the Interior, Bureau of Reclamation, had lease agreements with seven concessionary resorts at Lake Berryessa that expired in 2009. The Bureau of Reclamation is currently developing a new long-term service plan in anticipation of issuing new concessionary agreements. New concessionary agreements could result in significant changes to existing uses and services at Lake Berryessa. The Napa County Flood Control and Water Conservation District should closely monitor the Bureau of Reclamation's plans for long-term uses at Lake Berryessa with respect to potential impacts to its vested subcontractors serving the Lake Berryessa area.

11. The Napa County Flood Control and Water Conservation District's water conservation services are maintained and managed by a responsive and professional staff. These characteristics enhance local accountability and cultivate desirable working relationships with members of the public as well as other agencies.

6. OTHER ISSUES

Any other matter related to effective or efficient service delivery, as required by commission policy.

	YES	MAYBE	NO
a) Are there any other service delivery issues that can be resolved by the MSR/SOI process?	☐	☐	*X*

Discussion:

No other issues have been identified that can be resolved by the MSR/SOI process.

SPHERE OF INFLUENCE STUDY

It is recommended that the Commission affirm NCFCWCD's existing sphere. Pursuant to Government Code Section 56425(e), the following statements have been prepared in support of the recommendation:

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

   The present and future land uses in the area are planned for in the general plans prepared by the six land use authorities whose jurisdictions overlap the jurisdictional boundary of the Napa County Flood Control and Water Conservation District. The exercise of the District's services, which benefit both urban and non-urban areas, will not affect the level or type of development identified in the general plans of the land use authorities.

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

   The provision of flood control and water conservation services helps to ensure adequate water supply and the protection from inundation of flood waters which are essential to the social, fiscal, and economic well-being of the area.

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

   The Napa County Flood Control and Water Conservation District has developed policies, service plans, and revenue streams to provide adequate and effective conservation services for the area.

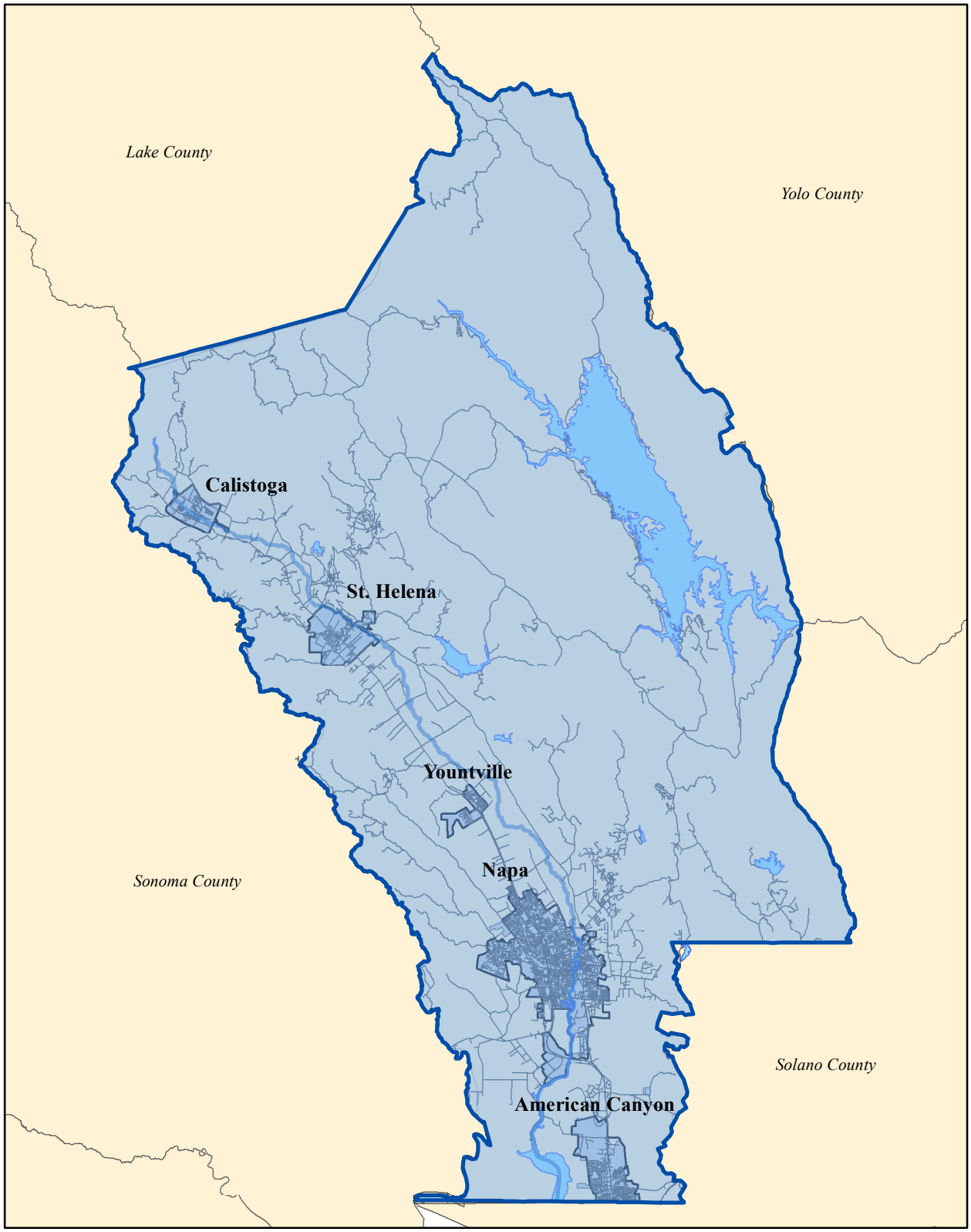
4. **The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.**

   The social and economic well-being of the area is measurably enhanced by the services provided by the Napa County Flood Control and Water Conservation District.

5. **The present and probable need for public services for disadvantaged unincorporated communities**

   No disadvantaged unincorporated communities meeting the definition under State law have been identified anywhere in Napa County.

Napa County Flood Control and Water Conservation District



Legend

NCFCWCD Jurisdictional Boundary

NCFCWCD Sphere of Influence

N

Not to Scale
April 2016
Prepared by BF

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