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# *UNDERSTANDING AND WORKING WITH LAFCO OF NAPA COUNTY*

The Local Agency Formation Commission (or LAFCO) is an agency created by the State legislature in every California County. The Commission works closely with citizens, the county, cities and special districts on a variety of issues concerning the organization of local governments, jurisdictional changes and public services.

LAFCO's statutory purposes include discouraging urban sprawl, preserving agricultural land, encouraging orderly boundaries based upon local circumstances and conditions and promoting adequate public services.

We hope you find the following information helpful in understanding and working with LAFCO of Napa County.

LAFCO OF NAPA COUNTY  
1754 Second Street, Unit C ❖ Napa, CA 94559  
PHONE 707/259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

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## ***FIRST, THE LAW . . . LAFCO implements***

### ***CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000 (Government Code Section 56000 et seq.)***

LAFCOs' responsibilities are defined by this statute that creates the Commission, mandates its activities and grants it legal authority.

### ***THE RALPH M. BROWN OPEN MEETING LAW (Government Code Section 54950 et seq.)***

LAFCO meetings are subject to this State Open Meeting Law. The Commission conducts its business in public.

### ***CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (Public Resource Code Section 21000 et seq.)***

LAFCOs are subject to State environmental policies, procedures and public participation rules in environmental matters.

### ***CALIFORNIA REVENUE AND TAXATION CODE (Revenue & Taxation Code Section 99 et seq.)***

LAFCOs commence property tax negotiations among agencies affected by a change of organization and establish the amounts of property tax revenues to be distributed to new cities and districts.

NOTE: To access California Codes on the Internet go to [www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html) and follow the instructions for locating specific sections.

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## ***NEXT, THE COMMISSIONERS . . .***

LAFCO of Napa County is comprised of five regular and three alternate members. The Board of Supervisors appoints two regular members and one alternate from among its ranks. The City Selection Committee appoints two regular members and one alternate from the councils of the five cities in Napa County. A representative of the general public and an alternate (who may not be an officer or employee of the County of Napa or the cities and special districts in Napa County) are appointed by the regular county and city members. Alternate members - one in each category - are appointed whenever a regular member is absent or disqualified from participating. All members serve four-year terms.

Members of LAFCO of Napa County are:

*CITY MEMBERS*

Beth Painter, Vice-Chair  
Paul Dohring  
David Oro, *Alternate*

*PUBLIC MEMBERS*

Kenneth Leary, Chair  
Eve Kahn, *Alternate*

*COUNTY MEMBERS*

Anne Cottrell  
Belia Ramos  
Joelle Gallagher, *Alternate*

Regular meetings are at 2:00 PM on the first Monday of each even numbered month, in the Board of Supervisors Chambers in the Napa County Administration Building.

## ***. . . AND THE STAFF***

The Commission appointed Executive Officer conducts its day-to-day business, and prepares staff reports and recommendations on proposals submitted to LAFCO.

The Commission also appoints its legal counsel.

LAFCO of Napa County staff members are:

*EXECUTIVE OFFICER:*

Brendon Freeman

*STAFF ANALYST:*

Stephanie Pratt

*COMMISSION CLERK:*

Charlie Gray

*LEGAL ADVISOR:*

Gary Bell

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## ***REGULATORY POWERS AND DUTIES . . .***

As a ***regulatory agency*** LAFCO is charged by the State legislature with “discouraging urban sprawl and encouraging the orderly formation and development of local agencies” based on “local circumstances and conditions.” To meet its responsibilities, LAFCO reviews and approves or denies proposals to:

- Annex land to cities or special districts,
- Detach land from cities or special districts,
- Consolidate two or more cities or two or more special districts,
- Form new special districts and incorporate new cities,
- Dissolve special districts and disincorporate cities,
- Merge cities and special districts,
- Allow cities or special districts to provide services outside of their boundaries.

## ***SPHERES OF INFLUENCE . . .***

As a ***planning agency*** LAFCO is charged by the State Legislature with determining and updating at least every five years the “sphere of influence” of each city and district.

A sphere of influence is a plan for the probable physical boundaries and service area of a local agency. Determinations LAFCO must to consider in adopting spheres of influence include:

- The present and planned land uses, including agricultural and open space lands,
- The present and probable needs for public facilities and services in the area,
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide,
- The existence of any social or economic communities of interest in the area if the Commission determines that they area relevant to the agency.

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## ***AUTHORITY TO CONDUCT STUDIES AND INITIATE CHANGES . . .***

The Commission is authorized to inventory and study governmental agencies. In updating spheres of influence LAFCO must prepare Municipal Service Reviews of the affected local agencies.

Based upon the spheres of influence or special studies, the Commission may initiate proposals to consolidate special districts, merge a special district with a city, dissolve a special district, and establish a subsidiary district or any combination of these changes.

## ***FACTORS LAFCO MUST CONSIDER . . .***

While LAFCO cannot impose conditions that directly regulate land use or subdivision requirements it must consider specific factors when it reviews a proposal. These factors include but are not limited to:

- Land area and land use, topography, natural boundaries and drainage basins, population, population density and proximity to other populated areas,
- The likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years,
- The effect of the proposed action and of alternate actions on adjacent areas, mutual social and economic interests and the local governmental structure,
- The need for organized community services, the present cost and adequacy and probable future needs for governmental services and controls in the area,
- Probable effects of the proposal and of alternatives on the cost and adequacy of services and controls in the area and adjacent areas,
- The ability of the entity to provide services to the area, including the sufficiency of revenues for those services,
- The timely availability of water supplies adequate for projected needs,
- The extent to which the proposal will assist the entity in achieving its fair share of regional housing needs,
- Conformity with appropriate city or county general and specific plans and the sphere of influence of any local agency, which may be applicable to the proposal,

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- The definiteness and certainty of the boundaries of the territory, the non-conformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory and other similar matters affecting the proposed boundary,
  - The conformity of the proposal and anticipated effects with adopted Commission policies on providing planned, orderly efficient patterns of urban development.

## ***PERMITTED TERMS AND CONDITIONS . . .***

When it approves a proposal, LAFCO can apply various conditions. These include but are not limited to:

- Payment for the acquisition of existing property; levying or fixing and collection of special or extraordinary taxes, assessments or service charges for payment for acquired property,
- Disposition of responsibility for outstanding bonds or contractual obligations as well as the amount of responsibility,
- Formation of new improvement district(s) and annexations to or detachments from existing improvement district(s),
- Incurring of liability or bonded indebtedness on behalf of the territory annexed or the agency as a whole; issuance and sale of bonds,
- Acquisition, improvement, disposition, sale, transfer or division of property,
- Fixing the use or right-of-use in any public improvement, facility or property,
- Disposition of any office, department or board within the affected agency and determination of the rights of employees affected by a proposal,
- Designation of a successor agency to any agency being extinguished,
- Method for selecting the members for an agency formed or reorganized,
- Fixing the effective date for any change,
- Continuation or provision of any service provided or authorized by the agency,
- Levying a benefit assessment or the calling of an election to decide a special tax.

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## ***THE PUBLIC IS INVITED TO PARTICIPATE. . .***

LAFCO considers and decides public issues and its processes are open to the public.

All members of the public are welcome and encouraged to attend LAFCO meetings and comment during public hearings on proposals before the Commission.

LAFCO meetings are an excellent opportunity for citizens to familiarize themselves with land use, public service and interjurisdictional issues facing their county.

County residents may be appointed to serve as the public member of the Commission.

Information about the Commission, including notices of LAFCO meetings, staff reports, application materials and procedures are available on LAFCO's website:

**[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)**