



Local Agency Formation Commission of Napa County

Subdivision of the State of California

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

■ Beth Painter, Chair ■ Belia Ramos, Vice Chair ■ Anne Cottrell ■ Paul Dohring ■ Jeffrey Crosswhite
■ Joelle Gallagher, Alternate ■ Eve Kahn, Alternate ■ David Oro, Alternate ■ David Key, Interim EO

Administrative Office
1754 Second Street, Suite C
Napa, California 94559
Telephone: 707-259-8645
www.napa.lafco.ca.gov

REGULAR MEETING AGENDA

Monday, October 5, 2026, 2:00PM

County of Napa Administration Building

1195 Third Street, Board Chambers, 3rd Floor

Napa, California 94559

1. CALL TO ORDER BY CHAIR; ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. DISCLOSURES UNDER POLITICAL REFORM ACT / LEVINE ACT

4. APPROVAL OF AGENDA

The Chair will consider approving the Agenda as prepared by the Executive Officer with any requests to remove or rearrange items by members of the Commission or staff.

5. PUBLIC COMMENTS

The public may address the Commission concerning any matter not on the Agenda. The Commission is prohibited from discussing or taking action on any item not appearing on the posted Agenda.

6. CONSENT ITEMS

Action Items:

a) **Approval of Meeting Minutes:** August 3, 2026 Regular Meeting, August 27, 2027 Special Meeting, and September 21, 2026 Special Meeting

b) **Approval of Contract Amendment with AP Triton for the Countywide Fire and Emergency Medical Services Municipal Service Review**

c) **Approval of Legal Services Agreement Amendment with Renne Public Law Group**

The Commission will consider approving an amendment to the contract with Renne Public Law Group to increase the total maximum compensation from \$40,000 to \$150,000.

Receive Report for Information Only:

d) **Current and Future Proposals**

e) **Legislative Report**

7. PUBLIC HEARING ITEMS

Any member of the public may address the Commission with respect to a scheduled public hearing item.

a) **Consider Sphere of Influence Amendments Request Involving the City of American Canyon, the American Canyon Fire Protection District and the Hess-Laird Property**

The Commission will consider a landowner request to amend the City of American Canyon's sphere of influence and the American Canyon Fire Protection District's sphere of influence to include approximately 281.67 acres commonly referred to as the Hess-Laird Property (Assessor Parcel Number 057-090-065 and a substantial portion of Assessor Parcel Number 057-090-089) and identified on the submitted surveyor's description ("Sphere of Influence Amendments"). The Commission will be asked to find the Sphere of Influence Amendments are not subject to or are otherwise exempt from the California Environmental Quality Act for the reasons stated in the submitted resolutions.

8. ACTION ITEMS

Items calendared for action do not require a public hearing before consideration by the Commission. Applicants may address the Commission. Any member of the public may provide comments on an item.

9. EXECUTIVE OFFICER REPORT

10. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

11. CLOSED SESSIONS:

**(a) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code sections 54956.9(d)(2) & (3))**

Significant Exposure to Litigation: One potential case

Statements made during an open and public protest hearing on September 11, 2026 involving the Paoli Loop/Watson Lane Reorganization.

12. ADJOURNMENT TO NEXT SCHEDULED MEETING

Monday, December 7, 2026, at 2:00 P.M. at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.

MEETING INFORMATION

AGENDA ITEMS: The Commission may reschedule items on the Agenda. The Commission will generally hear uncontested matters first, followed by discussions of contested matters, and staff announcements in that order.

CONDUCT OF HEARINGS: A contested matter is usually heard as follows: (1) discussion of the staff report and any related environmental document(s); (2) testimony of proponent; (3) public testimony; (4) rebuttal by proponent; (5) provision of additional clarification by staff as required; (6) close of the public hearing; (7) Commission discussion and Commission vote.

ADDRESSING THE COMMISSION: The Local Agency Formation Commission (LAFCO) of Napa County welcomes and encourages participation in its meetings. Any person who wishes to address the Commission should move to the front of the chambers when an item is called and, when recognized by the Chair, state their name, address, and affiliation. Please attempt to make your statements concise and to the point. It is most helpful if you can cite facts to support your contentions. Groups of people with similar viewpoints should appoint a spokesperson to represent their views to the Commission. The Commission appreciates your cooperation in this matter.

PUBLIC COMMENT TIME LIMITS: The Commission will hear public comment prior to the consideration of any item. (1) A principal proponent will be allowed up to a 5-minute statement; (2) other proponents will be allowed up to a 3-minute statement; (3) opponents are allowed up to a 3-minute statement with the exception of spokespersons for any group who shall be permitted up to 5-minutes; (4) the principal proponent shall have up to a 3-minute rebuttal; (5) staff will provide clarification, as required.

SUBMITTING WRITTEN COMMENTS TO BE READ AT THE MEETING: Any member of the public may submit a written comment to the Commission before the meeting by email to info@napa.lafco.ca.gov or by mail to Napa LAFCO at 1754 Second Street, Suite C, Napa, CA 94559-2450. If you are commenting on a particular item on the Agenda, please identify the Agenda item number and letter. Any comments of 500 words or less (per person, per item) will be read into the record if: (1) the subject line includes “COMMENT TO COMMISSION – PLEASE READ”; and (2) it is received by the Commission prior to the deadline of **Friday, October 2, 2026, at 12:00 P.M.**

SUBMITTING SUPPLEMENTAL WRITTEN COMMENTS: Any member of the public may submit supplemental written comments to the Commission, beyond the 500-word limit for comments read into the record, and those supplemental written comments will be made a part of the written record.

VOTING: A quorum consists of three members of the Commission. No action or recommendation of the Commission is valid unless a majority of the quorum of the Commission concurs therein.

OFF AGENDA ITEMS: Matters under the jurisdiction of the Commission and not on the posted Agenda may be addressed by the public under “Public Comments” on the Agenda. The Commission limits testimony on matters not on the Agenda to 500-words or less for a particular subject. The Commission cannot take action on any unscheduled items.

SPECIAL NEEDS: Meetings are accessible to persons with disabilities. Requests for assistive listening devices or other considerations should be made 72 hours in advance through LAFCO staff at (707) 259-8645 or info@napa.lafco.ca.gov.

POLITICAL REFORM ACT: Pursuant to Government Code Sections 56700.1 and 81000 et seq., any person or combination of persons who directly or indirectly contributes \$1,000 or more or expends \$1,000 or more in support of or in opposition to a change of organization or reorganization that will be, or has been, submitted to LAFCO must comply, to the same extent as provided for local

initiative measures, with reporting and disclosure requirements of the California Political Reform Act of 1974. Additional information can be obtained by contacting the Fair Political Practices Commission. Pursuant to Government Code Section 84308, if you wish to participate in the proceedings indicated on this Agenda, you or your agent is prohibited from making a campaign contribution of \$500 or more to any Commissioner or Alternate Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until 12 months after a final decision is rendered by LAFCO. If you or your agent has made a contribution of \$500 or more to any Commissioner or Alternate Commissioner during the 12 months preceding the decision, that Commissioner or Alternate Commissioner must disqualify themselves from the decision in the proceeding. However, disqualification is not required if the Commissioner or Alternate Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings.

MEETING MATERIALS: Any writings or documents provided to a majority of the members of the Commission regarding any item on this Agenda after the posting of the Agenda and not otherwise exempt from disclosure will be made available for public review at www.napa.lafco.ca.gov or by contacting LAFCO staff at info@napa.lafco.ca.gov or call the LAFCO office at (707) 259-8645. If supplemental materials are made available to the members of the Commission at the meeting, a copy will be available for public review at www.napa.lafco.ca.gov. Staff reports are available online at <https://napa.lafco.ca.gov/2024-staff-reports> or upon request to LAFCO staff at info@napa.lafco.ca.gov or call the LAFCO office at (707) 259-8645.

VIEWING RECORDING OF MEETING: The Commission's meeting will be recorded. Members of the public may access the meeting and other archived Commission meetings by going to <https://napa.lafco.ca.gov/commission-meetings>. Please allow up to one week for production time. Meetings are also broadcast on Napa TV on the second and fourth Tuesdays of each month at 8pm and second and fourth Wednesdays at 1pm (<http://napavalleytv.org/channel-28>).



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

Agenda Item 6a (Consent/Action)

TO: Local Agency Formation Commission

PREPARED BY: Charlie Livingston, Commission Clerk *CL*

MEETING DATE: October 5, 2026

SUBJECT: Approval of Meeting Minutes: August 3, 2026 Regular Meeting
August 27, 2026 Special Meeting
September 21, 2026 Special Meeting

SUMMARY AND RECOMMENDATION

This is a consent item for formal action. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair.

The Commission will consider approving the draft meeting minutes prepared by staff for the August 3, 2026 regular meeting, included as Attachment 1, the August 27, 2026 special meeting, included as Attachment 2, and the September 21, 2026 special meeting, included as Attachment 3.

Staff recommends approval of draft meeting minutes.

ATTACHMENT

- 1) Draft Minutes for August 3, 2026 Regular Meeting
- 2) Draft Minutes for August 27, 2026 Special Meeting
- 3) Draft Minutes for September 21, 2026 Special Meeting

Beth Painter, Chair
Councilmember, City of Napa

Paul Dohring, Commissioner
Councilmember, City of St. Helena

David Oro, Alternate Commissioner
Councilmember, City of American Canyon

Belia Ramos, Vice Chair
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner
County of Napa Supervisor, 1st District

Jeffrey Crosswhite, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

David Key
Interim Executive Officer



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY REGULAR MEETING MINUTES OF MONDAY, AUGUST 3, 2026

1. WELCOME AND CALL TO ORDER; ROLL CALL

Chair called the regular meeting of August 3, 2026 to order at 2:01 PM.

At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioner	Staff
Beth Painter, Chair	Joelle Gallagher (<i>absent</i>)	Brendon Freeman, Executive Officer
Belia Ramos, Vice Chair	Eve Kahn (<i>voting</i>)	Gary Bell, Commission Counsel
Anne Cottrell	David Oro (<i>absent</i>)	Stephanie Pratt, Staff Analyst
Paul Dohring		Charlie Livingston, Commission Clerk
Jeffrey Crosswhite (<i>absent</i>)		

2. PLEDGE OF ALLEGIANCE

Chair Painter led the Pledge of Allegiance.

3. DISCLOSURES UNDER POLITICAL REFORM ACT/LEVINE ACT

4. APPROVAL OF AGENDA

The Chair approved the Agenda as prepared by the Executive Officer without any requests to remove or rearrange items by members of the Commission or staff.

5. PUBLIC COMMENTS

Chair Painter invited members of the audience to provide public comment at 2:04 PM.

Mike Despain (AP Triton): Submitted historical documentation and a rebuttal regarding Napa LAFCO's non-compliance letter. He committed to completing the project and expanding the scope as necessary.

Jim Hinton: Napa resident stated his opinion that the City of Napa should have a permanent seat on the Commission Board due to the size of the city and the number of resources it provides to the county.

6. CONSENT ITEMS

Action Items:

- a) Approval of Meeting Minutes: August 3, 2026 Regular Meeting
- b) Approval of Resolution Amending Conflict of Interest Code

Receive Report for Information Only:

- c) Draft Year-End Budget for Fiscal Year 2026-27
- d) Current and Future Proposals
- e) Legislative Report

Upon motion by Commissioner Dohring and second by Commissioner Cottrell, the Commission unanimously approved the consent items by the following vote:

VOTE:

AYES: PAINTER, RAMOS, COTTRELL, KAHN, DOHRING
NOES: NONE
ABSENT: CROSSWHITE
ABSTAIN: NONE

7. PUBLIC HEARING ITEMS

a) Consider Sphere of Influence Amendment Request Involving the Napa Sanitation District and Assessor Parcel Number 046-450-076

The Commission considered a sphere of influence amendment request involving the Napa Sanitation District and one unincorporated parcel totaling approximately 5.2 acres in size, located along Imola Avenue near Penny Lane, and identified as Assessor Parcel Number 046-450-076.

Chair Painter invited members of the audience to provide public comment at 2:19 PM.

Nicole Gordillo: 12 year member of the North Coast State Carpenters Union, in favor of the SOI amendment due to the potential of good jobs for local members.

Cody Young: Napa resident in opposition of the SOI amendment due to environmental factors and the preservation of open space.

Ingrid: In opposition of the SOI amendment due to the involvement of Skyline Wilderness Park land and urges property elsewhere to be considered for PEP building instead.

Peter Menzel: In opposition to the SOI amendment due to the involvement of Skyline Wilderness Park and its location far from services necessary to residents of PEP housing.

Hanna Stolarczyk: Napa resident in opposition to the SOI amendment due to this parcel consisting of land that has already been designated to Skyline Wilderness Park, believes this will conflict with Measure P.

Jim Wallen: VP of PEP Housing in favor of SOI amendment as it aligns with the county and state housing goals.

Audrey Schallon: Local high schooler, in opposition of the amendment and the idea of building on essential community property.

Chaim Potter: Napa resident in opposition of the SOI amendment due to the location as Skyline Wilderness Park is a part of the local community and there is no other place in the county that provides these same opportunities.

Ashley Terradista: Napa community member in opposition of the SOI amendment due to the community's need for this space and the county's ability to find an alternative space for affordable housing.

Ken Lambert: 35 year volunteer with the Napa and Solano Boy Scouts of America, in opposition to the SOI amendment as losing this space would be devastating, particularly to youth and families.

Lynn Wyman: Napa resident with a master's degree in Urban and Regional Planning, in opposition to the SOI amendment as the parcel brings in 20% of the funding for Skyline Wilderness Park.

Abigail Lorde: student at Vintage High School in opposition to the SOI amendment. Stated that housing in this location will take away more space and more opportunities for Napa's youth.

Kindle Lorde: Napa resident and homeowner in opposition of the SOI amendment because taking away this space would push out parents and families as there is no other outdoor alternative.

Sandra Shenk: In opposition to the SOI amendment. Wanted to emphasize the potential fire danger and limited ways to evacuate from this space were units built there.

Weijia Song: Representative for PEP housing in favor of the SOI amendment. Stated that there were inconsistencies in the staff report and that this site was in the county housing plan with the intention of being developed.

Michael Weinberg: Longtime Napa resident in opposition to the SOI amendment, cited it as an essential space for events such as JP's Backyard Ultra and parking for Bottle Rock.

Becca Bisconer: Napa native in opposition of the SOI amendment due to the location and its lack of proximity to necessary services.

Sandra Crosby: Napa resident and former teacher, in opposition to the SOI amendment due to the environmental impact that losing more of the Skyline Wilderness Park could have on the city and county.

Jim Hinton: In opposition to the SOI amendment, recommends putting affordable housing closer to city services and not in this location.

Everitt Philips: In favor of the SOI amendment, mentioned that the staff report did not mention the county housing element, which directly mentioned this parcel.

Craig Smith: Napa resident in opposition to the SOI amendment due to the location and that the protest was solely due to the involvement of parkland.

Celeste Mirassou: In opposition to the SOI amendment, stated that this parcel of Skyline Wilderness Park is essential to generating revenue that operates the entire park.

Sue Tredennick: Napa resident in opposition to the SOI amendment as this parcel was created by the finances and labors of volunteers and is currently self-supporting.

Neil Watter: 36-year Napa resident in opposition to the SOI amendment as Napa has one of the lowest percentages of parkland within Northern California and cannot afford to build on this parcel.

Cheryl Atkins: In opposition to the SOI amendment as Skyline Wilderness Park is essential for mental health reasons, the potential of water pollution and negative effects on wildlife, and the lack of space for housing and parking in this area.

Jake Ruyst: Local botanist and volunteer in Skyline Wilderness Park, speaking in opposition to the SOI amendment because this space is critical for local flora and fauna.

Marissa Carlisle: In opposition to the SOI amendment as the approval of connection to sanitation would be the steppingstone for the housing project to move forward and this is not the time or the right location.

Jay Bailinson: Napa resident since 1976 in opposition to the SOI amendment and wanted the Commission to consider the environmental impacts on the park as development will ruin the habitats of the animals already living there.

Ron Stradiotto: In opposition to the SOI amendment due to parcel being a pivotal spot of land.

Dalton Goo: Local realtor in opposition to the SOI amendment as this is an essential piece of land for horseback riding, mental health, and the motive of financial gain by the housing developers.

Greg Clark: Former Agricultural Commissioner of Napa County in opposition of the SOI amendment as he questions the appropriateness and intent of the proposal.

Tracy Woody: Penny Lane resident of over 30 years in opposition to the SOI amendment as Skyline Wilderness Park is essential to Napa, there is no adequate parking for a housing development in this area, the huge environmental impact, and the flood of noise and cars that would come.

John Hockley: Penny Lane resident in opposition of the SOI amendment.

Public comment for this item was closed at 3:32 PM.

Disclosures regarding this item included receipt of emails that are part of public record by Commissioner Cottrell, receipt of the same emails and a meeting with Executive Officer Freeman by Chair Painter, Commissioner Kahn being present at the original applicant meeting, and Vice Chair Ramos having had conversations with PEP Housing, Collective Operations, the Director of Housing and Human Services for the State of California, and the Assistant Director of Napa Sanitation.

Discussion Item: Housing Element Parcel Amendment

- **Vice Chair Ramos** opened the discussion, clarifying that inclusion in the housing element does not guarantee development and plans can be relocated if the site proves unfeasible. She stated the site is inconsistent with orderly growth and county lines and announced she would vote against the proposal.
- **Commissioner Kahn** agreed with Vice Chair Ramos, stating she would vote against the amendment because approving it before a plan is finalized would be premature.
- **Commissioner Cottrell** expressed hope that the community will assist in identifying appropriate affordable housing sites in the future. She noted that Measures J & P prohibit converting agricultural space to non-agricultural use without a public vote and stated she would not approve the amendment at this time.
- **Commissioner Dohring** agreed with the importance of respecting existing local Measures and stated he would vote no.
- **Chair Painter** closed the discussion, noting that significant questions remain unvetted, creating a "cart before the horse" situation. She stated that substantial work is required before any housing construction can begin and announced she would vote against the proposal.

Upon motion by Vice Chair Ramos and second by Commissioner Kahn, the Commission elected to deny the Sphere of Influence Amendment Request and send notification to the county, by the following vote:

VOTE:

AYES: PAINTER, RAMOS, COTTRELL, KAHN, DOHRING
NOES: NONE
ABSENT: CROSSWHITE
ABSTAIN: NONE

Chair Painter called for a comfort break at 4:00 PM and reconvened at 4:11 PM.

8. DISCUSSION ITEMS

a) Draft Municipal Service Review for the City of St. Helena

The Commission reviewed a draft Municipal Service Review for the City of St. Helena to discuss and provide feedback in anticipation of receiving a final copy for formal action at a future meeting.

Chair Painter invited members of the audience to provide public comment at 4:21 PM.

Jim McCann: Interim City Manager for the City of St. Helena. Understood the importance of the MSR and SOI and offered to meet with Executive Officer Freeman to provide updated information and direction that could assist the final version of the MSR.

Public comment was closed at 4:26.

The Commission provided feedback regarding some of the figures and maps within the report and directed Staff to review these pages for repair. It was also suggested by Commissioner Cottrell that history regarding the Agricultural Preserve be added. Executive Officer Freeman committed to additional work and analysis and reported final review would be scheduled for the December meeting.

9. ACTION ITEMS

a) Consider Approval of Amendment to the Policy on Unincorporated Islands

The Commission reviewed a proposed amendment to the Policy on Unincorporated Islands, drafted in collaboration with the Ad Hoc Policy Committee.

Upon motion by Commissioner Cottrell and second by Vice Chair Ramos, the Commission unanimously agreed to approve the amendment by the following vote

VOTE:

AYES: PAINTER, RAMOS, COTTRELL, KAHN, DOHRING

NOES: NONE

ABSENT: CROSSWHITE

ABSTAIN: NONE

b) Discuss a Draft MSR & SOI Work Plan for Fiscal Years 2026-27 & 2027-28 and Consider Scheduling a Strategic Planning Workshop

The Commission reviewed the Draft MSR & SOI Work Plan for the next two fiscal years. The MSR & SOI Ad Hoc Committee will meet prior to October to adjust the draft. The final baseline plan and a potential Strategic Planning Workshop will be placed on the October meeting agenda for discussion. No formal action was taken.

10. EXECUTIVE OFFICER REPORT

11. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

12. CLOSED SESSION: 5:10 PM

a) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code sections 54956.9(d)(2) & (3))

b) Conference with Legal Counsel; Initiation of Litigation – (Gov. Code, § 54956.9, subd. (d)(4).)

c) Public Employee Performance Evaluation – (Government Code Section 54957(b)(1))

d) Conference with Labor Negotiators – (Government Code Section 54957.6)

13. ADJOURNMENT at 6:22 PM TO NEXT SCHEDULED MEETING

Monday, October 5, 2026, at 2:00 P.M. at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.

 Beth Painter, LAFCO Chair

ATTEST:

 David Key, Interim Executive Officer

Prepared by:

 Charlie Livingston, Commission Clerk



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
SPECIAL MEETING MINUTES OF THURSDAY, AUGUST 27, 2026**

1. WELCOME AND CALL TO ORDER; ROLL CALL

Chair Painter called the special meeting of August 27, 2026 to order at 3:00 PM.

At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioner	Staff
Beth Painter, Chair	Joelle Gallagher	Brendon Freeman, Executive Officer
Belia Ramos, Vice Chair	Eve Kahn	Gary Bell, Commission Counsel
Anne Cottrell	David Oro	Stephanie Pratt, Staff Analyst
Paul Dohring		Charlie Livingston, Commission Clerk
Jeffrey Crosswhite		

2. PLEDGE OF ALLEGIANCE

Chair Painter led the Pledge of Allegiance.

3. DISCLOSURES UNDER POLITICAL REFORM ACT/LEVINE ACT

4. PUBLIC COMMENTS

Chair Painter invited members of the audience to provide public comment. There were no public comments.

5. ACTION ITEMS

a) Approval of Legal Services Agreement Amendment with Renne Public Law Group

The Commission considered approving an amendment to the Legal Services Agreement with Renne Public Law Group which would take the maximum compensation from the previously agreed upon \$20,000 to \$40,000. Commissioners expressed an interest in reviewing the itemized invoices going forward.

Upon motion by Commissioner Dohring and second by Commissioner Cottrell, the Commission unanimously approved the amendment by the following vote:

VOTE:

AYES: PAINTER, RAMOS, COTTRELL, CROSSWHITE, DOHRING

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

6. CLOSED SESSION: 3:08 PM

a) Public Employee Performance Evaluation (Gov. Code, § 54957.)

Title: Executive Officer

b) Conference with Legal Counsel; Initiation of Litigation – (Gov. Code, § 54956.9, subd. (d)(4).)

Number of Potential Cases: One

Meeting was reconvened at 3:58 PM. No reportable action.

14. ADJOURNMENT at 4:00 PM TO NEXT SCHEDULED MEETING

Monday, October 5, 2026, at 2:00 P.M. at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.

Beth Painter, LAFCO Chair

ATTEST:

David Key, Interim Executive Officer

Prepared by:

Charlie Livingston, Commission Clerk

DRAFT



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY SPECIAL MEETING MINUTES OF MONDAY, SEPTEMBER 21, 2026

1. WELCOME AND CALL TO ORDER; ROLL CALL

Chair Painter called the special meeting of September 21, 2026 to order at 3:01 PM.

At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioner	Staff
Beth Painter, Chair	Joelle Gallagher (<i>absent</i>)	Brendon Freeman, Executive Officer
Belia Ramos, Vice Chair	Eve Kahn (<i>voting until 3:06pm</i>)	Gary Bell, Commission Counsel
Anne Cottrell	David Oro	Stephanie Pratt, Staff Analyst
Paul Dohring		Charlie Livingston, Commission Clerk
Jeffrey Crosswhite (<i>3:06pm arrival</i>)		

2. PLEDGE OF ALLEGIANCE

Chair Painter led the Pledge of Allegiance.

3. DISCLOSURES UNDER POLITICAL REFORM ACT/LEVINE ACT

4. PUBLIC COMMENTS

Chair Painter invited members of the audience to provide public comment at 3:04 PM.

Sam Clerici: Requested information regarding the evaluation and selection process for the Executive Officer and Interim Executive Officer positions.

Joel Fennie: Spoke in support of the Executive Officer and requested transparency from the Commission.

Jim Hinton: Requested transparency regarding the discussion and reporting of personnel items from the previous Special Meeting.

Eaton Jeffords: Spoke in support of the Executive Officer retaining his position.

Chris Tholke: Commented on the Executive Officer's professionalism regarding a current application and expressed concerns regarding the timing of the personnel changes.

Leanne Tholke: Requested information regarding the authorization, delegation, and legal review of executive duties during the September 11, 2026 Conducting Authority Proceedings.

5. CLOSED SESSION: 3:20 PM

a) Public Employee Dismissal/Release (Gov. Code, § 54957.)

b) Public Employee Appointment (Gov. Code, § 54957.)

Meeting reconvened at 4:13 PM. General Counsel Gary Bell reported that the Commission voted 5-0 to dismiss Mr. Freeman from his appointment of Executive Officer and that the Commission voted 4-1, with Commissioner Dohring voting no, to appoint David Key as Interim Executive Officer.

6. ADJOURNMENT at 4:14 PM TO NEXT SCHEDULED MEETING

Monday, October 5, 2026, at 2:00 P.M. at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.

Beth Painter, LAFCO Chair

ATTEST:

David Key, Interim Executive Officer

Prepared by:

Charlie Livingston, Commission Clerk

DRAFT



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Agenda Item 6b (Consent/Action)

TO: Local Agency Formation Commission

FROM: David Key, Interim Executive Officer

MEETING DATE: October 5, 2026

SUBJECT: Amendment No. 1 to Professional Services Agreement with AP Triton, LLC for the Countywide Fire and Emergency Medical Services Municipal Service Review and Sphere of Influence Update

RECOMMENDATION

It is recommended that the Commission consider taking the following action:

1. Approve Amendment No. 1 to the Professional Services Agreement with AP Triton, LLC to expand the scope of services to include a 2024–2025 addendum and increase the maximum contract compensation limit by \$32,750, for a total not-to-exceed amount of \$176,468.

SUMMARY

The Commission is considering Amendment No. 1 to the Professional Services Agreement with AP Triton, LLC ("AP Triton"). The original agreement was executed on December 8, 2023, to prepare a Countywide Fire and Emergency Medical Services (EMS) Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for a maximum amount of \$143,718. The proposed amendment incorporates a revised scope of services set forth in AP Triton's September 9, 2026 proposal. This amendment extends the analytical baseline through the end of calendar year 2025 across all five participating fire agencies and increases total contract compensation by \$32,750 to a maximum not-to-exceed amount of \$176,468.

BACKGROUND

The history and background of the contract and its proposed modification are as follows:

- **Original Agreement (December 8, 2023):** Napa LAFCO entered into a Professional Services Agreement with AP Triton to perform a comprehensive Countywide Fire and EMS MSR and SOI Update. Brendon Freeman was designated as the Agreement Administrator, and Kurt Latipow was designated as AP Triton's Project Manager. The original scope encompassed baseline data collection, performance reviews, community risk assessments, and governance evaluations for all local fire service providers and EMS operations. The maximum contract amount was capped at \$143,718.00.

Beth Painter, Chair
Councilmember, City of Napa

Paul Dohring, Commissioner
Councilmember, City of St. Helena

David Oro, Alternate Commissioner
Councilmember, City of American Canyon

Belia Ramos, Vice Chair
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner
County of Napa Supervisor, 1st District

Jeffrey Crosswhite, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

David Key
Interim Executive Officer

- **Project Progression & Scope Evaluation (August–September 2026):** Following meetings between AP Triton leadership and LAFCO Counsel Gary Bell on August 10 and August 31, 2026, staff and the consultant evaluated the need to update baseline datasets to maintain the MSR as a durable, accurate planning tool. Initial baseline response datasets from 2022–2023 no longer reflected current field conditions due to significant operational and technological changes implemented countywide starting in late 2023.
- **Proposal for Revised Scope of Services (September 9, 2026):** AP Triton submitted a formal proposal to issue a 2024–2025 addendum to the report. To ensure parity across all participating agencies, AP Triton recommended applying these analytics consistently across all five fire service providers. AP Triton requested a contract amendment of \$32,750 and a schedule extension to complete this additional work stream.
- **Amendment No. 1 (September 28, 2026):** LAFCO staff drafted Amendment No. 1 to modify Section 3.1 (Scope of Services) to incorporate the September 9, 2026 proposal (Exhibit A-1) and modify Section 3.4 (Maximum Amount) to increase total allowable compensation to \$176,468.00. The amendment is prepared for execution by David Key, Interim Executive Officer.

ANALYSIS

Amendment No. 1 expands the consultant's scope of services and adjusts contract compensation based on the following key operational and analytical requirements:

- **Equal Application Across All Service Providers:** The revised scope applies updates across all five participating fire service entities in Napa County to maintain comparative validity: American Canyon Fire Protection District, Calistoga Fire Department, City of Napa Fire Department, St. Helena Fire Department, and Napa County Fire Department.
- **Key Work Streams Included in the Addendum:**
 - *Updated Performance Metrics & Analytics:* Extraction and parsing of turnout, dispatch, and travel time logs at the 90th percentile level, extending response time statistics through the end of the 2025 calendar year.
 - *Technological & Dispatch Integration:* Evaluation of the operational impact of the Tablet Command software adopted countywide in late 2023, which substantially altered turnout and notification workflows.
 - *Master Plan Alignment & Accomplishments:* Formal documentation of completed initiatives and structural improvements achieved by each participating department.
 - *Comprehensive Financial Revisions:* Integration of closed actuals for Fiscal Year 2024–2025 and adopted budgets for Fiscal Year 2025–2026, alongside recalibration of five-year Pro Formas, capital reserves, and ERAF funding outlooks.
- **Excluded Items:** AP Triton will not re-run GIS mapping, community risk analyses, or demographic profiles, as those foundational elements remain representative and valid.
- **Schedule & Deliverables:** AP Triton targets completing the updated analytics and distributing revised draft reports to all participating fire entities by December 2026.

Contract Terms: Except for the expanded scope of services and the increase in the Maximum Amount to \$176,468, all other terms and conditions of the December 8, 2023 Professional Services Agreement remain in full force and effect

ATTACHMENTS

- 1) December 8, 2023 Professional Services Agreement with AP Triton, LLC
- 2) September 9, 2026 AP Triton Proposal for Revised Scope of Services (Exhibit A-1)
- 3) Draft Amendment No. 1 to Professional Services Agreement

**PROFESSIONAL SERVICES AGREEMENT
FOR CONSULTANT SERVICES**

(LAFCO of Napa County /AP Triton, LLC)

1. IDENTIFICATION

This PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered into by and between the Local Agency Formation Commission of Napa County, a subdivision of the State of California (“LAFCO”), and AP Triton, a Wyoming Limited Liability Company registered to do business in the State of California, (“Consultant”) (collectively, “parties”).

2. RECITALS

- 2.1. LAFCO has determined that it requires the following professional services from a consultant: Countywide Fire and Emergency Medical Services (EMS) Municipal Service Review (MSR) and Sphere of Influence (SOI) Reviews.
- 2.2. Consultant represents that it is fully qualified to perform such professional services by virtue of its experience and the training, education and expertise of its principals and employees. Consultant further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in this Agreement.
- 2.3. Consultant represents that it has no known relationships with third parties, LAFCO Commission members, or employees of LAFCO which would (1) present a conflict of interest with the rendering of services under this Agreement under California Government Code section 1090, the Political Reform Act (Government Code section 81000 *et seq.*), or other applicable law, (2) prevent Consultant from performing the terms of this Agreement, or (3) present a significant opportunity for the disclosure of confidential information.
- 2.4. LAFCO has relied upon the professional ability and training of Consultant as a material inducement to enter into this Agreement. Consultant shall perform in accordance with generally accepted professional practices and standards as well as the requirements of applicable federal, state and local laws, it being understood that acceptance of Consultant’s work by LAFCO shall not operate as a waiver or release. Consultant represents and warrants to LAFCO that (a) it has all licenses, permits, qualifications, insurance and approvals of whatever nature which are legally required for Consultant to practice its profession, and (b) it shall, at its sole cost, keep in effect or obtain at all times during the term of this Agreement any licenses, permits, insurance and approvals which are legally required for Consultant to practice its profession. Consultant shall

indemnify and hold harmless LAFCO, its officers, agents, employees and volunteers from and against any and all claims or expenses caused or occasioned directly or indirectly by Consultant's failure to so perform.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions herein contained, LAFCO and Consultant agree as follows:

3. DEFINITIONS

- 3.1. "Scope of Services": Such professional services as are set forth in Consultant's September 8, 2023 proposal to LAFCO attached hereto as Exhibit A and incorporated herein by this reference.
- 3.2. "Agreement Administrator": The Agreement Administrator for this project is Brendon Freeman, Executive Officer. The Agreement Administrator shall be the principal point of contact at the LAFCO for this project. All services under this Agreement shall be performed at the request of the Agreement Administrator. The Agreement Administrator will establish the timetable for completion of services and any interim milestones. LAFCO reserves the right to change this designation upon written notice to Consultant.
- 3.3. "Approved Fee Schedule": Consultant's compensation rates are set forth in the fee schedule attached hereto as Exhibit A and incorporated herein by this reference. This fee schedule shall remain in effect for the duration of this Agreement unless modified in writing by mutual agreement of the parties.
- 3.4. "Maximum Amount": The highest total compensation and costs payable to Consultant by LAFCO under this Agreement. The Maximum Amount under this Agreement is One Hundred Forty Three Thousand Seven Hundred and Eighteen Dollars (\$143,718.00).
- 3.5. "Commencement Date": Upon execution of Agreement.
- 3.6. "Termination Date": Upon approval and adoption of Final Municipal Service Review & Sphere of Influence Study, by LAFCO Commission.

4. TERM

The term of this Agreement shall commence at 12:00 a.m. on the Commencement Date and shall expire at 11:59 p.m. on the Termination Date unless extended by written agreement of the parties or terminated earlier under Section 16 ("Termination") below. Consultant may request extensions

of time to perform the services required hereunder. Such extensions shall be effective if authorized in advance by LAFCO in writing and incorporated in written amendments to this Agreement.

5. CONSULTANT'S DUTIES

- 5.1. **Services.** Consultant shall perform the services identified in the Scope of Services. LAFCO shall have the right to request, in writing, changes in the Scope of Services. Any such changes mutually agreed upon by the parties, and any corresponding increase or decrease in compensation, shall be incorporated by written amendment to this Agreement.
- 5.2. **Coordination with LAFCO.** In performing services under this Agreement, Consultant shall coordinate all contact with LAFCO through its Agreement Administrator. All changes and/or extra work shall be performed and paid for in accordance with the following:
 - 5.2.1. Only the LAFCO Executive Officer or Commission may authorize extra and/or changed work. Consultant expressly recognizes that other LAFCO personnel are without authorization to either order extra and/or changed work or waive contract requirements. Failure of Consultant to secure the Commission's or LAFCO Executive Officer's authorization for such extra and/or changed work shall constitute a waiver of any and all right to adjustment in contract price due to such unauthorized work and Consultant thereafter shall be entitled to no compensation whatsoever for performance of such work.
 - 5.2.2. If Consultant is of the opinion that any work s/he has been directed to perform is beyond the scope of this Agreement and constitutes extra work, s/he shall promptly notify LAFCO of the fact. LAFCO shall make a determination as to whether or not such work is, in fact, beyond the scope of this Agreement and constitutes extra work. In the event that LAFCO determines that such work does constitute extra work, it shall provide extra compensation to Consultant on a fair and equitable basis. A Supplemental Agreement providing for such compensation for extra work shall be negotiated between LAFCO and Consultant. Such Supplemental Agreement shall be executed by Consultant and be approved by the LAFCO Executive Director.
 - 5.2.3. In the event LAFCO determines that such work does not constitute extra work, Consultant shall not be paid extra compensation above that provided herein and if such determination is made by LAFCO staff, said determination may be appealed to the LAFCO Commission as long as a

written appeal is submitted to the LAFCO Executive Director within five (5) days after the staff's determination is received by Consultant. Said written appeal shall include a description of each and every ground upon which Consultant challenges the staff's determination. The LAFCO Executive Director's or Commission's decision shall be final.

- 5.3. **Budgetary Notification.** Consultant shall notify the Agreement Administrator, in writing, when fees and expenses incurred under this Agreement have reached eighty percent (80%) of the Maximum Amount. Consultant shall concurrently inform the Agreement Administrator, in writing, of Consultant's estimate of total expenditures required to complete its current assignments before proceeding, when the remaining work on such assignments would exceed the Maximum Amount.
- 5.4. **Business License.** Consultant shall obtain and maintain in force a LAFCO business license for the duration of this Agreement.
- 5.5. **Professional Standards.** Consultant shall perform all work to the highest standards of Consultant's profession and in a manner reasonably satisfactory to LAFCO. Consultant shall keep itself fully informed of and in compliance with all local, state, and federal laws, rules, and regulations in any manner affecting the performance of this Agreement, including all Cal/OSHA requirements, the conflict-of-interest provisions of California Government Code section 1090 and the Political Reform Act (Government Code § 81000 et seq.).
- 5.6. **Campaign Contributions.** This Agreement is subject to Government Code section 84308, as amended by Senate Bill 1439. Consultant shall disclose any contribution to an elected or appointed LAFCO official's campaign or committee in an amount of more than two hundred fifty dollars (\$250) made within 12 months preceding the Commencement Date, by Consultant, its, her, or his agent, or another party affiliated with Consultant. Consultant shall provide a signed copy of the attached Campaign Contribution Disclosure Form to LAFCO prior to, or concurrent with, Consultant's execution of this Agreement and no later than the Commencement Date.
- 5.7. **Avoid Conflicts.** During the term of this Agreement, Consultant shall not perform any work for another person or entity for whom Consultant was not working at the Commencement Date if such work would present a conflict interfering with performance under this Agreement. However, LAFCO may consent in writing to Consultant's performance of such work.
- 5.8. **Appropriate Personnel.** Consultant has, or will secure at its own expense, all personnel required to perform the services identified in the Scope of Services. All such

- services shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such services. Kurt Latipow shall be Consultant's project administrator and shall have direct responsibility for management of Consultant's performance under this Agreement. No change shall be made in Consultant's project administrator without LAFCO's prior written consent.
- 5.9. **Prevailing Wages.** This Agreement is subject to the Prevailing Wage Laws, as more fully set forth in Section 8 (Prevailing Wages), for all work performed under this Agreement for which the payment of prevailing wages is required under state law. In particular, Consultant acknowledges that prevailing wage determinations are available for work performed under this Agreement.
- 5.10. **Substitution of Personnel.** Any persons named in the proposal or Scope of Services constitutes a promise to LAFCO that those persons will perform and coordinate their respective services under this Agreement. Should one or more of such personnel become unavailable, Consultant may substitute other personnel of at least equal competence upon written approval of LAFCO. If LAFCO and Consultant cannot agree as to the substitution of key personnel, LAFCO may terminate this Agreement for cause.
- 5.11. **Permits and Approvals.** Consultant shall obtain, at its sole cost and expense, all permits and regulatory approvals necessary, if any, for Consultant's performance of this Agreement including, but not limited to, professional licenses and permits.
- 5.12. **Notification of Organizational Changes.** Consultant shall notify the Agreement Administrator, in writing, of any change in name, ownership or control of Consultant's firm or of any subconsultant. Change of ownership or control of Consultant's firm may require an amendment to this Agreement.
- 5.13. **Inspection Services.** In the event Consultant will perform inspection services, LAFCO or authorized representatives of LAFCO shall have the right to inspect the work of such services whenever such representatives may deem such inspection to be desirable or necessary. Inspections by LAFCO do not in any way relieve or minimize the responsibility of Consultant to conduct the inspections Consultant has expressly agreed to perform pursuant to this agreement. Consultant shall be solely liable for said inspections performed by Consultant. Consultant shall certify in writing to LAFCO as to the completeness and acceptability of each inspection of improvement or construction which Consultant agrees to inspect hereunder.
- 5.14. **Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to

charges for services or expenditures and disbursements charged to LAFCO under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to Consultant under this Agreement. All such documents shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of LAFCO. In addition, pursuant to California Government Code section 8546.7, if the amount of public funds expended under this Agreement exceeds ten thousand dollars, all such documents and this Agreement shall be subject to the examination and audit of the State Auditor, at the request of LAFCO or as part of any audit of LAFCO, for a period of three (3) years after final payment under this Agreement.

6. SUBCONTRACTING

- 6.1. **General Prohibition.** This Agreement covers professional services of a specific and unique nature. Except as otherwise provided herein, Consultant shall not assign or transfer its interest in this Agreement or subcontract any services to be performed without amending this Agreement.
- 6.2. **Consultant Responsible.** Consultant shall be responsible to LAFCO for all services to be performed under this Agreement.
- 6.3. **Identification in Fee Schedule.** All subconsultants shall be specifically listed and their billing rates identified in the Approved Fee Schedule, Exhibit A. Any changes must be approved by the Agreement Administrator in writing as an amendment to this Agreement.
- 6.4. **Compensation for Subconsultants.** LAFCO shall pay Consultant for work performed by its subconsultants, if any, only at Consultant's actual cost plus an approved mark-up as set forth in the Approved Fee Schedule, Exhibit A. Consultant shall be liable and accountable for any and all payments, compensation, and federal and state taxes to all subconsultants performing services under this Agreement. LAFCO shall not be liable for any payment, compensation, or federal and state taxes for any subconsultants.

7. COMPENSATION

- 7.1. **General.** LAFCO agrees to compensate Consultant for the services provided under this Agreement and Consultant agrees to accept payment in accordance with the Approved Fee Schedule, Exhibit A in full satisfaction for such services. Compensation shall not exceed the Maximum Amount. Consultant shall not be reimbursed for any expenses unless provided for in this Agreement or authorized in writing by LAFCO in advance.

- 7.2. **Invoices.** Consultant shall submit to LAFCO an invoice, on a monthly basis or as otherwise agreed to by the Agreement Administrator, for services performed pursuant to this Agreement. Each invoice shall identify the Maximum Amount, the services rendered during the billing period, the amount due for the invoice, and the total amount previously invoiced. Invoice detail requirements are more particularly described in Exhibit A.
- 7.3. **Taxes.** LAFCO shall not withhold applicable taxes or other payroll deductions from payments made to Consultant except as otherwise required by law. Consultant shall be solely responsible for calculating, withholding, and paying all taxes.
- 7.4. **Disputes.** The parties agree to meet and confer at mutually agreeable times to resolve any disputed amounts contained in an invoice submitted by Consultant.
- 7.5. **Additional Work.** Consultant shall not be reimbursed for any expenses incurred for work performed outside the Scope of Services unless prior written approval is given by LAFCO through a fully executed written amendment. Consultant shall not undertake any such work without prior written approval of LAFCO.
- 7.6. **LAFCO Satisfaction as Precondition to Payment.** Notwithstanding any other terms of this Agreement, no payments shall be made to Consultant until LAFCO is satisfied that the services are satisfactory.
- 7.7. **Right to Withhold Payments.** If Consultant fails to provide a deposit or promptly satisfy an indemnity obligation described in Section 11, LAFCO shall have the right to withhold payments under this Agreement to offset that amount.

8. PREVAILING WAGES

Consultant is aware of the requirements of California Labor Code section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, section 16000, et seq., (“Prevailing Wage Laws”), which require the payment of prevailing wage rates and the performance of other requirements on certain “public works” and “maintenance” projects including, but not limited to, the design and preconstruction phases of a covered public works project. Consultant shall defend, indemnify, and hold LAFCO, its elected officials, officers, employees, and agents free and harmless from any claim or liability arising out of any failure or alleged failure of Consultant to comply with the Prevailing Wage Laws.

9. OWNERSHIP OF WRITTEN PRODUCTS

All reports, documents or other written material, including without limitation copies thereof, digital originals, and digital copies (“written products” herein) developed by Consultant in the performance of this Agreement shall be and remain the property of LAFCO without restriction or limitation upon its use or dissemination by LAFCO except as provided by law. Consultant may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by Consultant.

10. RELATIONSHIP OF PARTIES

- 10.1. **General.** Consultant is, and shall at all times remain as to LAFCO, a wholly independent contractor.
- 10.2. **No Agent Authority.** Consultant shall have no power to incur any debt, obligation, or liability on behalf of LAFCO or otherwise to act on behalf of LAFCO as an agent. Consultant, its officers, employees and agents shall not have any power to bind or commit LAFCO to any decision or course of action, and Consultant, its officers, employees and agents shall not represent to any person or party that it or they are acting as agents of LAFCO or that it or they have the power to bind or commit LAFCO. Neither LAFCO nor any of its agents shall have control over the conduct of Consultant or any of Consultant’s employees, except as set forth in this Agreement. Consultant shall not represent that it is, or that any of its agents or employees are, in any manner employees of LAFCO.
- 10.3. **Independent Contractor Status.** Under no circumstances shall Consultant or its employees look to LAFCO as an employer. Consultant shall not be entitled to any benefits. LAFCO makes no representation as to the effect of this independent contractor relationship on Consultant’s previously earned California Public Employees Retirement System (“CalPERS”) retirement benefits, if any, and Consultant specifically assumes the responsibility for making such a determination. Consultant shall be responsible for all reports and obligations including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers’ compensation, and other applicable federal and state taxes.
- 10.4. **Indemnification of CalPERS Determination.** In the event that Consultant or any employee, agent, or subconsultant of Consultant providing services under this Agreement claims or is determined by a court of competent jurisdiction or CalPERS to be eligible for enrollment in CalPERS as an employee of LAFCO, Consultant shall indemnify, defend, and hold harmless LAFCO for the payment of any employee and/or employer contributions for CalPERS benefits on behalf of Consultant or its employees, agents, or subconsultants, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of LAFCO.

11. INDEMNIFICATION

- 11.1. **Definitions.** For purposes of this Section 11, “Consultant” shall include Consultant, its officers, employees, servants, agents, or subconsultants, or anyone directly or indirectly employed by either Consultant or its subconsultants, in the performance of this Agreement. “LAFCO” shall include LAFCO, its officers, agents, employees and volunteers.
- 11.2. **Consultant to Indemnify LAFCO.** To the fullest extent permitted by law, Consultant shall indemnify, hold harmless, and defend LAFCO from and against any and all claims, losses, costs, liability or expenses for any personal injury or property damage where the same arise out of, are in connection with, are a consequence of, or are in any way attributable to, in whole or in part, (i) Consultant’s alleged negligence, recklessness or willful misconduct, (ii) other wrongful acts, errors or omissions of Consultant, or (iii) Consultant’s performance under this Agreement or failure to comply with any provision in this Agreement. LAFCO’s right to indemnity under this Agreement shall arise immediately upon the occurrence of the event giving rise to the indemnified liability. LAFCO shall be entitled to a defense under this Agreement immediately upon the institution of a claim or action that is covered by this indemnity, even though liability for said claim or action has not yet been determined at the time the duty to defend LAFCO hereunder has arisen.
- 11.3. **Scope of Indemnity.** Personal injury shall include injury or damage due to death or injury to any person. Property damage shall include injury to any personal or real property. Consultant shall not be required to indemnify LAFCO for such loss or damage as is caused by the active negligence, sole negligence, or willful misconduct of LAFCO.
- 11.4. **Attorneys’ Fees.** Such costs and expenses shall include reasonable attorneys’ fees for counsel of LAFCO’s choice, expert fees and all other costs and fees of litigation. Consultant shall not be entitled to any refund of attorneys’ fees, defense costs or expenses in the event that it is adjudicated to have been non-negligent.
- 11.4.1. **Attorneys’ Fees in Enforcing Indemnity.** Attorneys’ fees and litigation expenses incurred in any action brought to enforce the indemnification provision set forth herein shall be recoverable by the prevailing party.
- 11.5. **Defense Deposit.** LAFCO may request a deposit for defense costs from Consultant with respect to a claim. If LAFCO requests a defense deposit, Consultant shall provide it within 15 days of the request.

- 11.6. **Waiver of Statutory Immunity.** The obligations of Consultant under this Section 11 are not limited by the provisions of any workers' compensation act or similar act. Consultant expressly waives its statutory immunity under such statutes or laws as to LAFCO.
- 11.7. **Indemnification by Subconsultants.** Consultant agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this Section 11 from each and every subconsultant or any other person or entity involved in the performance of this Agreement on Consultant's behalf.
- 11.8. **Insurance Not a Substitute.** LAFCO does not waive any indemnity rights by accepting any insurance policy or certificate required pursuant to this Agreement. Consultant's indemnification obligations apply regardless of whether or not any insurance policies are determined to be applicable to the claim, demand, damage, liability, loss, cost or expense.

12. INSURANCE

- 12.1. **Insurance Required.** Consultant shall maintain insurance as described in this Section and shall require all of its subconsultants, consultants, and other agents to do the same. Approval of the insurance by LAFCO shall not relieve or decrease any liability of Consultant. Any requirement for insurance to be maintained after completion of the work shall survive this Agreement.
- 12.2. **Documentation of Insurance.** LAFCO will not execute this Agreement until it has received a complete set of all required documentation of insurance coverage. However, failure to obtain the required documents prior to the work beginning shall not waive Consultant's obligation to provide them. Consultant shall file with LAFCO:
- Certificate of Insurance, indicating companies acceptable to LAFCO, with a Best's Rating of no less than A:VII showing. The Certificate of Insurance must include the following reference Countywide Fire and Emergency Medical Services (EMS) Municipal Service Review (MSR) and Sphere of Influence (SOI) Reviews.
 - Documentation of Best's rating acceptable to the LAFCO.
 - Original endorsements effecting coverage for all policies required by this Agreement.
- 12.3. **Coverage Amounts.** Insurance coverage shall be at least in the following minimum amounts:

- Professional Liability Insurance: \$3,000,000 per occurrence,
\$3,000,000 aggregate
- General Liability:
 - General Aggregate: \$4,000,000
 - Products Comp/Op Aggregate \$1,000,000
 - Personal & Advertising Injury \$1,000,000
 - Each Occurrence \$2,000,000
 - Fire Damage (any one fire) \$ 50,000
 - Medical Expense (any 1 person) \$ 5,000
- Excess Liability: \$2,000,000 per occurrence
and aggregate
- Workers' Compensation:
 - Workers' Compensation Statutory Limits
 - EL Each Accident \$1,000,000
 - EL Disease - Policy Limit \$1,000,000
 - EL Disease - Each Employee \$1,000,000

Any available insurance proceeds broader than or in excess of the specified minimum insurance coverage requirements or limits shall be available to the additional insured. Furthermore, the requirements for coverage and limits shall be the greater of (1) the minimum coverage and limits specified in this Agreement, or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured.

12.4. **General Liability Insurance.** Commercial General Liability Insurance shall be no less broad than Insurance Services Office (ISO) Form CG 00 01. Coverage must be on a standard Occurrence form. Claims-Made, modified, limited or restricted Occurrence forms are not acceptable.

12.5. **Worker's Compensation Insurance.** Consultant is aware of the provisions of section 3700 of the California Labor Code which requires every employer to carry Workers' Compensation (or to undertake equivalent self-insurance), and Consultant will comply with such provisions before commencing the performance of the work of this Agreement. If such insurance is underwritten by any agency other than the State Compensation Fund, such agency shall be a company authorized to do business in the State of California.

- 12.6. **Liability Insurance.** Covered vehicles shall include all vehicles used in connection with the performance of this Agreement, including owned, non-owned, and hired automobiles and trucks using ISO Business Auto Coverage form CA 00 01 (or equivalent).
- 12.7. **Professional Liability Insurance or Errors & Omissions Coverage.** The deductible or self-insured retention may not exceed \$50,000. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work. Coverage shall be continued for two years after the completion of the work by one of the following: (1) renewal of the existing policy; (2) an extended reporting period endorsement; or (3) replacement insurance with a retroactive date no later than the commencement of the work under this Agreement. In the event Consultant's policy is a "claims made" policy only covering those claims made during the policy period, then Consultant agrees to maintain the professional liability insurance required hereunder and with respect to this project in effect for at least three (3) years after acceptance of the work.
- 12.8. **Claims-Made Policies.** If any of the required policies provide coverage on a claims-made basis the Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work. Claims-Made Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, Consultant must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.
- 12.9. **Additional Insured Endorsements.** LAFCO, its Commissioners, officials, officers, and employees must be endorsed as an additional insured for each policy required herein, other than Professional Errors and Omissions and Worker's Compensation, for liability arising out of ongoing and completed operations by or on behalf of the Consultant. The LAFCO must be named as an additional insured for Auto Insurance policies for ongoing operations. Consultant's insurance policies shall be primary as respects any claims related to or as the result of Consultant's work. Any insurance, pooled coverage or self-insurance maintained by LAFCO, its elected or appointed officials, directors, officers, agents, employees, volunteers, or consultants shall be non-contributory. All endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. General liability coverage can be provided using an endorsement to Consultant's insurance at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10 and CG 20 37.

- 12.10. **Failure to Maintain Coverage.** In the event any policy is canceled prior to the completion of the project and Consultant does not furnish a new certificate of insurance prior to cancellation, LAFCO has the right, but not the duty, to obtain the required insurance and deduct the premium(s) from any amounts due Consultant under this Agreement. Failure of Consultant to maintain the insurance required by this Agreement, or to comply with any of the requirements of this Section, shall constitute a material breach of this Agreement.
- 12.11. **Notices.** Consultant shall provide immediate written notice if (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; (3) or the deductible or self-insured retention is increased. Consultant shall provide no less than 30 days' notice of any cancellation or material change to policies required by this Agreement. Consultant shall provide proof that cancelled or expired policies of insurance have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least two weeks prior to the expiration of the coverages. The name and address for Additional Insured Endorsements, Certificates of Insurance and Notices of Cancellation is: LAFCO of Napa County, Attn: Brendon Freeman, 1754 Second Street, Suite C, Napa, CA 94559.
- 12.12. **Consultant's Insurance Primary.** The insurance provided by Consultant, including all endorsements, shall be primary to any coverage available to LAFCO. Any insurance or self-insurance maintained by LAFCO and/or its officers, employees, agents or volunteers, shall be in excess of Consultant's insurance and shall not contribute with it.
- 12.13. **Waiver of Subrogation.** Consultant hereby waives all rights of subrogation against LAFCO. Consultant shall additionally waive such rights either by endorsement to each policy or provide proof of such waiver in the policy itself.
- 12.14. **Report of Claims to LAFCO.** Consultant shall report to LAFCO, in addition to Consultant's insurer, any and all insurance claims submitted to Consultant's insurer in connection with the services under this Agreement.
- 12.15. **Premium Payments and Deductibles.** Consultant must disclose all deductibles and self-insured retention amounts to LAFCO. LAFCO may require Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within retention amounts. Ultimately, LAFCO must approve all such amounts prior to execution of this Agreement.

LAFCO has no obligation to pay any premiums, assessments, or deductibles under any policy required in this Agreement. Consultant shall be responsible for all premiums and

deductibles in all of Consultant's insurance policies. The amount of deductibles for insurance coverage required herein are subject to LAFCO's approval.

- 12.16. **Duty to Defend and Indemnify.** Consultant's duties to defend and indemnify LAFCO under this Agreement shall not be limited by the foregoing insurance requirements and shall survive the expiration or termination of this Agreement.

13. MUTUAL COOPERATION

- 13.1. **LAFCO Cooperation in Performance.** LAFCO shall provide Consultant with all pertinent data, documents and other requested information as is reasonably available for the proper performance of Consultant's services under this Agreement.
- 13.2. **Consultant Cooperation in Defense of Claims.** If any claim or action is brought against LAFCO relating to Consultant's performance in connection with this Agreement, Consultant shall render any reasonable assistance that LAFCO may require in the defense of that claim or action.

14. NOTICES

Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (i) the day of delivery if delivered by hand, facsimile or overnight courier service during Consultant's and LAFCO's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the parties may, from time to time, designate in writing); or (iii) the day of delivery if emailed to the email address listed below and simultaneously deposited in the U.S. mail, postage prepaid, to the address(es) listed below (or to such other addresses as the parties may, from time to time, designate in writing).

If to LAFCO

Brendon Freeman, Executive Officer
LAFCO of Napa County
1754 Second Street, Suite C
Napa, CA 94559
Telephone: 707-259-8645

Email: bfreeman@napa.lafco.ca.gov

If to Consultant:

Kurt Henke
AP Triton, LLC
1309 Coffeen Avenue, Suite 3178
Telephone: 833-251-5834
Email: khenke@aptriton.com

With courtesy copy to:

Gary B. Bell
 LAFCO Counsel
 Colantuono, Highsmith & Whatley, PC
 333 University Avenue, Suite 200
 Sacramento, CA 95825
 Phone (916) 400-0370
 Email: gbell@chwlaw.us

15. SURVIVING COVENANTS

The parties agree that the covenants contained in Section 5.14 (Records), Section 10.4 (Indemnification of CalPERS Determination), Section 11 (Indemnification), Section 12.8 (Claims-Made Policies), Section 13.2 (Consultant Cooperation in Defense of Claims), and Section 18.1 (Confidentiality) of this Agreement shall survive the expiration or termination of this Agreement, subject to the provisions and limitations of this Agreement and all otherwise applicable statutes of limitations and repose.

16. TERMINATION

- 16.1. **LAFCO Termination.** LAFCO may, in its sole and unfettered discretion and without cause, terminate this Agreement at any time prior to completion by Consultant of the services required. Notice of Termination of this Agreement shall be given in writing to Consultant and shall be sufficient and complete when same is emailed to Consultant and simultaneously deposited in the United States mail postage prepaid and certified, addressed as set forth in Section 14 of this Agreement. The Agreement shall be terminated upon receipt of the Notice of Termination by Consultant. If LAFCO should terminate this Agreement, Consultant shall be compensated for all work satisfactorily performed prior to time of receipt of termination notice, and shall be compensated for materials ordered by Consultant or his/her employees, or services of others ordered by Consultant or his/her employees prior to receipt of Notice of Termination whether or not such materials or final instruments of services of others have actually been delivered, provided that Consultant or its employees are not able to cancel such orders for materials or services of others. Compensation for Consultant in the event of termination by LAFCO shall be determined by the Executive Officer in accordance with the percentage of project completed. In the event that this Agreement is terminated pursuant to this Section 16.1, Consultant shall not be entitled to any additional compensation over that provided herein; nor shall Consultant be entitled to payment for any alleged damages or injuries (including lost opportunity damages) purportedly caused by the termination of this Agreement by LAFCO pursuant hereto.

- 16.2. **Consultant Termination.** Consultant may terminate this Agreement upon thirty (30) days written notice to LAFCO only for good cause. Consultant's written notice of termination shall contain a full explanation of the facts and circumstances constituting good cause. In the event of termination, all notes, sketches, computations, drawings and specifications, or other data, whether complete or not, produced through the time of LAFCO's last payment shall be relinquished to LAFCO. LAFCO may, at its own expense, make copies or extract information from any such notes, sketches, computations, drawings, and specifications, or other data whether complete or not.
- 16.3. **Consultant Failure to Perform.** Should Consultant fail to perform any of its obligations hereunder, within the time and in the manner provided or otherwise violate any of the terms of this Agreement, LAFCO may terminate this Agreement by giving written notice of such termination, stating the reasons for such termination in such event. Consultant shall be compensated as above, provided, however, there shall be deducted from such amount the amount of damage if any, sustained by LAFCO by virtue of Consultant's breach of this Agreement.
- 16.4. **Compensation Following Termination.** Upon termination, Consultant shall be paid based on the work satisfactorily performed at the time of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the services required by this Agreement. LAFCO shall have the benefit of such work as may have been completed up to the time of such termination.
- 16.5. **Remedies.** LAFCO retains any and all available legal and equitable remedies for Consultant's breach of this Agreement.

17. INTERPRETATION OF AGREEMENT

- 17.1. **Governing Law.** This Agreement shall be governed and construed in accordance with the laws of the State of California.
- 17.2. **Integration of Exhibits.** All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement. In the event of any material discrepancy between the express provisions of this Agreement and the provisions of any document incorporated herein by reference, the provisions of this Agreement shall prevail. This instrument contains the entire Agreement between LAFCO and Consultant with respect to the transactions contemplated herein. No other prior oral or written agreements are binding upon the parties. Amendments hereto or deviations here from shall be effective and binding only if made in writing and executed on by LAFCO and Consultant.

- 17.3. **Headings.** The headings and captions appearing at the commencement of the Sections hereof, and in any paragraph thereof, are descriptive only and for convenience in reference to this Agreement. Should there be any conflict between such heading, and the Section or Subsection thereof at the head of which it appears, the language of the Section or Subsection shall control and govern in the construction of this Agreement.
- 17.4. **Pronouns.** Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular form and vice versa, in any place or places herein in which the context requires such substitution(s).
- 17.5. **Severability.** If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and solely to the extent necessary to, cure such invalidity or unenforceability, and shall be enforceable in its amended form. In such event, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
- 17.6. **No Presumption Against Drafter.** Each party had an opportunity to consult with an attorney in reviewing and drafting this agreement. Any uncertainty or ambiguity shall not be construed for or against any party based on attribution of drafting.

18. GENERAL PROVISIONS

- 18.1. **Confidentiality.** All data, documents, discussion, or other information developed or received by Consultant for performance of this Agreement are deemed confidential and Consultant shall not disclose it without prior written consent by LAFCO. LAFCO shall grant such consent if disclosure is legally required. All LAFCO data shall be returned to LAFCO upon the termination or expiration of this Agreement except as noted in Sections 5 and 9, above.
- 18.2. **Conflicts of Interest.** Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Consultant further agrees to file, or shall cause its employees or subconsultant to file, a Statement of Economic Interest with LAFCO's Filing Officer if required under state law in the performance of the services. For breach or violation

- of this warranty, LAFCO shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer, or employee of LAFCO, during the term of his or her service with LAFCO, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.
- 18.3. **Non-assignment.** Consultant shall not delegate, transfer, subcontract or assign its duties or rights hereunder, either in whole or in part, without LAFCO's prior written consent, and any attempt to do so shall be void and of no effect. LAFCO shall not be obligated or liable under this Agreement to any party other than Consultant.
 - 18.4. **Binding on Successors.** This Agreement shall be binding on the successors and assigns of the parties.
 - 18.5. **No Third-Party Beneficiaries.** Except as expressly stated herein, there is no intended third-party beneficiary of any right or obligation assumed by the parties.
 - 18.6. **Time of the Essence.** Time is of the essence for each and every provision of this Agreement.
 - 18.7. **Non-Discrimination.** Consultant shall not discriminate against any employee or applicant for employment because of race, sex (including pregnancy, childbirth, or related medical condition), creed, national origin, color, disability as defined by law, disabled veteran status, Vietnam veteran status, religion, age (40 and above), medical condition (cancer-related), marital status, ancestry, or sexual orientation. Employment actions to which this provision applies shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; or in terms, conditions or privileges of employment, and selection for training. Consultant agrees to post in conspicuous places, available to employees and applicants for employment, the provisions of this nondiscrimination clause.
 - 18.8. **Waiver.** No provision, covenant, or condition of this Agreement shall be deemed to have been waived by LAFCO or Consultant unless in writing signed by one authorized to bind the party asserted to have consented to the waiver. The waiver by LAFCO or Consultant of any breach of any provision, covenant, or condition of this Agreement shall not be deemed to be a waiver of any subsequent breach of the same or any other provision, covenant, or condition.
 - 18.9. **Excused Failure to Perform.** Consultant shall not be liable for any failure to perform if Consultant presents acceptable evidence, in LAFCO's sole judgment, that such

failure was due to causes beyond the control and without the fault or negligence of Consultant.

- 18.10. **Remedies Non-Exclusive.** Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance from the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any or all of such other rights, powers or remedies.
- 18.11. **Attorneys' Fees.** If legal action shall be necessary to enforce any term, covenant or condition contained in this Agreement, each party shall pay its own costs, including any accountants' and attorneys' fees expended in the action.
- 18.12. **Venue.** The venue for any litigation shall be in the Superior Court of California for the County of Napa. Consultant hereby consents to jurisdiction in that court for purposes of resolving any dispute or enforcing any obligation arising under this Agreement.
- 18.13. **Counterparts; Electronic Signatures.** This Agreement may be signed in one or more counterparts, each of which shall be deemed an original, but all of which together shall be deemed one and the same instrument. The parties acknowledge and agree that this Agreement may be executed by electronic signature, which shall be considered as an original signature for all purposes and shall have the same force and effect as an original signature. Without limitation, "electronic signature" shall include faxed or emailed versions of an original signature, electronically scanned and transmitted versions (e.g., via pdf) of an original signature, or a digital signature.

[Signatures on following page]

TO EFFECTUATE THIS AGREEMENT, the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

“LAFCO”

Local Agency Formation Commission of
Napa County

By: _____
Signature

Printed: _____

Title: _____

Date: _____

“Consultant”

AP Triton, LLC

By: _____
Signature

Printed: _____

Title: _____

Date: _____

Approved as to form:

By: _____
Gary B. Bell, LAFCO Counsel

CAMPAIGN CONTRIBUTION DISCLOSURE PROVISIONS

LAFCOs are subject to the campaign disclosure provisions detailed in Government Code section 84308.

Please carefully read the following information to determine if the provisions apply to you. If you determine that the provisions are applicable, this Campaign Disclosure Form must be completed and returned to the LAFCO with your application.

1. No LAFCO Commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party¹ or party's agent² during the pendency of your application and for 12 months after the date a final decision is rendered by the LAFCO. This prohibition commences when your application has been filed or the proceeding is otherwise initiated.
2. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 made to any Commissioner by the party or party's agent during the 12 months preceding the proceeding. No party or party's agent to a LAFCO proceeding shall make a contribution to a Commissioner while the application is pending, during the proceeding, and for 12 months following the date a final decision is rendered by the LAFCO.
3. Prior to considering your application, any Commissioner who received a contribution of more than \$250 within the 12 months preceding the commencement of the proceedings on your application from any party or party's agent, shall disclose that fact on the record of the proceeding and shall be disqualified from participating in the proceeding. However, if any Commissioner receives a contribution that otherwise would require disqualification and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, that Commissioner shall be permitted to participate in the proceeding.

To determine whether a campaign contribution of more than \$250 has been made by you or your agent to a Commissioner within the preceding 12 months, all contributions made by you or your agent during that period must be aggregated.

¹ "Party" is defined as any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.

² "Agent" is defined as a person who represents a party in connection with a proceeding. If an individual acting as an agent also is acting as an employee or member of a law, architectural, engineering, or consulting firm, or a similar entity or corporation, both the individual and the entity or corporation are agents. When a closed corporation is a party to a proceeding, the majority shareholder is subject to these provisions.

Names of current LAFCO Commissioners are available on the LAFCO's website. If you have questions about Government Code section 84308, FPPC regulations, or the Campaign Disclosure Form, please contact the LAFCO Clerk.

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

(a) Application for:

- ☐ License
- ☐ Permit
- ☐ Franchise
- ☐ Mills Act or Development Agreement
- ☐ Contract (Professional Services, Construction Services, Maintenance, Public Works, etc.)
- ☐ Lease
- ☐ Other Entitlement³

Name and address of any party or party's agent who has contributed more than \$250 to any Commissioner within the preceding 12 months. If none, write in "none:"

1. _____
2. _____
3. _____

(b) Date and amount of Contribution:

Date: _____ Amount: \$ _____

Date: _____ Amount: \$ _____

Date: _____ Amount: \$ _____

(c) Name of Commissioner to whom contribution was made:

1. _____
2. _____

³ "License, permit or other entitlement for use" means all business, professional, trade, and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts) and all franchises.

3. _____

(d) I certify that the above information is true and correct to the best of my knowledge.

Name: _____

Signature: _____

Date: _____ Phone: _____

To be completed by LAFCO:

Application No.: _____

WORKER'S COMPENSATION INSURANCE ACKNOWLEDGEMENT

I am aware of the provisions of section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract. If any class of employees engaged in work under this contract at the site of the Project is not protected under any Worker's Compensation law, Consultant shall provide and shall cause each subconsultant to provide adequate insurance for the protection of employees not otherwise protected. Consultant shall indemnify and hold harmless LAFCO for any damage resulting from failure of either Consultant or any subconsultant to take out or maintain such insurance.

Date: _____

Signature

Printed Name

Title

EXHIBIT A
(Scope of Services)
AP Triton Proposal



1309 Coffeen Avenue, Suite 3178 • Sheridan, WY 82801 • 833.251.5824 • www.aptriton.com

September 8, 2023

Brendon Freeman, Executive Officer
Napa LAFCO
1754 Second Street, Suite C
Napa, California 94559-2450

RE: Proposal for Municipal Service Review and Sphere of Influence Update for Napa County's Fire and Emergency Medical Services

Dear Mr. Freeman:

I am pleased to submit AP Triton's comprehensive proposal for the Municipal Service Review (MSR) and Sphere of Influence (SOI) Update of Napa County's Fire and Emergency Medical Services. We recognize the multifaceted nature of this significant project and are committed to delivering an exceptional report outfitted with actionable recommendations.

We understand the project entails extensive data collection and stakeholder involvement, including Fire Protection Agencies like Napa County Fire, American Canyon Fire Protection District, and others, along with EMS Provider, American Medical Response (AMR).

Having previously completed three Master Plans for other Napa County agencies, including Napa City Fire Department, Napa County Fire Department, and American Canyon Fire Protection District, our team already has a significant background in and contribution to the County's fire and emergency medical services. Therefore, we are uniquely positioned to offer a comprehensive, timely, and insightful MSR and SOI study.

We are excited about the prospect of working with you to improve Napa County's Fire and Emergency Medical Services through this MSR and SOI study. We firmly believe that our expertise, commitment to excellence, and collaborative approach make us the ideal partner for this important undertaking. If awarded this project, we will assign Kurt Latipow, Vice President of Operations, as the project manager. If you have any questions at all, please do not hesitate to contact Mr. Latipow at klatipow@aptriton.com or 530.306.1382.



1309 Coffeen Avenue, Suite 3178 • Sheridan, WY 82801 • 833.251.5824 • www.aptriton.com

We sincerely appreciate your consideration of our proposal and look forward to the opportunity to contribute to the success of this vital project.

Respectfully,

A handwritten signature in blue ink, appearing to read "K. Henke", is written over a light blue horizontal line.

Kurt P. Henke
Principal/Managing Partner

Attachment
cc: Kurt Latipow



Napa LAFCO
California

Proposal to conduct a

FIRE & EMS

Municipal Service Review & Sphere of Influence Update

September 2023



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PROJECT UNDERSTANDING

AP Triton recognizes the imperative need for a thorough, impartial, and actionable Municipal Service Review (MSR) and Sphere of Influence (SOI) study for Napa County's Fire and Emergency Medical Services. We understand that Napa LAFCO aims to evaluate the current capabilities, service levels, and governance structures in order to provide a framework for the sustainable, efficient, and effective delivery of critical public safety services.

Our team is keenly aware of the multifaceted nature of this project, which requires extensive data collection from multiple local agencies and stakeholders. From collecting financial documents to soliciting community and stakeholder input, each step is crucial in constructing a comprehensive picture of existing services and future needs. We also understand the need for careful and ongoing communication with Napa LAFCO staff and other affected agencies throughout the project.

These agencies and key stakeholders include:

Fire Service Providers:

- Fire Protection Agencies:
 - County of Napa Fire
 - American Canyon Fire Protection District
 - City of Calistoga Fire Department
 - City of Napa Fire Department
 - City of St. Helena Fire Department
- Fire Protection Provided by County of Napa Fire Contract:
 - Town of Yountville
 - Volunteer Fire Stations:
 - Carneros Station 10
 - Soda Canyon Fire Station 13
 - Capell Valley Fire Station 14
 - Rutherford Fire Station 15
 - Dry Creek/Lokoya Fire Station 16
 - Angwin Fire Station 18

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- Pope Valley Fire Station 20
- Deer Park Fire Station 21
- Gordon Valley Station 22

- Fire Prevention Organizations

- Napa Communities Firewise Foundation
- Napa Fire Safe Councils: 33 Fire Safe Councils

Fire Based Emergency Medical Service (EMS) Provider

- American Medical Response (AMR) contract

Moreover, we recognize the significance of compliance with national standards and state laws, as well as alignment with local Napa LAFCO policies. We know that a successful MSR/SOI process is one that not only meets but exceeds the guidelines and standards set forth by governing bodies, leveraging best practices to achieve superior outcomes.

AP Triton is committed to delivering a report that is not just a tick-box exercise, but a strategic document outfitted with actionable recommendations. Our goal is to provide a framework that paves the way for continuous improvement in public safety services, grounded in innovative thinking and data-driven decision-making.

We believe our approach resonates strongly with Napa LAFCO's objectives. By integrating our broad expertise in fire service, EMS, and public safety consulting, we are uniquely positioned to offer a comprehensive, timely, and insightful MSR and SOI study.

QUALIFICATIONS, BUDGET COMPLIANCE, & TIMELINESS

At AP Triton, we provide an unparalleled level of expertise and a proven track record in delivering comprehensive solutions in the public safety sector. Established in 2014, our team has successfully executed numerous projects directly aligned with the scope and complexities of the MSR and SOI studies. This includes Municipal Service Reviews and Sphere of Influence Updates, Master and Strategic Plans, and Community Risk Assessments, among other initiatives. We pride ourselves on our commitment to innovative thinking and creative problem-solving.

QUALIFICATIONS TO PERFORM THE WORK

Expertise: Our consultants have specialized competencies in fire protection and emergency medical services, underpinned by an in-depth understanding of California state laws and national standards like NFPA 1710 and NFPA 1720.

Multidisciplinary Team: Our consultants offer a rich blend of skills including governmental organization analysis, budget projections, stakeholder facilitation, and public information dissemination.

Custom Solutions: We prioritize tailored strategies that promote long-term success, which is achieved by taking the time to understand our client's specific issues and needs.

BUDGET COMPLIANCE

Cost-Efficiency: Over the years, we have consistently delivered high-quality results within the budget constraints of our clients. We employ a stringent internal budget monitoring process to ensure fiscal discipline throughout the project life cycle.

MEETING DEADLINES

Timely Deliveries: AP Triton estimates a 12-month timeline for the successful completion of the MSR and SOI studies for Napa LAFCO, contingent upon receiving all required information for a comprehensive analysis.

Regular Updates: We are committed to delivering high-quality, actionable insights within the timeframe while maintaining open communication and collaboration with involved agencies.

AP Triton stands committed to providing an efficient, cost-effective, and high-quality MSR and SOI study for Napa LAFCO, executed within the agreed-upon timeframe and budget.

ESTIMATED PROJECT TIMELINE

Given our extensive background in delivering complex projects in the public safety domain, we project a timeline of 11–12 months for the successful completion of the MSR and SOI studies for Napa LAFCO. This timeline takes into account the scope of data collection, stakeholder outreach, analysis, and report drafting, among other tasks.

It is essential to emphasize that **the official timeline will commence only upon AP Triton's receipt of all necessary information and data. This ensures that our analysis is both thorough and accurate.**

While we propose an 11–12-month timeframe, our commitment to timeliness is unwavering. We will make every effort to expedite our processes without compromising the quality of the studies. Our team of experienced consultants is dedicated to delivering valuable insights that meet and exceed the objectives set forth by Napa LAFCO.

The successful delivery of this project is a collaborative endeavor between AP Triton and the involved agencies charged with delivering Fire and life safety services within Napa County. We hold open communication in high regard and will offer regular updates on project progress, including any potential adjustments to the timeline.

Our ultimate aim is to provide Napa LAFCO with a meticulous and insightful MSR and SOI study, supplemented with actionable and sustainable findings and recommendations. If any opportunities arise to fast-track specific tasks or processes, we will actively engage those options to deliver the final report in the most efficient manner possible.

Estimated Time to Complete the Project: 11–12 months

Project Schedule

The following table details the tentative project schedule and associated hours allocated to each section of our proposed Scope of Work.

Section & Tasks	Hours	Due Date
Section 1: Project Initiation	173	
Execution of Contract		October 2023
Project Kickoff		November 2023
Development of Criteria Determinations		November 2023
Development of Report Outline and Template		November 2023
Data Acquisition Complete		December 2023
Stakeholder Input & Fieldwork		February 2024
Section 2: Baseline Evaluations of the Agencies	423	
Agency Profiles		March 2024
Section 3: Additional Fire & EMS Service Issues	39	
Section 4: Exploration of Future Reorg./Alt. Gov. Structures	80	
Section 5: Review & Delivery of Report	276	
Review of the Administrative Draft Report		July 2024
LAFCO Commission, Public Review, & Public Hearing		August 2024
Revised Draft Report & LAFCO Public Hearing		September 2024
Final Presentation/Project Conclusion		If requested.

The above schedule aligns with the Scope of Work (SOW) we prepared specifically for this project, and it reflects our commitment to delivering high-quality results on time and within budget.

By adhering to this timeline, we aim to meet Napa LAFCO's objectives in a thorough and efficient manner, upholding our commitment to quality, timeliness, and effective stakeholder engagement. The following represents the proposed Scope of Work (SOW) prepared by Triton based on the requirements of the LAFCO to successfully complete the Municipal Service Review & Sphere of Influence Study. The various sections and tasks have been developed specifically for this project.

SCOPE OF WORK

The following represents the Scope of Work (SOW) prepared by Triton based on the requirements of your organization's request for proposal. The various sections and tasks have been developed specifically for this project. Each task is assigned to specific subject matter experts or to the project team.

SECTION ONE—PROJECT INITIATION & INFORMATION ACQUISITION

Task 1-A: Project Initiation & Development of a Work Plan

Triton will meet virtually with the LAFCO's Project Team and/or liaisons. The purpose will be to develop a complete understanding of the organization's background, goals, and expectations for the project and solicit input on engagement and outreach. Triton's Senior Project Manager will develop and refine a proposed work plan that will guide the Project Team. This work plan will be developed identifying:

- Project team members responsible for each task
- Major tasks to be performed
- Stakeholder engagement and outreach plan
- Resources to be utilized
- Methods for evaluating study results
- Agreement on the standards to be utilized
- Any potential constraints or issues related to accomplishing specific tasks

The benefits of this process will be to develop working relationships between the Triton Project Team and client representative, determine communications processes, and identify logistical needs for the project.

Task 1-B: Procurement of Information & Data

Triton will request pertinent information and data from LAFCO staff and any other agencies as necessary. This information is critical and will be used extensively in the various analyses and development of MSR and SOI Update. Thoroughly researched and relevant studies will be included during Triton's review. **For the affected fire agencies**, the documents and information relevant to this project will include, but not be limited to, the following:

FIRE & EMS MSR-SOI UPDATE | NAPA LAFCO

- Any previous relevant studies involving the agencies and organizations
- Napa County and City/Town census and demographic data and population growth projections, where available
- LAFCO policies and procedures
- Any current interagency or intergovernmental agreements (IGA)
- Organizational charts from each of the agencies and organizations
- Historical financial data, budgets, revenue sources, including debt information, long-range financial plans, and projections
 - Current assessed values of each jurisdiction and property tax rates
- Standard Operating Guidelines (SOGs) and service-delivery and deployment practices
- Fire and EMS Mutual Aid agreements
- Inventories of fire stations and other relevant facilities (e.g., training centers)
- Inventories of apparatus, special operations vehicles, and other vehicles
- Current performance standards and service delivery objectives
- Historical records management data, including National Fire Incident Reporting System (NFIRS) incident data (3–5 calendar years in an Excel spreadsheet format)
 - Computer-Aided Dispatch (CAD) incident records (3–5 calendar years in an Excel spreadsheet format)
- Workload and call volume data will be requested from the primary and secondary Public Safety Answering points
- List of all career, part-time, and volunteer operations personnel and administrative support staff (without names)
 - To include ranks, EMS and other certifications, salaries, benefits, and volunteer compensation (if applicable)
 - Two to three years of historical leave usage
- Most recent Insurance Services Office (ISO) Public Protection Classification (PPC®) ratings and reports for each participating agency
- Geographic Information Systems (GIS) data, to include the service-area boundaries of each fire district and their respective fire station locations
- Any other documents and records necessary for the successful completion of the project

Task 1-C: Development of Criteria Determinations

AP Triton will work with the LAFCO's Project Manager to prepare relevant written MSR determinations for each of the following considerations. The statute sets forth the form and content of the MSR, which will inform the Commission on the following seven issues (California Government Code §56430):

- Growth and population projections for the affected area.
- The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
- 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.
- Financial ability of agencies to provide services.
- Status of, and opportunities for, shared facilities.
- Accountability for community service needs, including governmental structure and operational efficiencies.
- Any other matter related to effective or efficient service delivery, as required by commission policy.

For SOI, Triton will work with the LAFCO's Project Manager to prepare written determinations for each subject agency with respect to each of the following (California Government Code §56425):

- The present and planned land uses in the area, including agricultural and open space lands.
- The present and probable need 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 are relevant to the agency.
- For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection. The present and probable need for those facilities of any disadvantaged unincorporated communities within the existing sphere of influence.

Task 1-D: Development of Report Outline and Template

The Triton Project Team will work with the LAFCO's Project Manager to prepare a relevant and functional report outline for the MSR and SOI Study.

Task 1-E: Stakeholder Input & Field Work

The Triton Project Team will provide the option to conduct onsite or virtual interviews with LAFCO staff and other key personnel and stakeholders identified as being critical to the success of the project. From these interviews, Triton will obtain additional information and perspective on the operational, economic, and policy issues related to the development of the study. Triton will place special emphasis on understanding the needs, opportunities, and concerns regarding future reorganizations of the affected fire agencies.

SECTION TWO—BASELINE EVALUATIONS OF THE AGENCIES

For each of the LAFCO's affected fire agencies, Triton will complete a baseline assessment of the current organizational conditions, their respective communities, and their current service performance. Triton will conduct an organizational review of these agencies and organizations based on the elements included in the following tasks.

The purpose of this evaluation is to assess each agency's operations in comparison to industry standards and best practices, as well as to create a benchmark to determine the options for future service delivery and regarding future reorganizations of the affected fire agencies.

Task 2-A: Overview of Each Affected Fire Agency

Triton will conduct an overview of each affected fire agency and their respective communities to include, but not be limited to:

- Service area population and demographics, including the location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence
- History, formation, and general description of each agency
- Description of the current service delivery infrastructure
- Risks Protected
- Governance and lines of authority
- Organizational structure
- Management components

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- Review of current policies, procedures, and any SOGs and their alignment with mission and strategic goals
- Internal and external communications processes
- Records management and information technology systems
- Document control and security

Task 2-B: Services & Operations

For each affected fire agency, Triton will review:

- **Services Provided**

- Triton will review the services provided by each agency and organization, placing special attention on the needs, opportunities, and concerns regarding future reorganizations of the affected fire agencies.

- **Staffing & Personnel**

- Triton will review each agency's career, volunteer, and part-time staffing levels.

- **Capital Facilities & Apparatus**

Triton will review the status of current major capital assets (facilities and apparatus) and analyze needs relative to the existing conditions of capital assets and their viability for continued use in future service delivery and regarding future reorganizations of the affected fire agencies.

Fire Station Facilities—Tour and make observations in areas critical of the current fire station location. This will entail a cursory review of the facility and not a detailed, comprehensive engineering analysis. Items to be contained in the report include:

- | | | |
|----------------|--------------------|--------------------|
| ▪ Design | ▪ Code compliance | ▪ Future viability |
| ▪ Construction | ▪ Staff facilities | |
| ▪ Safety | ▪ Efficiency | |

Apparatus/Vehicles—Review and make recommendations regarding inventory of apparatus and other vehicles and equipment. Items to be reviewed include:

- Age, condition, and serviceability
- Distribution and deployment

Task 2-C: Review of Fire and EMS Historical System Performance

Utilizing Computer Aided Dispatch and National Fire Incident Reporting data, Triton will review and make observations in areas specifically involved in, or affecting, service levels and performance of the agencies. These will include, but not necessarily be limited to:

- ▼ **Distribution Study**

- Overview of the current facility and apparatus deployment strategy, analyzed through geographical information systems (GIS) software, with identification of service gaps and redundancies. This distribution study will be conducted for the study area as a whole, with all existing facilities included in the analysis.

- ▲ **Reliability Study**

- Analysis of current workload, including unit hour utilization (UHU) and time on task (TOT) of individual companies (to the extent data is complete and relevant)

- **Ambulance Performance**

- Detailed analysis of ambulance response time performance

- **Mutual and automatic aid systems**

Task 2-D: Community Risk Assessment

For those areas that have not undergone a community risk assessment within the last 36 months, Triton will conduct an all-hazards analysis of the communities. The purpose of this evaluation is to assess the community's hazards, threats, vulnerabilities, and risks in comparison to recognized standards and best practices, as well as to create benchmarks against which to compare future improvement.

Task 2-E: Population Growth & Service Demand Projections

Utilizing available census data from each agency and organization and the historical service demand (call volumes) of each, Triton will project the following:

- Location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence
- Population growth projections among each of the agencies and organizations for the next 5–10 years
- Service demand projections among each of the agencies and organizations for the next 5–10 years

Task 2-F: Financial Review

Triton will review the existing financial status of each affected fire agency. This task will be a basic overview of fiscal status of each agency and the financial ability of agencies to provide services. This task will include, but not be limited to:

- Review and analyze agency budgets, revenues, expenditures, employment costs, compression analysis, audit reports, and long-range financial plans
- Comparative analysis demonstrating cost, funding, and efficiency in relation to neighboring and similar jurisdictions
- Any other issues related to revenue, expenditures, and annual budgets

Task 2-G: Opportunities & Challenges

Using the interviews and research completed from Section One as a baseline, Triton will identify:

- Strengths of each affected fire agency
- Weaknesses of each affected fire agency
- Opportunities facing each affected fire agency
- Threats challenging each affected fire agency

Analyzing and updating the strengths, weaknesses, opportunities for, and threats to the agencies and organizations is a critical step in identifying options regarding future reorganizations of the affected fire agencies.

Task 2-H: Service Adequacy

Triton will analyze the present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies, including 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.

Task 2-I: Community Accountability

Triton will review the accountability for community service needs, including operational efficiencies that may be impacted by future reorganizations of the affected fire agencies.

Task 2-J: Municipal Service Review Determinations

Based on the elements above and previously determined criteria, Triton will draft proposed municipal service review determinations for each agency that meet the legal requirements as identified in Government Code §56430.

Task 2-K: Sphere of Influence Review Determinations

Triton will review the sphere of influence for each of the affected fire agencies and determine the impacts of future reorganizations based on previously determined criteria.

Task 2-L: Dispatch System & Related Technology Evaluation

Napa County has three public safety answering points (PSAPs)—the City of Napa Central Dispatch, which is an element of the Napa Police Department; the City of Calistoga Dispatch and the City of St. Helena Dispatch, which are each elements of their respective Police Departments. In addition, CAL FIRE St. Helena ECC is a secondary PSAP. Triton will evaluate the PSAPs performing fire and EMS dispatching in Napa County in the following areas:

- Governance
- Organizational Structure
- Facilities
- Workload/Call Volumes
- Staffing
- Efficiency & Productivity
- Funding, financial obligations, & expenditures
- Training
- Operational Policies/SOPs/SOGs
- Performance Standards
- Coordination
- Technology
- Capital (buildings/equipment) needs of the Dispatch Centers
- The evaluation will include recommendations for improving communications, interoperability, and response based on industry best practices and national standards. Triton will review authorized staffing versus actual staffing levels and their application to minimum staffing. Policies and compliance with performance standards will be reviewed, such as call answer and call processing times. Triton will evaluate the PSAPs' adoption of Emergency Medical Dispatch (EMD) and efforts to gain accreditation.

Triton will review current technology in the PSAP, such as the Computer-Aided Dispatch system and its interfaces, such as fire station alerting, mobile data, records management, CAD to CAD, etc. The use of Automatic Vehicle Location (AVL) systems to enable the dispatch of the closest, most appropriate resources will also be evaluated. The various radio systems in use by Napa County agencies will also be evaluated for interoperability.

SECTION THREE—ADDITIONAL FIRE & EMS SERVICE ISSUES

In addition to including the required analysis and written statement of service review determinations and sphere of influence updates, Triton will also consider the following issues, many of which are interconnected or overlap, and identify potential options or opportunities for addressing these issues in Napa County, as necessary.

Task 3-A: Joint Powers Agreements

AP Triton will assess current Joint Powers Agreements (JPAs), to understand how multiple agencies collaborate for the direct provision of public services. The evaluation will review and identify all relevant JPAs, then evaluate operational efficiencies and potential bottlenecks. Financial analyses will be conducted to assess the economic feasibility and benefits of these collaborations. AP Triton will identify findings and actionable recommendations for Napa LAFCO and the involved agencies. The objective is to provide Napa LAFCO with a comprehensive, data-backed understanding of how JPAs affect service delivery, cost-effectiveness, and long-term planning.

Task 3-B: Fire Prevention, Protection, & Community Resiliency

Triton will review and analyze the fire prevention, protection, and community resiliency programs that the agencies are providing throughout Napa County, including programs intended to strengthen local community resiliency to withstand and recover from wildland fires. This review will identify and use appropriate benchmarks to analyze options for providing these programs/services. This will include:

- Identification of applicable best practices for:
 - Safe evacuation of residents
 - Hazardous vegetation removal and mitigation
 - Creation of fuel and fire breaks
 - Better alignment of programs with plans
 - Increased community understanding of and participation in these programs

Task 3-C: Climate Change, Wildfires, & Wildland Urban Interface (WUI)

Triton will review the risks and impact of climate change on fire service provision in Napa County, including:

- Specific communities considered at higher risk due to their geography and topography
- Review the actions of the agencies to mitigate the increased associated risks of wildfires
- Analyze the pros and cons of various alternative options for better addressing these risks

The review will analyze how each applicable agency is addressing fire concerns in the wildland-urban interface (WUI) and how the combined presence of certain environmental factors (e.g., high winds and high fuel levels) and human-caused factors (e.g., more development) can significantly increase fire danger in the WUI.

The review will also consider whether current and/or new plans and guiding documents (e.g., Napa County Community Wildfire Protection Plan, etc.) could enable affected agencies to better prioritize and provide consistency in the delivery of fire prevention and protection services countywide, including in high fire risk areas.

Task 3-D: Mutual & Automatic Aid, and Interagency Communication & Coordination

Triton will review and analyze interagency relationships, communication efforts, coordination, and mutual and automatic aid systems. This will include:

- Regional benefits offered by each agency pertaining to fire protection, EMS and prevention
- Mutual aid benefits and/or burdens on the Countywide fire and EMS system
- Interagency communication and coordination responsibilities in fire prevention planning/programming and during fire events, including:
 - In the WUI
 - Along shared borders
 - On public and private lands and public rights-of-ways

SECTION FOUR—EXPLORATION OF FUTURE REORGANIZATIONS AND/OR ALTERNATIVE GOVERNANCE STRUCTURES

Triton will use the completed baseline assessment of each agency and organization to identify opportunities, efficiencies, cost-effectiveness, and feasibility for potential annexation or other shared services options. The Project Team will identify areas of duplication that can be reduced through shared resources, as well as potential service improvements that can be accomplished. Experience has shown that this frequently becomes the overriding influence for public fire service cooperative efforts.

Items in this phase of the report include but are not limited to the following areas. The detailed information will provide the LAFCO and its agencies and organizations with the information necessary to make important decisions.

Task 4-A: General Partnering Strategies & Consolidation Options

Triton will review the various shared services options for the agencies and organizations. The following options will be evaluated, discussed, and recommendations for the best option provided:

- Status quo (each agency remains autonomous, and existing agreements continue)
- Modifications and amendments to existing IGAs
- Operational Collaboration (contract for services)
- Legal integration/annexation options
- Any other valid options identified during the study

Task 4-B: Options for Shared Services or Reorganization

The task takes into account the many shared issues that face each affected fire agency, and how such matters affect efficient services. Triton will identify and analyze any of these issues. For each of the presented options for reorganization, Triton will evaluate and discuss the following:

- | | |
|--|---|
| • Objective of strategy | • Guidance |
| • Level of cooperation required | • Fiscal considerations |
| • New organizational structure, if applicable | • Economic considerations |
| • Estimated timeline for completion | • Political considerations |
| • Affected section, e.g., Administration, Operations, Support Services | • Social considerations |
| • Affected stakeholders | • Policy actions |
| | • Any other issues related to the recommended option(s) |

SECTION FIVE—REVIEW & DELIVERY OF FINAL REPORT

Task 5-A: Development & Review of the Administrative Draft Report

Triton will develop and produce an electronic version of the draft written report for technical review by representatives of LAFCO (and any others as directed). This feedback is a very important aspect of this project and Triton will provide adequate opportunities for review and discussion of the draft report prior to finalization. The report will include:

- Clearly designated findings, recommendations, and benefits of implementation
- Detailed narrative analysis of each report element clearly written and presented in sections with explanatory support to ensure an understanding by all readers
- Charts, graphs, GIS maps and analyses, and diagrams, where appropriate

Task 5-B: LAFCO Commission, Public Review, & Public Hearing

Triton will address LAFCO staff's comments and prepare a Draft Municipal Service Review & Sphere of Influence Study Report:

- LAFCO staff will distribute the Draft Report for a 21-day public review and comment period
- Provide written responses to comments received during the public review period
- Present the Draft Report at the LAFCO Public Hearing (with an option to be in-person or fully virtual)

Task 5-C: Revised Draft Report & LAFCO Public Hearing

Following the Draft Municipal Service Review & Sphere of Influence Study Review and Public Hearing, Triton will revise the Draft Report to address comments and submit the Revised Draft Report to LAFCO staff.

- LAFCO staff will distribute the Revised Draft Report for a 21-day public review and comment period
- Provide written responses to comments received during the public review period
- Present the Revised Draft Report at the LAFCO Public Hearing (with an option to be in-person or fully virtual)

Task 5-D: Implementation Plan for MSR-SOI Study Recommendations

AP Triton will create an implementation plan that outlines the steps, responsibilities, and timelines for executing the recommendations that will arise from the Municipal Service Review and Sphere of Influence (MSR-SOI) Study. By accomplishing this task, we aim to ensure a streamlined and effective implementation process for the MSR-SOI Study's recommendations, ultimately resulting in improved public services.

Task 5-E: Final Municipal Service Review & Sphere of Influence Study Report

Following LAFCO adoption of the Municipal Service Review & Sphere of Influence Study, Triton will prepare the final clean and complete report copy (PDF and Word versions) for distribution and filing.

PROJECT FEE PROPOSAL

AP Triton Meeting & Sitework Information

AP Triton has designed a multi-faceted approach to ensure comprehensive stakeholder engagement, effective project execution, and optimal cost efficiency for Napa LAFCO. Here are the key components of our process:

- **Stakeholder Engagement:** Two of our associates will be on location for an intensive three-day period, during which stakeholder interviews and site visits will be conducted. Subsequent interviews will be completed via virtual communication platforms.
- **Dispatch Expertise:** A Subject Matter Expert (SME) specializing in Dispatch will be present on site for a two-day engagement.
- **Commission Meetings:** Two representatives from AP Triton will participate in two scheduled Commission meetings via virtual platforms. Should the need arise for onsite presence or additional team members, these will be accommodated on a time and expenses basis.
- **Final Presentation:** This optional deliverable can be conducted either virtually or in person. In-person presentations will be calculated based on a time and expenses model.

AP Triton, LLC presents the following formal cost proposal for the project outlined in the Scope of Work. The fee is inclusive of expenses:

Project Section	Fees & Expenses
Section 1: Project Initiation & Information Acquisition	\$27,647
Section 2: Baseline Evaluations of The Agencies	\$61,796
Section 3: Additional Fire & EMS Service Issues	\$4,875
Section 4: Exploration of Future Reorganizations	\$10,133
Section 5: Review & Delivery of Final Report	\$39,267
Proposed Project Fee (will not exceed):	\$143,718

PAYMENT INFORMATION

Payment Schedule & Invoicing

- **Initial Payment:** A deposit of 10% of the total project cost is due upon the signing of the contract, to initiate the work.
- **Progress Payments:** Monthly invoicing will be processed as work progresses, continuing until 95% of the project has been completed.
- **Final Payment:** The remaining 5% of the project cost is due upon successful completion and acceptance of the project.

Data Engineering Costs

- **Included Services:** Data engineering for up to three specific data sets (i.e., CAD, NFIRS, ePCR) is included in our all-inclusive pricing. This encompasses gathering and assisting the agency with straightforward data pull requests.
- **Additional Incident Data:** Any extra incident data needed (i.e., previous RMS or CAD database records) will incur a charge of \$1,000 per database.
- **Substantial Assistance:** Should AP Triton consultants provide substantial assistance or direct data pulls from the client's records, this service will be billed at \$1,000 per database.

Additional Hours and Expenses

- **Project Manager Rate:** Extra hours for the Project Manager will be billed at \$175 per hour.
- **Consultants' Rate:** Additional hours for consultants will be billed at \$125 per hour.
- **Travel Expenses:** Any extra travel expenses will be billed separately, in addition to the hourly rate.

Cost Quotation Information

- The bid quotation is valid for 180 days
- Triton Federal Employer Identification Number: 47-2170685

ABOUT AP TRITON

Contact Information

The headquarters of AP Triton, LLC is located in Sheridan, Wyoming. Consultants and other subject matter experts (SME) are located throughout the United States.



Address: 1309 Coffeen Avenue Suite 3178, Sheridan, WY 82801



Phone: 833.251.5824 (toll free)



E-Mail: info@aptriton.com



Website: www.aptriton.com

About AP Triton

Established in 2014, AP Triton is a leading provider in the public safety industry with a proven track record in the fire service, emergency medical services, law enforcement, fire prevention, and life-safety programs. Our extensive experience spans a wide range of disciplines, enabling us to offer comprehensive solutions tailored to the unique needs of our clients.

Our team of consultants brings a wealth of expertise and has successfully executed numerous projects, including Master Plans, Strategic Plans, Emergency Operations Plans, Community Risk Assessments/Standards of Cover, Consolidation Feasibility Studies, EMS System Analyses, Staffing Studies, Agency Evaluations, Cost Recovery and Valuation Studies, and Fire Station Location Studies. We pride ourselves on our ability to deliver high-quality and actionable recommendations that drive positive change.

At AP Triton, we understand that traditional approaches to public safety may not always yield optimal results. That's why we prioritize innovative thinking and creative problem-solving. We believe that sustainable solutions require a forward-thinking mindset, and we bring our experience and expertise to help our clients overcome challenges and seize opportunities.

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With our deep understanding of public safety departments of all sizes, AP Triton is uniquely positioned to address the specific needs of Napa LAFCO. Our consultants have decades of experience working with diverse organizations, and we leverage this knowledge to provide customized, practical, and effective solutions. We take the time to listen to our clients, understand their local issues, and develop strategies that promote long-term success.

By choosing AP Triton as your consulting partner, you gain access to a dedicated team that is committed to delivering exceptional results. We prioritize your goals, remain responsive to your needs throughout the engagement, and provide ongoing support even after project completion. Our dedication to client satisfaction sets us apart and makes us the ideal choice for Napa LAFCO's consulting needs.

When it comes to innovative solutions, unparalleled expertise, and a commitment to your success, AP Triton is the partner you can rely on. Let us help you transform your public safety operations and achieve your goals in the most efficient and sustainable way possible.

Triton's Approach to Projects

Triton's approach to projects demonstrates our deep understanding of your expectations. With our extensive experience working with fire departments, fire districts, EMS organizations, and various emergency services agencies across diverse communities in the United States, we bring a wealth of knowledge and expertise to every engagement. Key elements of Triton's methodology include:

- **Thorough Understanding:** We ensure a complete understanding of the project background, goals, objectives, and the complex issues that need to be addressed. This allows us to develop tailored solutions that align with your specific needs.
- **Comprehensive Scope of Work:** We develop a well-designed and practical scope of work (SOW) and workplan that actively involve key stakeholders, leadership, and other relevant individuals. This collaborative approach ensures that all perspectives are considered and results in a robust project plan.
- **Advanced Tools and Technologies:** Triton leverages state-of-the-art GIS mapping, computer modeling, data analysis tools, and web-based communication technologies to enhance project outcomes. These sophisticated tools enable us to provide accurate analyses, insightful recommendations, and efficient collaboration.

- Web-based Communication Platform:** To facilitate seamless communication and collaboration throughout the project, we utilize secure cloud-based data-sharing applications to create an online project site. This platform allows the client and project team members to collaborate effectively. Additionally, we employ virtual conferencing software for client communications and presentations.
- Subject Matter Experts:** We engage experienced subject matter experts (SMEs) with in-depth knowledge of the fire service, EMS, and other related emergency services disciplines. Our team also includes experts in GIS and data analysis, ensuring comprehensive expertise is applied to your project.
- Commitment to Timeliness:** We are committed to delivering projects and deliverables within the requested timeline while maintaining high standards of quality. Our dedicated team works diligently to meet or exceed your expectations, ensuring timely completion.
- Clear and Accessible Reports:** We provide high-quality printed and bound reports that present clear contents and actionable recommendations. Our reports are designed to enable easy comprehension for clients, key stakeholders, and community members alike.

At Triton, we combine our extensive experience, advanced tools, collaborative approach, and commitment to excellence to deliver successful projects that meet your expectations.

Best Practices & National Standards

Based on the type of project and study requirements, Triton will refer to and utilize current industry best practices, along with relevant national standards promulgated by a wide variety of associations and organizations that develop consensus standards for the fire service, EMS, communications, and other related services. These may include the *National Fire Protection Association (NFPA)*, *Center for Public Safety Excellence (CPSE)*, *Commission on Accreditation of Ambulance Services (CAAS)*, and other organizations.

AP Triton utilizes a multi-faceted approach to providing recommendations for our clients. The following encompasses our best practices:

- Understand client needs:** Triton begins by thoroughly understanding the specific needs and goals of your agency. This allows us to tailor our recommendations accordingly.
- Develop a work plan:** Triton collaborates with the client to develop a work plan that outlines the goals, objectives, and action steps required to achieve desired outcomes of the project. This ensures the plan is realistic, measurable, and aligned with industry standards and best practices.

- ▶ **Engage stakeholders:** Triton involves key stakeholders, including elected officials, personnel, and management representatives, throughout the consulting process. Stakeholder input and buy-in are crucial for the successful implementation and sustainability of any recommended changes.
- ▶ **Conduct a comprehensive assessment:** Triton conducts a thorough assessment of the existing organization(s). We identify areas for improvement and prioritize them based on their impact and feasibility.
- ▶ **Enhance operational efficiency:** Triton identifies opportunities to optimize operational processes.
- ▶ **Focus on continuous training and education:** Triton emphasizes the importance of ongoing training and education. We promote a culture of continuous learning, keeping up with the latest industry advancements, protocols, and technologies.
- ▶ **Incorporate data-driven decision-making:** Triton utilizes data and analytics to drive decision-making recommendations.
- ▶ **Foster collaboration and partnerships:** Triton encourages collaboration between agencies when possible. These relationships facilitate information sharing, coordination, and mutual support to enhance services and outcomes.
- ▶ **Ensure compliance with regulations:** Triton strives to stay current with local, state, and federal industry regulations.
- ▶ **Monitor and evaluate progress:** Triton assists our clients in establishing systems for monitoring and evaluating the implementation of our recommendations and the overall performance of your organization.

Every organization is unique; therefore, AP Triton adapts these best practices to fit the specific context and needs of your agency.

Conflict of Interest Statement

Triton has neither directly nor indirectly entered into any agreement, participated in any collusion or collusion activity, or otherwise taken any action which in any way restricts or restrains the competitive nature of this solicitation including, but not limited to, the prior discussion of terms, conditions, pricing, or other offer parameters required by this solicitation.

Triton is not presently suspended or otherwise prohibited by any government from participating in this solicitation or any other contract to follow thereafter. Neither Triton nor anyone associated with Triton has any potential conflict of interest because of or due to any other clients, contracts, or property interests in this solicitation or the resulting project. If a conflict of interest is identified in the provision of services, Triton will immediately notify the client in writing.

PROJECT TEAM QUALIFICATIONS

AP Triton is dedicated to partnering with highly experienced and qualified public safety consultants. We have a diverse pool of individuals with extensive knowledge and expertise to meet a wide range of client needs. At Triton, we approach each project with unwavering commitment, treating it as our top priority. We are confident that AP Triton is the ideal choice to provide you with the most reliable Fire & EMS Municipal Service Review & Sphere of Influence Update.

Our Project Team boasts a wealth of experience across various locations throughout the United States. Our approach to assembling Project Teams is meticulous, considering each associate's background, education, experience, and expertise. This ensures that we match the right individuals to the specific tasks required to successfully address your agency's unique needs. As you will discover in the following biographies and resumes, each team member brings a distinct set of skills and valuable past experiences that will greatly benefit the Napa LAFCO's MSR-SOI Update.

By choosing AP Triton, you gain access to our exceptional talent pool and a customized team equipped to deliver optimal solutions tailored to your specific requirements. We are committed to exceeding your expectations and providing you with unparalleled expertise and support throughout the project.

Our potential project team is contingent upon the timing of the project and availability of the consultant. This talented group of individuals possesses the skills and expertise needed to successfully execute the project. However, their involvement is subject to alignment with the project timeline and their current commitments. We are excited about the possibility of collaborating with this team, and we will work diligently to ensure their participation aligns with the project's requirements and timing.

Project Management Structure

AP Triton's project teams have developed strong organizational skills and adaptability to effectively balance their workload and ensure successful outcomes across various engagements. Triton manages multiple projects simultaneously while ensuring high-quality work and meeting client expectations with the following strategies:

- **Team:** Triton customizes each team, matching our associates' skills and expertise to each client's specific needs. We delegate specific tasks or engage a team to assist with certain aspects of the project. By leveraging the expertise and skills of others, we can distribute the workload and maintain productivity.
- **Time Management & Task Prioritization:** Effective time management is crucial for consultants. They prioritize tasks, set deadlines, and allocate dedicated time blocks for each project. This helps them stay organized and focused on delivering results.
- **Project Planning:** Triton creates work plans that outline key deliverables, milestones, and timelines for each project. This provides us with a clear roadmap and ensures we remain on track with our commitments.
- **Effective Communication:** Clear and proactive communication with clients is essential. Triton keeps our clients informed about project timelines, progress, and any potential challenges. This transparency fosters trust and helps us manage client expectations.
- **Leveraging Technology:** Consultants utilize various tools and technologies to enhance their productivity and efficiency. Project management software, communication platforms, and collaborative tools enable seamless coordination, document sharing, and real-time updates.
- **Efficient Work Processes:** Triton is constantly evaluating quality assurance and quality improvement. We develop efficient work processes and methodologies based on our experience and industry best practices. We strive to streamline repetitive tasks, leverage templates and frameworks, and adopt standardized approaches to optimize our workflow.
- **Prioritization & Focus:** Triton's designated Project Manager is available for the duration of the assigned project. They lead the team and assist our associates and subject matter experts in prioritizing their tasks based on project urgency, client needs, and strategic importance.
- **Collaboration:** Our project teams do not operate in a silo. We possess a pool of expertise and resources. Our project teams collaborate to share insights, seek advice, and leverage collective knowledge to deliver high-quality results.

Kurt Latipow EFO**Project Manager/Vice President Emeritus****Summary of Qualifications**

Mr. Latipow has enjoyed 40 years in Public Safety with over 27 years of Public Administration in Fire Chief and Chief Officer positions. He has developed and implemented numerous comprehensive fire and emergency services related plans. Mr. Latipow has facilitated the adoption of those plans via a variety of governing bodies. Mr. Latipow offers extensive experience in developing and implementing emergency, strategic, master plans, and succession plans/management processes as well as developing and implementing Standards of Cover Analysis, Fees for Service Cost Recovery Programs, and ALS Program Development and Implementation for both transport and engine company-based organizations.

Work Experience

- City of Lompoc, CA—Fire Chief
- Washoe County, NV—County Fire Services Coordinator
- City of Ukiah, CA—Fire Chief
- State of California, Governor's Office of Emergency Services—Deputy Chief, Fire and Rescue Branch
- Stanislaus Consolidated Fire Protection District, CA—Fire Chief/Chief Executive Officer
- Hesperia Fire Protection District, CA—Fire Chief
- City of Arroyo Grande, CA—Fire Chief/Director of Building and Fire
- City of Monterey Park Fire Department, CA—Battalion Chief/Fire Marshal

Education

- National Fire Academy—Accredited Executive Fire Officer
- California Fire Marshal Training and Education System

Publications and Instructor Experience

- IAFC/Volunteer Combination Officers 2017 Symposium in the West—Building Leaders from Within
- IAFC and League of California Cities 2016—"The Achilles Heel of Local Government"
- California Fire Chiefs 2016—"The Why and How of Succession Planning and Implementation"
- League of California Cities 2015—"Contracting for Fire Services; the Trials, Tribulations, Landmines and Political Challenges"
- League of California Cities 2014—"Leading Change in the New Reality"
- California Fire Chiefs Association 2012—"Re-engineering Fire Service-Based Service Delivery"

Professional Affiliations

- California Fire Chiefs Association
- League of California Cities Fire Department—Past President
- League of California Cities Public Safety Policy—Past Committee Chair
- International Association of Fire Chiefs—Life Member

Projects Completed

- Montecito/Carpinteria Summerland FPDs (CA)—Station location study
- Templeton CSD FD (CA)—Master Plan
- Coalinga FD (CA)—CRA-SOC
- Golden CO FD, Fairmont FPD, Pleasant View FD—Cooperative Services Study
- City of La Verne FD (CA)—CRA-SOC
- Placer County LAFCO N Tahoe/Weeks Bay FPD—Annexation Fiscal Analysis Update
- Fairfield FD (CA)—Master Plan
- American Canyon FPD (CA)—Master Plan
- Central Santa Cruz PFD (CA)—Master Plan
- Napa City FD (CA)—First Responder Fee Study
- Napa City FD (CA)—Master Plan
- Napa County FD (CA)—Master Plan
- Santa Barbara City FD (CA)—CRA-SOC

Projects In Process

- Santa Cruz LAFCO (CA) MSR-SOI Focused Study
- Placer LAFCO (CA)—Western Slope MSR-SOI Update
- Nevada LAFCO (CA)—MSR-SOI Update
- Santa Maria FD (CA)—Master Plan
- Salinas FD (CA)—Master Plan

Brian Helmick MS, BS**Assistant Project Manager/Senior Associate****Summary of Qualifications**

Brian Helmick is a seasoned public safety executive with 27 years of multifaceted experience in fire protection and emergency response. Currently a Deputy Fire Chief for the Contra Costa County Fire Protection District (CCCYPD), he has held a diverse array of roles, ranging from Fire Chief to Battalion Chief and Firefighter Engineer. His leadership portfolio extends to educational initiatives; founding two training and certification organizations for future firefighters, and establishing groundbreaking crisis management programs that have been adopted nationally. Known for strategic planning, innovative initiatives, and excellent fiscal oversight, Helmick is a proven leader committed to enhancing community public safety.

In every role, Deputy Chief Helmick demonstrates strong leadership and effective management. His dedication to public service is evident in his community involvement and professional accomplishments. He is an inspiring figure in public safety, continually striving to improve organizational performance and community well-being.

Professional Development & Education

- Master's in Organizational Leadership
- Numerous certifications in operations, incident command, instruction, counseling, crisis intervention, and special district leadership

Experience

- Deputy Fire Chief, Contra Costa County Fire Protection District (CCCYPD)
- Strategic leadership in one of California's most densely populated regions
- Roles have included Fire Chief, Battalion Chief, and various other executive and operational positions
- Established the county's first CISM (Critical Incident Stress Management) Peer Support Chaplain Program
- Founded two training/mentoring organizations for future firefighter recruits

Key Achievements

- Developed a countywide CISM model adopted and implemented nationwide
- Established a pipeline for professional development for future firefighters through training organizations
- Recognized with multiple leadership awards and commendations

Professional Affiliations

- Brentwood Rotarian
- Fire Department Chaplain, California Fire Chaplains
- Past-President, Contra Costa County Public Safety Support Services
- Four-year Zone 3 Director, Fire District Association of California
- Director of Fire & EMS, 10-33 Foundation

Jennifer Stephenson ^{MPP} Policy Consulting Associates/Principal

Jennifer Stephenson will provide management of the PCA Team contributions to the project. She will be the team's subject matter expert on LAFCo law and requirements, provide policy analysis of the agencies, and review internal drafts. Ms. Stephenson will coordinate closely with project management staff and ensure that the project adheres to established timelines.

Ms. Stephenson is a co-founder and principal of PCA, where she is responsible for regional and municipal research analysis. She has technical expertise in benchmarking, performance evaluation, municipal budgeting, survey design, statistics, and economic modeling. As part of PCA, Jennifer has been involved in review studies for countless LAFCOs, including but not limited to Orange, Santa Clara, Alameda, Placer, and Fresno. She has co-authored incorporation studies, annexation studies, and infrastructure needs assessments. She earned her Master's degree in Public Policy from Pepperdine University, where she was a Forstmann Scholar.

Relevant Experience

- Co-manager and co-author for Napa Countywide Water and Wastewater MSR and MSR and SOI Updates for the Cities of Agoura Hills, Calabasas, Hidden Hills, and Westlake Village for Los Angeles LAFCO.
- Serving as an Executive Officer of Plumas LAFCO.
- Serving as Deputy Executive Officer of Sutter, Lassen, and Modoc LAFCOs, and providing staff support services at eight LAFCOs.
- Author and/or project manager of over 250 municipal service reviews and other studies, all completed punctually, within budget, and with complete client satisfaction.
- Operating a successful business with an outstanding reputation for 12 years, overcoming a period of recession in business start-up phase.
- Served as project manager for the Plumas, Santa Clara, Yolo, Amador, Mendocino, Lassen, Calaveras, and Alameda County special district and city MSRs, and other projects.
- Recipient of the 'CALAFCO Outstanding Associate Member of the Year' award
- CALAFCO University and Conference instructor of *Understanding Health Care Districts and the Role of LAFCO*, *Fiscal Health of Fire Protection Districts*, *Getting to the Nitty Gritty of Consolidation Options*, and *The New Normal- How the Economy is Affecting Service Provision*.
- Primary contributor and project manager of the CALAFCO award-winning Santa Clara Water Municipal Service Review.
- Stephenson assisted with fiscal analysis and analysis of service levels for governance studies conducted of annexation and cityhood in north Los Angeles County and in East Los Angeles.
- Contributed to multi-billion-dollar transportation financial plans for rail systems and goods movement.
- For a regional infrastructure needs assessment for the Southern California Association of Governments, Stephenson analyzed transportation, air quality, water quality, open space, and parks in the 187-city Southern California Association of Governments (SCAG) region.
- Assisted with fiscal analysis and budget projections for economic and fiscal studies for the City of Beverly Hills.

Don Jarvis MS, BS, AS
Senior Associate



Summary of Qualifications

Don is a senior fire service manager and leader with over 40 years of experience from volunteer firefighter to Interim Fire Chief. As a Firefighters Union Executive Board Member, Don helped lead the effort that resulted in the City of Campbell contracting for service with Santa Clara County Fire Department in 1993. As an officer at County Fire, Don was active in the development and implementation of subsequent contracts with two more cities and two Fire Districts, eventually taking the lead on the renegotiation of service contracts and the non-renewal of one contract. Don served as the Emergency Medical Services Officer; Accreditation Manager; Operations Chief; Support Services (Logistics) Chief; and Assistant Chief. Don has also been the Agency lead on negotiation of labor contracts, has managed apparatus acquisition and facility construction projects, and represented the department on a variety of interagency projects. Most recently, Don served as the Interim Fire Chief at the Aptos/La Selva Fire District as they completed a long-awaited consolidation with the Central Fire District of Santa Cruz County. This led directly to Don's work with Santa Cruz LAFCO, consulting with the Executive Director on several pending fire related projects.

Professional Development & Education

- California State University, Long Beach, CA, M.S. Emergency Services Administration, 2010
- Cogswell Polytechnical College, Sunnyvale, CA, B.S. Fire Prevention Technology, 2001
- Cogswell Polytechnical College, Sunnyvale, CA, B.S. Fire Administration, 1998
- Cabrillo College, Aptos, CA, A.S. Fire Science 1979

Licensure & Certifications

- California Chief Officer Certification
- California Fire Officer Certification
- Qualified in several ICS positions
- Agency Accreditation Manager

Experience

- Former Interim Fire Chief, Aptos/La Selva Fire District
- Assistant Fire Chief (Retired), Santa Clara County Fire Department
- Over 40 years of Fire Service Experience
- Experience working with LAFCO on annexation, reorganization, and fire project consulting
- Negotiated contracts for fire service with Cities and Fire Districts; Negotiate labor agreements

Associated Professional Accomplishments

- Former Board Member, Santa Clara City Redevelopment Successor Agency
- Former Working Group Member, Silicon Valley Regional Interoperability Authority
- Founding Member, Santa Clara County Incident Support Team

Lisa Driscoll MBA, BA
Senior Associate



Summary of Qualifications

Lisa Driscoll brings a variety of experience in municipal administrative services. She retired in 2022 as the County Finance Director for Contra Costa County, California. She started her career in public service in 1984 with the County of Contra Costa. During her 38-year career, Lisa worked in the County Administrator's Office and the Private Industry Council, and had administrative responsibility primarily for County Finance, Budget, and Labor Relations.

Lisa is extremely well versed in Finance, with extensive experience in operations, budget preparation/management, long-range finance planning, revenue generation, funding strategy, and expenditure evaluation and reduction strategies. Lisa has specific experience in allocating budget resources, maximizing revenue resources, and establishing fiscal policies.

Lisa has a keen understanding of financial management, with a precision and thoroughness in financial calculations, and an extensive knowledge of public sector budgeting.

Professional Development & Education

- Master's Degree in Business Administration (MBA) with a concentration in Computer Information Systems, California State University Hayward
- Bachelor's Degree in Business Administration with a concentration in Marketing, California State University Hayward
- Associate in Arts degree from Diablo Valley College, Pleasant Hill
- Training in municipal finance, debt management, workplace investigations, and general management
- Credentialed California County Senior Executive

Experience

- County Finance Director, County of Contra Costa, California
- Senior Deputy County Administrator, County of Contra Costa, California
- Budget System Administrator, County of Contra Costa, California
- Voting Member: Deferred Compensation Committee, Debt Affordability Advisory Committee, Other Post Employment Benefit Committee
- Staffed the Finance/Capital Committee and Measure X Community Advisory Board

Associated Professional Accomplishments

- Established Contra Costa County's financing policies, including the Budget Policy, Debt Management Policy, and Workers Compensation Confidence Level Policy
- Lead team that improved the Contra Costa County's credit rating from Standard & Poor's from "AA" to "AAA" and the credit rating from Moody's from "Aa3" to "Aa1"
- Led staff on successful debt issuance, eleven Distinguished Budget Presentation awards, and 50+ labor contract negotiations

Laura Blaul MPA, BA**Senior Associate****Summary of Qualifications**

Dedicated and accomplished executive, manager, mentor, teacher, student and servant leader with career and life experiences centered around purpose, service, and results. Over 28 years of fire service experience, progressing from Paid Call Firefighter to Assistant Chief/Fire Marshal. Experienced in establishment of evaluation criteria and performance indicators/metrics to determine impact. Thought leader and forward-thinking change agent excelling in the use of analytical results to plan and execute new directions. Expertise in problem solving and related efforts to build stronger and more resilient local communities. Excited about influencing and understanding results and impacts.

Professional Development & Education

- University of California, Irvine, Hazardous Materials Program Certificate
- California State University, Long Beach – Public Administration MA
- California State University, Chico – Chemistry and Biology BA

Professional Experience

- Board Member/Policy & Board Development Committees, California Fire Safe Council, 2017–present
- Board/Code Development Member, International Fire Chiefs, Fire & Life Safety Section, 2013–2016
- Wildland Policy Committee Member, International Fire Chiefs Association, 2012–2016
- State Workgroup Leader, Automatic Extinguishing Systems Certification Program, CA OSFM, 2015
- Assistant Chief/Fire Marshal, Orange County Fire Authority, 1987–2013
- Paid Call Firefighter, Orange County Fire Authority, 1985–1987
- Fire Service Member on Advisory Committee, California Building Standards Commission, 2010–2013
- Advisory Committee (founding member) CA Fire Chiefs/CA Building Officials, 2005–2013
- Code Development Chair, International Code Council, Southern California Chapter, 1998–2011
- President/Board Member, California Fire Chiefs Association, Fire Prevention Officers, 2000–2005
- Instructor for Building Design for Hazardous Materials Course, Hazardous Materials Certificate Program, University of California, Irvine, 1995–1998
- Instructor for Regulatory Framework, Environmental Compliance Program, CSU, Fullerton, 1997–1999

Associated Professional Accomplishments

- Transformed Risk Management Department to one focused on results.
- Created a methodology and processes to identify and define risks; revised data collection and analysis practices to support new system. Accurate and reliable data now used to drive decisions.
- Evaluated every program and either modified to target prioritized risks or decommissioned.
- Prepared & monitored annual budgets & revenues for public and fee-funded programs; managed contract services and purchased needed resources. Developed first program-based budget.
- Developed new fee program supported by the development community and unanimously approved by 24-member Board of Directors despite a 100% overall increase in fees. New program eliminated General Fund subsidy of 48% and recovered 100% of costs for services.
- Reconstituted the Hazardous Materials Program, reducing customer fees by 80%.
- Expanded budget by 20% through grants and program sponsors; increased workforce by 30% through program partnerships.
- Co-Created (w/Ventura County Fire) and piloted the Ready, Set, go! wildfire mitigation program, which was adopted by the USFS and I-Chiefs as a national program to reduce wildfire losses.

Frank Blackley MPA, EFO, BS**Senior Associate****Summary of Qualifications**

Chief Blackley has more than 35 years of experience in the fire service and has served with several departments in southeastern North Carolina. His service began at the Wilmington Fire Department before spending nearly 10 years at the Wrightsville Beach Fire Department. In 1996, he began working with New Hanover County Fire Rescue as a fire inspector/investigator. In 1999, he returned to the Wilmington Fire Department as an inspector and was promoted to Assistant Chief and Fire Marshal in 2001. He served in this role until 2009, then transferred to Assistant Chief of Operations. In 2012, he assumed his last role as Assistant Chief of Support Services.

Chief Blackley brings a long list of education, experience, and technical expertise to AP Triton. With experience in both combination and career departments, he possesses a demonstrated record of professionalism and a commitment to excellence. In addition to fire administration and management accomplishments, Chief Blackley has contributed to Vision 20/20 as a technical advisor for several states and developed a new Outcome Measures Guide. He has spoken nationally on Community Risk Reduction and how to use data in decision-making. He is familiar with the Center for Public Safety Excellence accreditation process and wrote several categories for his previous department.

Educational Background

- University of North Carolina Wilmington, Master's Public Administration, Urban and Regional Policy and Planning, 2011
- Executive Fire Officer Program, Emmitsburg, MD, 2009
- University of Maryland University College, Bachelor of Science in Fire Science, 1996
- Guilford Technical Community College, Associate of Science in Fire Science
- Commission on Professional Credentialing, Chief Fire Officer

Professional Experience

- Consultant, Emergency Services Consulting International (ESCI), 2019–2020
- Technical Advisor, Vision 20/20
- Assistant Fire Chief, City of Wilmington, NC
- Deputy Fire Marshal, New Hanover County, NC

Relevant Experience

- President, North Carolina Fire Marshal's Association
- Chair, New Hanover County Public Safety Communication Center Policy Board
- Member, North Carolina Fire Code Revision Committee

Associated Professional Accomplishments

- Assisted in the development of the Community Risk Reduction course for National Fire Academy
- Developed the Outcome Measures Guide for Vision 20/20
- Published author, Crisis Response Journal, Hurricane Florence: Response and Recovery

Laura Beth Schmidt, MS, GISP Data Analyst



Summary of Qualifications

Laura has been working with geospatial technologies since 2001. Her twenty-year career has provided her with experience in a broad array of utilization of GIS. A creative problem solver, Laura has a diverse and creative set of organization and communication skills. She applies these skills and experiences to envisioning the creation of GIS programs, roles, and structures. She has worked with private, federal, state, and local stakeholders and has extensive experience with enterprise GIS, asset management implementation, databases, and Web GIS solutions. She has solid and practical experience in providing insightful spatial analysis into the problem of site selection, resource allocation, incident densities, and network analysis. Laura brings a hard-won confidence and a calming persona to challenging projects and naturally and seamlessly builds siloed individuals into teams. She is a natural leader.

Professional Development & Education

- Master of Science, University of South Carolina, Columbia, SC, 2001
- Bachelor of Science, University of South Carolina, Columbia, SC, 1998, Magna Cum Laude

Licensure & Certifications

- Geographic Information Systems Professional (GISP), GIS Certification Institute, 2021–Present
- GIS Surveyor License, South Carolina Board of Professional Engineers & Land Surveyors (*inactive*)

Experience

- Deputy Emergency Management Coordinator, Roanoke Fire & EMS Department, 2023–Present
- Co-Owner, EMgis Partners, LLC, Highland, FL, (*Remote*), 2015–Present
- GIS Specialist, City of Roanoke Department of Transportation, Roanoke, VA, 2018–2023
- State Coordinator, OHV Program, Great Basin Institute, Carson City, NV 2018
- Site Inspector & Data Technician, CG Celio & Sons Co., Woodfords, CA, 2010–2018
- Resource Manager, North Inlet–Winyah Bay National Estuarine Research Reserve, Georgetown, SC, 2001–2005

Associated Professional Accomplishments

- Southwest Virginia (Region VI) All Hazards Incident Management Team (Type III), 2019–Present
- Virginia Maps & Land Information Society (VAMLIS), 2020–Present
- Co-Author of multiple peer-reviewed professional journal articles.

Eric A. Schmidt MA, GISP
Technical Specialist (GIS)



Summary of Qualifications

Mr. Schmidt has over thirty years of professional experience in mapping and geospatial technologies in both the private and public sectors. Over the last eleven years, he has been engaged full-time in local government, where he has gained substantial experience in enterprise GIS in support of Fire & EMS, Law Enforcement, and Emergency Management. In addition, he is experienced in supporting unified command and incident management teams for large-scale wildland fires and other regional events. Over the past two decades, he has participated in numerous standards of cover studies, ISO ratings, hazard mitigation studies, and community risk assessments. Mr. Schmidt has a strong vision for integrating GIS technologies into daily workflows and building a GIS-centric approach to large and small organizations.

Professional Development & Education

- Master of Arts, Appalachian State University, Boone, NC, 2001
- Bachelor of Arts, University of Tennessee, Knoxville, TN, 1991
- Public Leadership Certificate, University of Nevada, Reno, NV, 2013

Licensure & Certifications

- Geographic Information Systems Professional (GISP), GIS Certification Institute, 2007–Present
- FAA Remote Aircraft Pilot (UAS), 2021–Present
- GIS Surveyor License, South Carolina Board of Professional Engineers & Land Surveyors (*inactive*)

Experience

- Managing Partner, EM GIS Partners, LLC, Highland, FL, (*Remote*), 2015–Present
- GIS Coordinator, County of Franklin, VA, Rocky Mount, VA, 2018–Present
- GIS Supervisor, Douglas County, NV, Minden, NV, 2010–2018
- Director of Technology, Site Tech Systems, LLC, Murrells Inlet, SC, 2002–2009
- GIS Analyst, Sky Aviation, Georgetown, SC, 2000–2002
- Departmental Supervisor, University of Tennessee, Knoxville, TN, 1992–1997

Associated Professional Accomplishments

- Virginia Maps & Land Information Society (VAMLIS), President Elect, 2020–Present
- Southwest Virginia (Region VI) All Hazards Incident Management Team (Type III), 2019–Present
- Nevada Geographic Information Society, Board of Directors 2012–2018, Vice President, 2013–2016
- Support Services Volunteer, Midway Fire-Rescue, Pawleys Island, SC, 2005–2010

Jaime Villa

Senior Associate/EMS SME

Summary of Qualifications

Jaime Villa is an experienced EMS professional with a remarkable 18-year career in both private and public prehospital settings. As the EMS Coordinator at the Oxnard Fire Department, Jaime has been responsible for overseeing all EMS programs, conducting research, developing and implementing EMS initiatives, managing budgets, ensuring regulatory compliance, and providing clinical education. In addition to administrative tasks, Jaime has been actively involved in operational duties, conducting multifactorial retrospective system analysis to aid command staff in making informed decisions during disaster responses. Jaime also has a strong teaching background, having served as a Lead Emergency Medical Technician (EMT) Instructor, preparing students for national registry EMT certification. Furthermore, Jaime has an impressive list of professional achievements, including being a founding member of Ventura County Hospice and TB direct observed therapy programs, as well as leading various initiatives during the COVID-19 pandemic. With an extensive list of certifications and awards, Jaime's qualifications are evidence of their dedication and expertise in the EMS field.

Educational Background

- Daniel Freedman/UCLA—Community Paramedic, Moorpark, CA (January 2015–March 2015)
- Bakersfield College—Paramedic School, Bakersfield, CA (January 2009–December 2009)
- Simi Valley Adult School—EMT School, Simi Valley, CA
- Moorpark College—EMT School, General Education, Moorpark, CA
- Oxnard College—Regional Fire Academy, Oxnard, CA (August 1999–December 1999)

Professional Experience

- EMS Coordinator—Oxnard Fire Department (May 2017–Present)
- Supervisor—Oxnard Fire Department (February 2012–May 2018)
- Community Paramedic—Oxnard Fire Department (August 2015–November 2018)
- Paramedic—Oxnard Fire Department (January 2010–April 2010)
- Emergency Medical Technician—Oxnard Fire Department (September 2000–January 2004)

Relevant Qualifications

- EMS program development and oversight.
- Budget management and regulatory compliance.
- Clinical education and EMS policy implementation.
- Agency representation to allied and governmental organizations.
- Research and purchasing of EMS-related equipment.
- Multifactorial retrospective system analysis for informed decision-making.
- Emergency response as a field paramedic and ICS overhead responsibilities.

Certifications & Professional Certificates

- | | |
|---------------------------------|--|
| ■ Community Paramedic-Certified | ■ BLS |
| ■ NAEMSE Level 1 Instructor | ■ AHA BLS Instructor |
| ■ S-359 Medical Unit Leader | ■ Tactical EMS Technician (40 hour POST) CA EMSA |
| ■ L380 Fire Leadership | ■ Handtevy Pediatric Instructor |
| ■ 1100-300 | ■ Ambulance Services Managers Course |
| ■ NIMS 700-800 | ■ Designated Infection Control Officers Course |
| ■ Ca State Paramedic License | ■ Paramedic Preceptor/FTO |
| ■ ACLS, PALS | ■ NBC Decontamination Team Leader (USMC) |

Denise Pangelinan, CMCP**Senior Associate/Dispatch SME****Summary of Qualifications**

Denise Pangelinan is an experienced 911 Communications professional, devoting over 30 years to the public safety profession. Denise is currently the Director of Emergency Communications for San Ramon Valley 911, which is a multi-discipline (Police/Fire/EMS) communications center in Contra Costa County, California. Denise has experience at all levels of an organization from frontline, supervisory, management and executive leadership. Denise has dispatched and managed specialty assignment teams such as SWAT Tactical and Fire Incident Dispatch, health and wellness committee and peer support. She has an extensive project management background with technical projects such as station alerting, CAD, radio and phone equipment. She is currently on the CA State 9-1-1 Advisory Committee.

Professional Development & Educational Background

- Bachelor of Arts, Business Administration, St. Mary's College of California
- Center Manager Certification Program, National Emergency Number Association
- Emergency Management Certification, California Specialized Training Institute
- Basic, Advanced and Supervisory Certification, Peace Officers Standards and Training
- Emergency Medical Dispatch, International Academy of Emergency Dispatch
- Emergency Fire Dispatch, International Academy of Emergency Dispatch
- Leadership San Ramon Valley

Professional Experience

- Director of Emergency Communications, San Ramon Valley 911, 2016–present
- Communications Center Manager, San Ramon Valley Fire Protection District, 2009–2016
- Public Safety Supervisor, City of Milpitas, 1989–2009
- Public Safety Dispatcher, City of Milpitas, 1985–1989
- Records Clerk, Santa Clara County Sheriff's Office, 1984–1985

Relevant Qualifications & Project Management

- Implemented consolidation of Primary PSAP (Police/Fire and EMS Services)
- Accredited Emergency Fire and Medical Communications Center
- Developed pilot program for Mental Health, 988 response procedures
- Increased Insurance Services Office (ISO) rating to 100 percent within Communications Center
- New construction of 911 Communications Center/Emergency Operations Center
- Project oversight of remodeled Public Safety Complex
- Implementation of Quality Assurance process
- Design and implementation of a Mobile Communications response unit for Police and Fire
- Operations manual development
- Procurement of CAD, radio and phone equipment utilizing grants and state funding
- Hiring, recruitment and retention
- Scheduling and staffing

Professional Affiliations

- National Emergency Number Professional (NENA)
- Association of Public Communications Officers (APCO)
- International Academy of Emergency Dispatch (IAED)

Melissa Vazquez Swank MA, BA

Senior Associate/Director of Project Operations

**Summary of Qualifications**

With a demonstrated professional journey spanning over a decade, Melissa Vazquez Swank has become a venerated figure in project management and administration. Her specialization lies in handling the multifaceted administrative aspects of project-related assignments. This includes the meticulous planning, precise tracking, and robust documentation of numerous projects from inception at the Request for Proposal (RFP) phase through to a successful closeout.

As Director of Project Operations with over 10 years of experience, Melissa's contribution to business transcends conventional roles. She is dedicated to ensuring that all products not only meet but often exceed professional standards. Her proactive approach in enhancing project efficiency, through the reduction of time and elimination of product waste, stands as a testimony to her commitment to excellence.

Melissa's professional acumen, attention to detail, and comprehensive training equip her to provide unmatched project management support. Her passion for accuracy, fact-checking, and optimal performance permeates every facet of her professional endeavors, aligning with AP Triton's commitment to innovative and high-quality solutions.

Professional Development & Education

- Portland State University: MA, Public History/Native American History, 2010–2013
- Portland State University: BA, History, 2007–2009

Professional Experience

- AP Triton: Director of Project Operations, November 2022–Present
- AP Triton: Professional Services Manager, September 2021–October 2022
- 3:17 Associates: Owner, Principal Consultant, 2021–Present
- Emergency Services Consulting International (ESCI): Various roles including Quality Assurance & Recruitment Specialist, January 2020–August 2021; Recruitment Specialist, July 2017–January 2020; Technical Proofer and Quality Assurance Specialist, March 2015–January 2020
- Portland State University: Adjunct Research Assistant, December 2015–2018
- Freelance: Virtual Assistant, December 2014–Present
- Emergency Services Consulting International (ESCI): Project Administrator, Sept. 2013–June 2014

Project Experience

- Alameda City FD, CA: CRA-SOC
- Central FD (Santa Cruz County, CA): Master Plan & Strategic Plan
- Napa County FD, CA: Master Plan
- Pasco FD, WA: Master Plan & Strategic Plan
- Redmond FD, OR: Master & Strategic Plan
- Santa Barbara FD: CRA-SOC
- Santa Clara LAFCO, CA: MSR-SOI Update
- Yamhill County Fire Departments, OR: Consolidation Feasibility Strategic Plan

PROJECTS & EXPERIENCE

The following is a *partial* list of Triton's current and former clients. An expanded list can be provided upon request.

- Aberdeen Fire Department (WA)
- City of Alameda Fire Department (CA)
- Alameda County FPD (CA)
- Alameda County Fire Chiefs Association (CA)
- Alaska Fire Chiefs Association (AK)
- Albany Fire Department (OR)
- Anaheim Fire and Rescue (CA)
- Berkeley Fire Department (CA)
- Bethel Fire Department (AK)
- Blaine County (ID)
- Brattleboro Fire Department (VT)
- Brea Fire Department (CA)
- Brigham City Fire Department (UT)
- Fremont Fire Department (CA)
- California Fire Chiefs Association (CA)
- California Metro Chiefs Association (CA)
- Carlsbad Fire Department (CA)
- Carroll County Ambulance District (MO)
- Carson City Fire Department (NV)
- Central Jackson County FPD (MO)
- Central Fire District of Santa Cruz County (CA)
- Central Kitsap Fire & Rescue (WA)
- Central Pierce Fire Protection (WA)
- Chariton County Ambulance District (MO)
- Chica Fire Department (CA)
- Chula Vista Fire Department (CA)
- City of Costa Mesa Fire Department (CA)
- Coalinga Fire Department (CA)
- Contra Costa County FPD (CA)
- Cowlitz 2 Fire & Rescue (WA)
- DeKalb County Fire Rescue (GA)
- City of Downey Fire Department (CA)
- Douglas Okanogan County FD 15 (WA)
- El Dorado Hills Fire Department (CA)
- Fort Myers Fire Department (FL)
- Eureka Fire Protection District (MO)
- Fairfield Fire Department (CA)
- Fort Myers Fire Department (FL)
- City of Fresno Fire Department (CA)
- Fullerton Fire Department (CA)
- Gig Harbor/Pierce FD #5 (WA)
- Golden Fire Department (CO)
- Grand River Regional Ambulance (MO)
- Gray's Harbor Fire District #5 (WA)
- Hawaii Fire Chiefs Association (HI)
- Hermosa Beach Fire Department (CA)
- Huntington Beach Fire Department (CA)
- Idaho Fire Chiefs Association (ID)
- Kennewick Fire & Ambulance (WA)
- Kern County Fire Department (CA)
- Lake Ozark FPD (MO)
- La Verne Fire Department (CA)
- Lincoln Fire & Rescue (NE)
- City of Long Beach (CA)
- Milwaukee Fire Department (WI)
- City of Napa Fire Department (CA)
- City of Pflugerville (TX)
- Placer LAFCO (CA)
- San Bernardino County JPA (CA)
- City of San Diego Fire Department (CA)
- Santa Barbara County Fire Chiefs Association (CA)
- Santa Clara LAFCO (CA)
- Santa Cruz County Fire Department (CA)
- Santa Cruz LAFCO (CA)
- Seattle Fire Department (WA)
- Solano County Fire Chiefs Association (CA)
- Sonoma County Fire District (CA)
- Sonoma Valley Fire Department (CA)
- Stockton Fire Department (CA)
- Sunnyside Fire Department (WA)
- Tacoma Fire Department (WA)
- Tualatin Valley Fire & Rescue (OR)
- Ukiah Valley Fire Authority (CA)
- Utah Fire Chiefs Association (UT)
- Vacaville Fire Department (CA)
- Valley Center Fire Protection District (CA)
- Ventura County Fire Department (CA)
- Washington Fire Chiefs Association (WA)
- Watsonville Fire Department (CA)
- Webster Fire Department (TX)
- Whitefish Fire Department (MT)
- Williston Fire Department (VT)

Project Types

The following is a *partial* list of projects in which the members of the Project Team for this study have either served as the Project Manager or participated in. Our team has participated in dozens of studies throughout the United States.

Project Description

- Ambulance Services Optimization Study:
- Ambulance Services Optimization Study:
- Ambulance Services Study:
- Ambulance Services RFP:
- Annexation Study (three districts):
- BLS Ambulance System Valuation:
- Community Risk Assessment/SOC:
- Community Risk Assessment/SOC:
- Community Risk Assessment/SOC:
- Community Risk Assessment/SOC:
- Community Risk Assessment/SOC:
- Community Risk Assessment/SOC:
- Community Risk Assessment/SOC:
- Community Risk/Service Delivery Analysis:
- Consolidation Feasibility Study:
- Cooperative Services Study:
- Countywide Fire Service Review:
- Emergency Operations Plan:
- EMS Feasibility & Optimization Study:
- EMS Feasibility Study:
- EMS Optimization Study:
- EMS Optimization Study & Transition Plan:
- EMS Strategic Assessment & Analysis:
- EMS Sub-Contractor RFP Response:
- EMS Sub-Contractor RFP Response:
- EMS Optimization and Feasibility Study:
- EMS System Evaluation:
- Financial Analysis:
- EMS System Valuation:
- EMS Transportation & Optimization Study:

Organization

Alameda County Fire Chiefs Association (CA)
 Santa Barbara County Fire Department (CA)
 Modesto FD/Stanslaus County OES (CA)
 Sonoma County Fire District (CA)
 Contra Costa County FPD (CA)
 Seattle Fire Department (WA)
 Coalinga Fire Department (CA)
 Davidson Fire Department (NC)
 La Verne Fire Department (CA)
 Medford Fire Department (OR)
 San Ramon Valley Fire Protection District (CA)
 Santa Barbara (City) Fire Department (CA)
 Santee Fire Department (CA)
 Elk Creek Fire Protection District (CO)
 Clifton FPD/Grand Junction FD (CO)
 Santa Clara LAFCO (CA)
 Carolina Panthers, Bank of America Stadium
 Webster Fire Department (TX)
 Brattleboro Fire Department (VT)
 Burbank Fire Department (CA)
 Carson City Fire Department (NV)
 City of Ontario/San Bernardino County (CA)
 CONFIRE JPA (CA)
 Santa Barbara County Fire Department (CA)
 San Diego Fire Department (CA)
 Truckee Meadows Fire Protection District (NV)
 Long Beach Fire Department (CA)
 San Luis Obispo Fire Chiefs Association (CA)
 Alameda County Fire Chiefs Association (CA)

FIRE & EMS MSR-SOI UPDATE | NAPA LAFCO

Project Description

- EMS Transportation & Optimization Study:
- Facilities Master Plan:
- Fire Department Cooperative Services Study:
- Fire District Consolidation Study:
- Fire Services Analysis:
- Fire Services Special Study:
- Fire Station Location Study:
- Fire Station & CRA/SOC Study:
- Fire/EMS Assessment:
- First Responder Fee Study:
- First Responder Fee Study:
- First Responder Fee Study:
- Long-Range Fire Department Master Plan:
- Long-Range Master Plan:
- Management Audit:
- Master Plan:
- Master Plan:
- Master Plan:
- Master Plan & Community Risk Assessment:
- Master Plan & CRA-SOC:
- Master Plan & Strategic Plan:
- Organizational & Operational Analysis:
- Municipal Service Review & SOI Study:
- Municipal Service Review & SOI Study:
- Optimization Study:
- Organizational Analysis:
- Prevention Fee Study:
- Regional Ambulance Study:
- Staffing Study & Operational Analysis:
- Strategic Plan:
- Strategic Plan:
- Strategic Plan:
- Strategic Plan:
- Valuation Study:

Organization

Solano County Fire Chiefs Association (CA)
 Redmond Fire Department (OR)
 Golden/Fairmount/Pleasant View FDs (CO)
 Clackamas Fire District 1 (OR)
 Williston Fire Department (VT)
 Santa Cruz LAFCO (CA)
 Portland Fire Department (TX)
 Montecito FPD (CA)
 Pflugerville Fire Department (TX)
 Merced Fire Department (CA)
 Napa Fire Department (CA)
 Truckee Meadows Fire Protection District (NV)
 Templeton Fire & Emergency Services (CA)
 Fairfield Fire Department (CA)
 Menlo Park Fire Protection District (CA)
 American Canyon Fire Protection District (CA)
 Orting Valley Fire-Rescue (WA)
 Whitefish Fire Department (MT)
 Brigham City Fire Department (UT)
 Central Fire District of Santa Cruz County (CA)
 Redmond Fire & Rescue (OR)
 City of Napa Fire Department (CA)
 Placer LAFCO (CA)
 Nevada LAFCO (CA)
 Alameda County Fire Chiefs Association (CA)
 Grand Junction Fire Department (CO)
 Suisun City Fire Department (CA)
 Eastern Placer County JPA (CA)
 Derby Fire Department (KS)
 Aspen Fire Department (CO)
 Blaine County Ambulance Service District (ID)
 Davidson Fire Department (NC)
 Central Fire District of Santa Cruz County (CA)
 Pflugerville Fire Department (TX)

CLIENT REFERENCES

The following are several references and projects out of the hundreds of projects and studies previously completed by Triton. Additional references and example studies can be provided upon request. Sample studies are hyperlinked in the references.

Placer Local Agency Formation Commission (California)			
Project Title & Description: Municipal Service Review & Sphere of Influence Study Placer LAFCO retained AP Triton to prepare a municipal service review (MSR) and sphere of influence (SOI) study covering six special districts, five fire departments, and one county service area. AP Triton is preparing the study to satisfy the outlined MSR and SOI requirements, and to provide a well-researched study that creates a platform to facilitate dialogue among the stakeholders. Triton's study will drive discussions involving enhancing service efficiencies, governance efficiencies, funding opportunities, and where necessary, to pursue sphere, boundary, and governance changes.			
Contact Name/Title:	Michelle McIntyre, Executive Officer	Year:	2022–
Client Phone:	530-889-4097	Client E-Mail:	mmcintyre@placer.ca.gov
Project Manager:	Kurt Latipow	Status:	In progress

Santa Clara Local Agency Formation Commission (California)			
Project Title & Description: Countywide Fire Service Review Santa Clara LAFCO retained AP Triton to prepare a Countywide Fire Service Review. Triton is performing the study in compliance with applicable California Government Code section, local LAFCO policies, and the latest available LAFCO Municipal Service Review Guidelines prepared by the Governor's Office of Planning and Research (OPR). The municipal service reviews (MSRs) will be used to inform the update of sphere of influences (SOIs) along with possible reorganizations such as annexations, dissolutions, or mergers of local public agencies that provide fire protection in Santa Clara County.			
Contact Name/Title:	Neelima Palacherla, Executive Officer	Year:	2022–
Client E-Mail:	Neelima.Palacherla@ceo.sccgov.org		
Project Manager:	Kurt Latipow	Status:	In progress
Public Review Draft:	Countywide Fire Service Review		

FIRE & EMS MSR-SOI UPDATE | NAPA LAFCO

Santa Cruz Local Agency Formation Commission (California)			
Project Title & Description: Fire Study Santa Cruz LAFCO retained AP Triton to prepare a special study on the impacts of the potential detachments of territory from County Service Areas 4 ("Pajaro Dunes") and 48 ("County Fire") and the concurrent annexation of the detached territory to the neighboring independent fire protection districts (7 in total). This special Fire Study will evaluate the impacts of the potential reorganizations, including a detailed analysis of the cost savings and fiscal impacts.			
Contact Name/Title:	Joe Serrano, Executive Officer	Year:	2022-
Client Phone:	(831) 454-2055	Client E-Mail:	joe@santacruzafco.org
Project Manager:	Kurt Latipow	Status:	In progress

Contra Costa County FPD/East Contra Costa FPD (California)			
Project Title & Description: Phase One: Annexation Financial Feasibility Study Triton was retained by the fire districts to conduct an analysis and determine the financial efficacy of CCCFPD annexing ECCFPD, and to make recommendations accordingly. Triton's analysis demonstrated that annexation was fiscally possible and made recommendations to move forward with Phase Two: Annexation Feasibility Study, which was recently completed.			
Contact Name/Title:	Lewis Broschard, Fire Chief	Year:	2020
Client Phone:	925.941.3300	Client E-Mail:	Lewis.broschard@cccfd.org
Project Manager:	Kurt Latipow	Status:	Completed
Completed Report:	Contra Costa County Fire District Annexation Feasibility Study, Vol. One Contra Costa County Fire District Annexation Feasibility Study, Vol. Two		

Placer Local Agency Formation Commission (California)			
Project Title & Description: Financial Update for North Tahoe FPD and Meeks Bay FPD Placer LAFCO retained AP Triton to research and update the contents of the financial analysis section of the previous (2018) Performance Review and Examination of Alternative Governance Models conducted on behalf of the North Tahoe and Meeks Bay Fire Protection Districts (NTFPD and MBFPD). The purpose of the update was to provide the applicant with necessary and updated financial analyses and projections as required to complete all components of the MBFPD and NTFPD Application for Reorganization.			
Contact Name/Title:	Michelle McIntyre, Executive Officer	Year:	2022
Client Phone:	530-889-4097	Client E-Mail:	mmcintyre@placer.ca.gov
Project Manager:	Kurt Latipow	Status:	Complete
Completed Report:	Financial Update for Placer LAFCO		

CLIENT TESTIMONIALS

- The AP Triton team provided well-researched information that I believe will help my Commission make informed decisions. My Commission was pleased with the outcome of the financial analysis and recently contracted AP Triton for a much more comprehensive study.

—Placer LAFCO, California
- Exceptional product and process! Very pleased with the experience with AP Triton. The Project Manager and Project Team were extremely knowledgeable, professional, and exceptional to work with. I would like to bring them back for more projects in the future.

—Blaine County, Idaho
- It was a pleasure working with your staff. [Our Project Manager] did a fantastic job, and the others on the team were very good to work with. All were knowledgeable and experienced in their fields. The well-rounded team ensured a complete and accurate report. We hope to work with your team again in the future.

—Brigham City Fire Department, Utah
- I highly recommend them to any fire department or EMS agency looking to get perspective from consultants that use data and many years of experience and wisdom to make informed determinations. It is obvious that they know their stuff. We are very pleased with the results.

—North View Fire District, Utah
- [AP Triton] communicated clear timelines from the outset and provided multiple opportunities for us to clarify and adjust the scope of our project. Most impressively, the AP Triton team remained responsive and assisted the Seattle Fire Department well beyond the completion of our evaluation. AP Triton's reputation as a leader in the industry is well earned.

—Seattle Fire Department, Washington

TRITON'S CERTIFICATES OF INSURANCE & LITIGATION

AP Triton, LLC maintains liability insurance as shown in the following pages. Triton has no past and/or pending litigation or unresolved lawsuits. Since AP Triton utilizes an entirely independent pool of contractors, we are exempt from carrying Workers' Compensation insurance. Each of our contractors carries their own liability insurance.

[illegible]

FIRE & EMS MSR-SOI UPDATE | NAPA LAFCO

Client#: 1626412		APTRI		DATE (MM/DD/YYYY) 3/21/2023													
ACORD CERTIFICATE OF LIABILITY INSURANCE																	
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER. IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).																	
PRODUCER USI Insurance Services, LLC 2375 E. Camelback Road, Suite 250 Phoenix, AZ 85016 877 468-6516			CONTACT NAME: Tracy Bennett PHONE (A/C No. Ext): 818.251.3045 FAX (A/C No.): E-MAIL ADDRESS: Tracy.Bennett@usi.com														
INSURED AP Triton, LLC 1309 COFFEEN AVE STE 3178 Sheridan, WY 82801			INSURER(S) AFFORDING COVERAGE <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>INSURER A: StarStone National Insurance Company</td> <td>NAID # 25496</td> </tr> <tr> <td>INSURER B: Continental Casualty Company</td> <td>20443</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>			INSURER A: StarStone National Insurance Company	NAID # 25496	INSURER B: Continental Casualty Company	20443	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER A: StarStone National Insurance Company	NAID # 25496																
INSURER B: Continental Casualty Company	20443																
INSURER C:																	
INSURER D:																	
INSURER E:																	
INSURER F:																	
COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:																	
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.																	
NEH LTR	TYPE OF INSURANCE	ADDITIONAL INSURANCE	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)												
	COMMERCIAL GENERAL LIABILITY ☐ CLAIM-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:																
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY																
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	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in WA) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A															
B	Professional Liab		596516681	03/27/2023	03/27/2024												
					EACH OCCURRENCE \$ CLAIMS TO SUTED PREMISES (Per occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMPROP AGG \$ COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ EACH OCCURRENCE \$2,000,000 AGGREGATE \$2,000,000 PER STATUTE QTH \$ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$												
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CERTIFICATE HOLDER Evidence Of Insurance			CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE														
ACORD 25 (2018/03) 1 of 1 The ACORD name and logo are registered marks of ACORD #533461361/M39458634 BFMZP																	



FIRE & EMS MSR-SOI UPDATE | NAPA LAFCO

ACORD		CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 08/18/2023		
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER. IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).						
PRODUCER  State Farm Ann Gardner 851 Coffeen Avenue Sheridan WY 82801		CONTACT NAME: Ann Gardner PHONE (A/C, Mo, Ext): 307-872-5615 FAX (A/C, Mo): E-MAIL: ann.g.gardner.hdr@statefarm.com ADDRESS:		INSURER(S) AFFORDING COVERAGE MAIC # INSURER A: State Farm Mutual Automobile Insurance Company 25178 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:		
INSURED AP TRITON LLC 1309 COFFEEN AVE STE 3178 SHERIDAN WY 828015777						
COVERAGES		CERTIFICATE NUMBER:		REVISION NUMBER:		
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
INSUR LTR	TYPE OF INSURANCE	ADD. BUS. WVD	POLICY NUMBER	POLICY EFF. (MM/DD/YYYY)	POLICY EXP. (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY CLAIMSMADE ☐ OCCUR ☐ GEN'L AGGREGATE LIMIT APPLIES PER: POLICY ☐ PROJ. ☐ SCHED. ☐ LOG ☐ OTHER:					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (EA ACCIDENT) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ OTHER:
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	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY EMPLOYER'S LIABILITY EXCLUDED? ☐ Y/N (Mandatory in HI) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				PER STATUTE ☐ OTHER ☐ E.L. EACH ACCIDENT \$ E.L. O SEGE - EA EMPLOYEE \$ E.L. O SEGE - POLICY LIMIT \$
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks, Schedule, may be attached if more space is required)						
CERTIFICATE HOLDER			CANCELLATION			
AP TRITON LLC 1309 Coffeen Ave Ste 3178 Sheridan WY 82801 INFORMATIONAL COPY ONLY			SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  This form was system-generated on: 08/18/2023			
ACORD 25 (2018/03)		The ACORD name and logo are registered marks of ACORD		© 1988-2015 ACORD CORPORATION. All rights reserved.		1001488 2009 166279 205 01-16-2003



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September 9, 2026

Local Agency Formation Commission of Napa County
c/o Gary Bell, LAFCO Counsel
1754 Second Street, Suite C
Napa, California 94559

SUBJECT: Response to Request to Extend Municipal Service Review and Sphere of Influence Study on Fire Services through December 31, 2025

Dear Mr. Bell,

This letter serves as a follow-up regarding the ongoing Municipal Service Review (MSR) and Sphere of Influence (SOI) study for fire and emergency medical services in Napa County.

Following our August 10, 2026, meeting with you, we proposed a contract amendment and change order to incorporate significant updates and revisions to the AP Triton draft report. Based on our August 31, 2026, meeting, we're proposing that AP Triton issue a 2024 and 2025 addendum to the report. We believe the addendum would provide the County with the durable planning document its seeking in an efficient and cost-effective manner for LAFCO.

Crucially, to maintain equity and parity across all fire entities, AP Triton believes we must apply these updates consistently across all five participating fire service providers (American Canyon Fire Protection District, Calistoga Fire Department, City of Napa Fire Department, St. Helena Fire Department, and Napa County Fire Department). Updating only one agency would undermine the comparative validity of the countywide review.

To accommodate these updates and deliver a comprehensive MSR document, AP Triton will execute the following specialized work streams for the addendum:

- **Updated Performance Metrics & Analytics:** Include data tables for response time statistics through the end of the 2025 calendar year for all five agencies. This includes extracting and parsing turnout, dispatch, and travel time logs at the 90th percentile level.
- **Technological & Dispatch Integration:** Evaluate the operational impact of the newly adopted Tablet Command software (implemented countywide starting late 2023). The County believes this technology has significantly improved turnout and notification processes, rendering initial 2022–2023 baseline response datasets unrepresentative of current field conditions.
- **Master Plan Alignment & Accomplishments:** We will report accomplishments for all participating departments in a manner to formally document completed initiatives and structural improvements.



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- **Comprehensive Financial Revisions:** Integrate closed actuals for Fiscal Year 2024–2025 and adopted budgets for Fiscal Year 2025–2026, including full baseline recalibration of the five-year financial Proformas, capital reserves, and ERAF funding outlooks for all providers.

AP Triton will not be re-running GIS maps, community risk, or demographics. It's likely this information and the related graphics haven't changed enough to matter.

Because these updates require resetting the project's analytical baselines and performing a comprehensive secondary review, they still fall outside the scope of services defined in our original Professional Services Agreement. Per Section 5.1 of that agreement, these changes require a written amendment to adjust compensation by \$32,750 and extend the delivery schedule.

Our target timeline is to complete this updated analytical work and distribute revised draft reports to all participating fire entities by December 2026. However, please note that timely authorization of this change order and prompt data delivery from the participating agencies are critical to avoid the project timeline sliding into 2027.

We are prepared to initiate these updates immediately upon receipt of a signed contract amendment. We appreciate the Commission's continued trust and collaboration as we work to deliver a highly accurate and credible planning tool for Napa County.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Micheal Despain", is written over a light blue circular background.

Micheal Despain
Chief Executive Officer
AP Triton, LLC

CC: David Rocha, Division Manager, AP Triton
Kathleen Rollings-McDonald, Project Manager, AP Triton

**AMENDMENT No. 1 TO PROFESSIONAL SERVICES AGREEMENT FOR
CONSULTANT SERVICES**
(LAFCO of Napa County and AP Triton)

This Amendment No. 1 (“Amendment”) to Professional Services Agreement for Consultant Services is made on this [#th] day of [Month, Year] by and between the Local Agency Formation Commission of Napa County (“LAFCO”) and AP Triton, a Wyoming Limited Liability Company registered to do business in the State of California (“Consultant”) (collectively, “parties”).

This Amendment modifies that certain Professional Services Agreement for Consultant Services between LAFCO and the Consultant dated December 8, 2023 (the “Agreement”) in the following fashion:

- A. Pursuant to section 7.5 of the Agreement, LAFCO and Consultant desire to amend the Agreement by modifying section 3.1 – “Scope of Services” to add the revised scope of services as set forth in Consultant’s September 9, 2026 proposal to LAFCO (the “Revised Scope of Services”), attached hereto as Exhibit A-1 and incorporated herein by this reference, to the Scope of Services.
- B. LAFCO and Consultant desire to amend the Agreement by modifying section 3.4 – “Maximum Amount” of the Agreement to read as follows:

3.4 “Maximum Amount”: The highest total compensation and costs payable to Consultant by LAFCO under this Agreement. The Maximum Amount under this Agreement is One Hundred Seventy Six Thousand Four Hundred and Sixty Eight Dollars (\$176,468.00).

- C. **Integration.** This Amendment amends, as set forth herein, the Agreement and except as specifically amended hereby the Agreement shall remain in full force and effect. To the extent there is any conflict between this Amendment and the Agreement, the terms and provisions of this Amendment shall control. This Amendment and the Agreement, including any exhibits attached to the Agreement and this Amendment, integrate all the terms and conditions of the Parties’ agreement and supersede all negotiations with respect hereto.

TO EFFECTUATE THIS AGREEMENT, the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

“LAFCO”

**Local Agency Formation Commission of
Napa County**

By: _____
David Key,
Interim Executive Officer

“Consultant”

AP Triton

By: _____
[Name, Title]

Date: _____

Date: _____

By: _____
[Name, Title]

Date: _____

Attest:

By: _____

Date: _____

Approved as to form:

By: _____
Gary B. Bell, LAFCO Counsel

Exhibit A-1
Revised Scope of Services

ASAP



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

1754 Second Street, Suite C
Napa, California 94559
Phone: (707) 259-8645
www.napa.lafco.ca.gov

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

Agenda Item 6c (Consent/Action)

TO: Local Agency Formation Commission

FROM: David Key, Interim Executive Officer

MEETING DATE: October 5, 2026

SUBJECT: Third Amendment to Legal Services Agreement with Renne Public Law Group

RECOMMENDATION

It is recommended that the Commission consider taking the following action:

1. Approve the Third Amendment to the Legal Services Agreement with Renne Public Law Group (RPLG) to increase the not-to-exceed compensation limit to \$150,000.

BACKGROUND AND SUMMARY

The history of the legal services agreement and its subsequent expansions is as follows:

- **Original Agreement (May 4, 2026):** Napa LAFCO entered into a Legal Services Agreement with RPLG. The scope of engagement was strictly limited to providing legal advice and representation in connection with two pending applications involving the City of American Canyon. The agreement established a blended hourly rate of \$350.00 for all attorneys. The initial compensation for these services, inclusive of expenses, was capped at a not-to-exceed amount of \$5,000.00. The agreement was executed by Brendon Freeman, Executive Officer.
- **First Amendment (June 3, 2026):** Following approval provided by the Commission on June 1, 2026, the agreement was amended to increase the not-to-exceed compensation limit to \$20,000. This amendment was executed by Executive Officer Brendon Freeman.
- **Second Amendment (August 24, 2026):** The agreement was amended a second time to increase the not-to-exceed compensation limit to \$40,000. This amendment was accepted and agreed to retroactive to August 1, 2026. The second amendment expressly superseded the prior June 3, 2026 amendment. It was executed by Executive Officer Brendon Freeman.

Beth Painter, Chair
Councilmember, City of Napa

Paul Dohring, Commissioner
Councilmember, City of St. Helena

David Oro, Alternate Commissioner
Councilmember, City of American Canyon

Belia Ramos, Vice Chair
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner
County of Napa Supervisor, 1st District

Jeffrey Crosswhite, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

David Key
Interim Executive Officer

- **Third Amendment (September 24, 2026):** The current proposed third amendment increases the not-to-exceed compensation limit for the originally described services to \$150,000. This amendment supersedes both the June 3, 2026 amendment and the August 24, 2026 second amendment. The terms are accepted and agreed to retroactive to September 1, 2026. It is addressed to David Key, Interim Executive Officer.

DISCUSSION

The original agreement retains the legal services of the law firm as a whole, with Rubin E. Cruse, Jr. designated as the attorney in charge of the matter. Administrative parameters established in the original May 4, 2026 agreement state that monthly statements will be sent to Napa LAFCO and are due within 30 days of receipt. The firm's billing is calculated in 1/10ths of an hour increments.

Except for the financial amendments to the not-to-exceed cap outlined in the Background section, all other terms and conditions of the May 4, 2026 Legal Services Agreement remain in full force and effect.

ATTACHMENTS

- 1) May 4, 2026 Legal Services Agreement
- 2) June 3, 2026 Legal Services Agreement Amendment
- 3) August 24, 2026 Legal Service Agreement Second Amendment
- 4) September 24, 2026 Proposed Legal Services Third Amendment



350 Sansome Street | Suite 300
San Francisco, CA 94104

Rubin E. Cruse, Jr.
Partner
O: 415-848-7200
rcruse@publiclawgroup.com

May 4, 2026

Via Email: bfreeman@napa.lafco.ca.gov

Brendon Freeman
Executive Officer
Napa Local Agency Formation Commission
1754 2nd St Unit C
Napa, CA 94559

Re: Legal Services Agreement – Local Agency Formation Commission of Napa County

Dear Mr. Freeman:

Thank you for providing Renne Public Law Group ("RPLG") with the opportunity to provide legal services on behalf of the Local Agency Formation Commission of Napa County ("Napa LAFCO"). We appreciate the opportunity to serve as Napa LAFCO's lawyers and look forward to working with you on this matter.

This letter sets forth our agreement concerning the legal services we will provide and our fee and expense reimbursement arrangements for those services. This agreement creates an attorney-client relationship between Napa LAFCO and RPLG. Please read this entire agreement before signing and returning it to us.

1. **Scope of Engagement.** RPLG will provide legal advice and representation to Napa LAFCO in connection with two pending applications involving the City of American Canyon. Our work is limited to such services. If we agree to provide legal services in additional discrete matters, we will confirm the engagement and bill separately for such services.
2. **Fees and Personnel.** As compensation for our services, our fees will be based on a blended rate of \$350.00 for all attorneys. Rates will generally be increased annually on January 1 by the greater of 5% or the relevant local CPI increase over the prior 12-month period, rounded to the nearest \$5.

I will be the attorney in charge of your matter. However, this agreement retains the legal services of our law firm and not of a particular attorney. If other attorneys are assigned to work on your matter, their time will be billed at the blended rate. In the unlikely event of a dispute over fees, the parties agree that the dispute will be submitted to arbitration pursuant to the California State Bar's Mandatory Fee Arbitration Program. Compensation for the services described in this agreement, inclusive of expenses, is not to exceed \$5,000.00 unless this agreement is approved by the Napa LAFCO Commission.

May 4, 2026

Page 2

3. **Billing and Payment Responsibilities.** RPLG will send monthly statements, which are due within 30 days of receipt. If Napa LAFCO has any questions about an invoice, please promptly telephone or write to me so that we may discuss these matters. Billing is done in 1/10ths of an hour increments.

Billing and payment procedures are outlined in Attachment A

4. **Termination of Services.** Napa LAFCO may terminate RPLG's services at any time by written notice. After receiving such notice, we will cease providing services. RPLG will cooperate with Napa LAFCO in the orderly transfer of all related files and records to Napa LAFCO's new counsel.

RPLG may terminate its services for any reason upon reasonable written notice, consistent with the Rules of Professional Conduct. If we terminate our services, you agree to execute a substitution of attorneys promptly and otherwise cooperate in effecting that termination.

Termination of our services, whether by you or by us, will not relieve the obligation to pay for services rendered and costs incurred before our services formally ceased.

5. **No Guarantee of Outcome.** Any comments made by us about the potential outcome of this matter are expressions of opinion only and are not guarantees or promises about any outcome or results.
6. **Governing Law.** This agreement shall be governed by and construed in accordance with the laws of the State of California.
7. **Entire Agreement; Full Understanding; Modifications in Writing.** This letter contains our entire agreement about our representation. Any modifications or additions to this letter agreement must be made in writing.
8. **Joint Representation.** Our firm maintains Of Counsel agreements with certain legal specialists. Because these individuals are deemed independent contractors under the applicable provisions of the tax laws and not employees of the firm, it is necessary that you consent to dual representation by the firm and the specialist in the event the matter that you have engaged us to handle requires the use of that specialist. This arrangement has no effect whatsoever on the cost of your legal services; rather it is an ethical requirement that we disclose this fact and that you consent. You are consenting by signing this letter.
9. **Conflicts.** As you know, RPLG represents numerous public agencies, nonprofits and private clients throughout California. It is inevitable that certain clients might have certain objectives and policies that are not shared by other clients. For example, a city may support proposed legislation, while another city may be opposed to it.

May 4, 2026

Page 3

Napa LAFCO recognizes this reality, acknowledges that this sort of policy disagreement may occur, and agrees that it will not assert a legal conflict of interest based on these types of policy or legislative disagreements. Nothing in this paragraph shall be construed to diminish or override RPLG's duty to adhere to the Rules of Professional Responsibility, including the rules governing legal conflicts of interest.

10. **Indemnification.** To the fullest extent permitted by law, RPLG shall indemnify, defend, and save harmless Napa LAFCO, its agents, officers, and employees from and against any and all liability, expenses, including defense costs and legal fees, and claims for damages resulting from RPLG's willful misconduct or negligent acts or omissions, arising from or connected with services performed under this Agreement. RPLG's obligations under this paragraph apply unless it is finally adjudicated that the liability was caused by the negligence or sole willful misconduct of Napa LAFCO. If it is finally adjudicated that liability is caused by the comparative negligence or willful misconduct of Napa LAFCO, then RPLG's obligation under this paragraph shall be reduced in proportion to the established comparative liability.

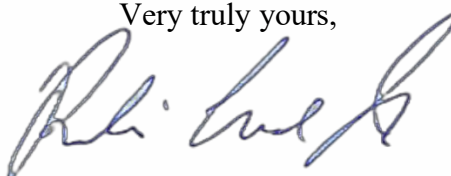
[Continued on Next Page]

May 4, 2026

Page 4

11. **Insurance.** RPLG shall maintain Professional Liability Insurance that covers the service to be performed in connection with the Agreement in an amount not less than \$2 million.

Very truly yours,



Rubin E. Cruse, Jr.
Partner

Approved:



Jonathan V. Holtzman
Managing Partner

cc: RPLG Billing Department

These terms are accepted and agreed to as of the date of this letter.

Napa Local Agency Formation Commission

Signature: 

Print Name: Brendon Freeman
Title: Executive Officer

May 4, 2026

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ATTACHMENT A

RENNE PUBLIC LAW GROUP STATEMENT OF FEE AND BILLING INFORMATION

The following is a general description of our fee and billing policies. These general policies may be modified by the specific engagement letter or agreement to which this summary is attached.

Professional Fees. Our fees for professional services are based on the fair value of the services rendered. To help us determine the value of our services, our attorneys and paralegals maintain time records for each client and matter. Our attorneys and paralegals are assigned hourly rates which are based on years of experience, specialization, training and level of professional attainment. We adjust our rates periodically (usually at the beginning of each year) to take into account inflation and the increased experience of our professional personnel.

To keep professional fees at a minimum, legal work that does not require more experienced attorneys will be performed, where feasible, by attorneys with lower billing rates. Of course, the quality of the work is paramount, and we do not sacrifice quality to economy.

Before undertaking a particular assignment, we will, if requested, provide you with a fee estimate to the extent possible. Estimates are not possible for some matters, however, and cannot be relied on in many others because the scope of our work will not be clear at the outset. When a fee estimate is given, it is only an estimate; it is not a maximum or minimum fee quotation. The actual fee may be more or less than the quoted estimate.

Billing and Payment Procedures. Unless other arrangements are made at the time of the engagement, invoices will be sent monthly. Invoices for outside services exceeding \$100 may be billed separately. Occasionally, however, we may defer billing for a given month or months if the accrued fees and costs do not warrant current billing or if other circumstances would make it appropriate to defer billing.

Our invoices contain a brief narrative description of the work performed; if requested, the initials of the attorney who performed the work will appear on the statement. The invoice will include a line item reflecting in-house administrative costs. The firm's in-house administrative costs include duplicating, facsimile charges, telephone charges, e-mail, postage, mileage and other administrative expenses.

The Firm charges separately for disbursements to third parties made on the client's behalf. Such costs and disbursements include, for example, the following: travel-related expenses, transcription, overnight delivery, production and messenger services.

May 4, 2026

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If you have any questions regarding an invoice, the Billing Coordinator or Accounting Manager is available to answer your questions. For any unresolved matters, the Bar Association has an arbitration mechanism that can be used to resolve such matters.



350 Sansome Street | Suite 300
San Francisco, CA 94104

Rubin E. Cruse, Jr.
Partner and Head of Government Practice
415-848-7200
rcruse@publiclawgroup.com

June 3, 2026

Via Email: bfreeman@napa.lafco.ca.gov

Brendon Freeman
Executive Officer
Napa Local Agency Formation Commission
1754 2nd St Unit C
Napa, CA 94559

Re: Legal Services Agreement Amendment- Not to Exceed Increase

Dear Mr. Freeman:

Pursuant to approval provided by the Local Agency Formation Commission of Napa County ("Napa LAFCO") on June 1, 2026, the last sentence of Section 2 of the May 4, 2026 Legal Services Agreement between Napa LAFCO and Renne Public Law Group (RPLG) is amended to provide that compensation for the services described in the May 4, 2026 Legal Services Agreement, inclusive of expenses, is not to exceed \$20,000 unless this agreement is approved by the Napa LAFCO Commission.

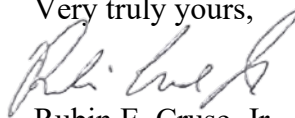
Except as amended herein, all other terms and conditions of the May 4, 2026 Legal Services Agreement shall remain in full force and effect.

Please sign below and return to my attention.

Rubin Cruse
June 3, 2026
Page 2

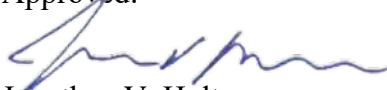
Please let me know if you have any questions. We look forward to continuing to work with you on this matter.

Very truly yours,



Rubin E. Cruse, Jr.
Partner and Head of Government Practice

Approved:



Jonathan V. Holtzman
Managing Partner

cc: RPLG Billing Department

These items are accepted and agreed to as of June 3, 2026

Napa Local Agency Formation Commission

Signature:



Print Name: Brendon Freeman
Title: Executive Officer

RPLG Renne Public Law Group®
350 Sansome Street | Suite 300
San Francisco, CA 94104

Rubin E. Cruse, Jr.
Partner and Head of Government Practice
415-848-7200
rcruse@publiclawgroup.com

August 24, 2026

Via Email: bfreeman@napa.lafco.ca.gov

Brendon Freeman
Executive Officer
Napa Local Agency Formation Commission
1754 2nd St Unit C
Napa, CA 94559

Re: Legal Services Agreement Second Amendment- Not to Exceed Increase

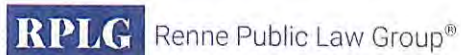
Dear Mr. Freeman:

Upon approval from the Local Agency Formation Commission of Napa County ("Napa LAFCO"), the last sentence of Section 2 of the May 4, 2026, Legal Services Agreement between Napa LAFCO and Renne Public Law Group (RPLG), as previously amended by a June 3, 2026, Legal Service Agreement Amendment, is further amended to provide that compensation for the services described in the May 4, 2026, Legal Services Agreement, inclusive of expenses, is not to exceed \$40,000.

This Legal Services Agreement Second Amendment shall serve to supersede the June 3, 2026, Legal Services Agreement Amendment.

Except as amended herein, all other terms and conditions of the May 4, 2026, Legal Services Agreement shall remain in full force and effect.

Please sign below and return to my attention.



Rubin Cruse Jr.
August 24, 2026
Page 2

Please let me know if you have any questions. We look forward to continuing to work with you on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rubin E. Cruse, Jr.", written in a cursive style.

Rubin E. Cruse, Jr.
Partner and Head of Government Practice

Approved:

A handwritten signature in blue ink, appearing to read "Jonathan V. Holtzman", written in a cursive style.

Jonathan V. Holtzman
Managing Partner

cc: RPLG Billing Department

These items are accepted and agreed to retroactive to August 1, 2026

Local Agency Formation Commission of Napa County

Signature:

A handwritten signature in black ink, appearing to read "Brendon Freeman", written in a cursive style. To the right of the signature, the text "Interim Executive Officer" is written in a cursive script.

Print Name: Brendon Freeman
Title: Executive Officer

RPLG Renne Public Law Group®
350 Sansome Street | Suite 300
San Francisco, CA 94104

Rubin E. Cruse, Jr.
Partner and Head of Government Practice
415-848-7200
rcruse@publiclawgroup.com

September 24, 2026

Via Email david@thepaperworkcompany.com

David Key
Interim Executive Officer
Local Agency Formation Commission
Of Napa County
1754 2nd St Unit C
Napa, CA 94559

Re: Legal Services Agreement Third Amendment- Not to Exceed Increase

Dear Mr. Key:

Upon approval from the Local Agency Formation Commission of Napa County (“Napa LAFCO”), the last sentence of Section 2 of the May 4, 2026, Legal Services Agreement between Napa LAFCO and Renne Public Law Group (RPLG), as previously amended by a June 3, 2026, Legal Services Agreement Amendment, and as previously amended by an August 24, 2026 Legal Services Agreement Second Amendment, is further amended to provide that compensation for the services described in the May 4, 2026, Legal Services Agreement, inclusive of expenses, is not to exceed \$150,000.

This Legal Services Agreement Third Amendment shall serve to supersede the June 3, 2026 Legal Services Agreement Amendment, and the August 24, 2026, Legal Services Agreement Second Amendment.

Except as amended herein, all other terms and conditions of the May 4, 2026, Legal Services Agreement shall remain in full force and effect.

Please sign below and return to my attention.

Rubin Cruse Jr.
September 24, 2026
Page 2

Please let me know if you have any questions. We look forward to continuing to work with you on this matter.

Very truly yours,

Rubin E. Cruse, Jr.
Partner and Head of Government Practice

Approved:

Jonathan V. Holtzman
Managing Partner

cc: RPLG Billing Department

These items are accepted and agreed to retroactive to September 1, 2026

Local Agency Formation Commission of Napa County

Signature:

Print Name: David Key

Title: Interim Executive Officer



Local Agency Formation Commission of Napa County

Subdivision of the State of California

1754 Second Street, Suite C
Napa, California 94559
Phone: (707) 259-8645
www.napa.lafco.ca.gov

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

Agenda Item 6d (Consent/Information)

TO: Local Agency Formation Commission

PREPARED BY: Stephanie Pratt, Staff Analyst *SP*

MEETING DATE: October 5, 2026

SUBJECT: Current and Future Proposals

SUMMARY

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

This report summarizes all current and future boundary change proposals. There are currently zero active proposals on file and three anticipated new proposals that are expected to be submitted in the future. A summary follows.

Anticipated Proposals

Materials Diversion Facility Annexation to the City of Napa

Staff from the City of Napa has inquired about annexation of approximately 2.9 acres of unincorporated territory comprising a portion of a parcel owned identified as APN 057-090-060. The purpose of annexation is to expand the City's existing materials diversion facility operations. The property is located outside the City of Napa's SOI and in proximity to the City of American Canyon's boundary. Annexation to the City of Napa is allowed given the property is owned by the City and will be used by the City for municipal purposes.¹ It is anticipated a proposal for annexation will be submitted in the future, but there is no immediate timetable.



¹ See [California Government Code §56742](#).



Local Agency Formation Commission of Napa County
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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

Agenda Item 6e (Consent/Information)

TO: Local Agency Formation Commission

PREPARED BY: Stephanie Pratt, Staff Analyst *SP*

MEETING DATE: October 5, 2026

SUBJECT: Legislative Report

BACKGROUND AND SUMMARY

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

The Commission previously established an ad hoc Legislative Committee to advise staff with respect to legislative items related to LAFCO. Commissioners Kahn and Oro were appointed to the Legislative Committee.

The California State Legislature officially concluded its 2026 regular session at the end of August. The Governor's deadline to sign or veto bills passed by the Legislature ends on September 30, meaning the legislative landscape for the upcoming 2027 calendar year is now finalized.

Given that Napa LAFCO is not a member of CALAFCO, the Commission's access to daily legislative tracking reports is limited.

A summary of key bills tracked and core positions taken by CALAFCO follows.

- 1. AB 1821 (Pacheco):** California Public Records Act: agency response time: This bill alters the timeline and mandates for state and local agencies (including LAFCOs) responding to public records requests. It cleared its final floor votes on August 25, 2026, and was enrolled and formally presented to Governor Gavin Newsom on August 31, 2026. As of September 23, 2026, the bill is sitting on the Governor's desk awaiting his signature or veto. He has until September 30, 2026, to make his final decision.

Beth Painter, Chair
Councilmember, City of Napa

Paul Dohring, Commissioner
Councilmember, City of St. Helena

David Oro, Alternate Commissioner
Councilmember, City of American Canyon

Belia Ramos, Vice Chair
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner
County of Napa Supervisor, 1st District

Jeffrey Crosswhite, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

David Key
Interim Executive Officer

2. **SB 707 (Durazo) & SB 1187 (Committee on Local Government) – The Ralph M. Brown Act: Teleconferencing and Public Participation Overhaul Updates:** CALAFCO monitors legislative changes dictating how local commissions conduct remote meetings. SB 707 extends the "just cause" remote-participation framework through December 31, 2029, and allows private remote options for commissioners with medical disabilities. An urgency cleanup bill, SB 1187, was signed on September 18, 2026, officially repealing high-cost, mandatory live translation requirements. The Napa LAFCO Operational Impact is that physical quorum remains required within county boundaries. Remote commissioners must utilize two-way audio/video and declare if other adults are present in their room. No multilingual infrastructure changes are required.
3. **SB 1439 (Committee on Local Government):** CALAFCO regularly evaluates annual Senate Governance & Finance Committee Omnibus bills to ensure clean technical cleanups of statutory law impacting city annexations, special district dissolutions, and financial transaction transparency requirements submitted to the State Controller. It amends broader sections of the Government Code regarding local government operations. For Napa LAFCO, the relevant changes streamline administrative cleanup, such as updated Brown Act teleconferencing parameters (SB707) for subsidiary/multijurisdictional bodies and updated procedures for local agency investments.



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

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

Agenda Item 7a (Public Hearing Item)

TO: Local Agency Formation Commission

PREPARED BY: David Key, Interim Executive Officer

MEETING DATE: October 5, 2026

SUBJECT: Hess-Laird Sphere of Influence Amendments

RECOMMENDATION

It is recommended that the Commission consider taking the following action:

1. Open the public hearing and take testimony.
2. Close the public hearing.
3. (1) Adopt a Resolution approving an amendment to the sphere of influence for the City of American Canyon (City) to include approximately 281.67 acres commonly referred to as the Hess-Laird Property (APN 057-090-065 and a substantial portion of APN 057-090-089) and identified on the submitted surveyor's description, with standard approval conditions as stated in the resolution ("City Sphere of Influence Amendment"); and (2) find the City Sphere of Influence Amendment is not subject to or is otherwise exempt from the California Environmental Quality ("CEQA").
4. (1) Adopt a Resolution approving an amendment to the sphere of influence for the American Canyon Fire Protection District ("ACFPD") to include approximately 281.67 acres commonly referred to as the Hess-Laird Property (APN 057-090-065 and a substantial portion of APN 057-090-089) and identified on the submitted surveyor's description, with standard approval conditions as stated in the resolution ("ACFPD Sphere of Influence Amendment"); and (2) find the ACFPD Sphere of Influence Amendment is not subject to or is otherwise exempt from the California Environmental Quality ("CEQA").

SUMMARY

The Commission has received a landowner application requesting concurrent sphere of influence amendments to include the Hess-Laird Property (the "Property" or the "Affected Territory") within the spheres of influence of the City of American Canyon and the American Canyon Fire Protection District ("ACFPD") (collectively, the "Sphere of Influence Amendments"). The application was submitted by Timothy Persson, Chairman & CEO of Hess Persson Estates, and Kenneth Laird, on behalf of the Kenneth and Gail Laird Revocable Trust (Applicants), on August 14, 2026, and supplemented on August 20, 2026 and September 17, 2026.

Beth Painter, Chair
Councilmember, City of Napa

Paul Dohring, Commissioner
Councilmember, City of St. Helena

David Oro, Alternate Commissioner
Councilmember, City of American Canyon

Belia Ramos, Vice Chair
County of Napa Supervisor, 5th District

Anne Cottrell, Commissioner
County of Napa Supervisor, 3rd District

Joelle Gallagher, Alternate Commissioner
County of Napa Supervisor, 1st District

Jeffrey Crosswhite, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

David Key
Interim Executive Officer

The Affected Territory comprises two undeveloped parcels identified by the County Assessor as parcel number 057-090-065 and a substantial portion 057-090-089, totaling approximately 281.67 acres “more or less” as reflected in the surveyor’s legal description submitted with the application.

The Affected Territory is located in unincorporated Napa County, east of State Route 29, north of Paoli Loop Road, and south of South Kelly Road, immediately adjacent to the City. The Property lies substantially within the City’s existing water and sewer service areas and is served by ACFPD under an automatic aid agreement with Napa County.

The application seeks the Sphere of Influence Amendments only. No annexation or development approvals are sought or being contemplated by this action.

According to the applicants, the Sphere of Influence Amendments will provide an economic return on future investment based upon economies of scale of millions of dollars invested by Napa County and the City for improving the regional service transportation network in southern Napa County. As previously stated, there is no specific project being contemplated with the Sphere of Influence Amendments.

There is an agreement between the City and Napa County (City Agreement No. 2026-64/Napa County Agreement No. 260377B) by which both entities agree to support the Sphere of Influence Amendments, as well as a potential future annexation of the Hess-Laird Property to the City (the “City/County Agreement”). The City/County Agreement is further referenced in the Background Section below as Item # 5.

The City has also separately expressed written support of the Sphere of Influence Amendments.

The American Canyon Fire Protection District has also expressed written support for the Sphere of Influence Amendments.

BACKGROUND

The Affected Territory has been the subject of several planning actions by Napa County, the Napa County Airport Land Use Commission (ALUC), and the City that provide context for the requested amendments:

1. On November 12, 2024, Napa County adopted a General Plan amendment and zoning changes, which redesignated the Affected Territory as “Industrial” in its General Plan and rezoned the Property from Agricultural Watershed: Airport Compatibility (AW:AC) to Industrial Park: Airport Compatibility (IP:AC), supported by an Addendum to the Napa County 2008 General Plan EIR.
2. On December 4, 2024, the ALUC adopted the 2024 Airport Land Use Compatibility Plan (ALUCP) with an Initial Study/Negative Declaration. The ALUCP places the Property in Napa County Airport Compatibility Zones D1 and D2.
3. On August 19, 2025, Napa County adopted General Plan and Zoning Code amendments to achieve ALUCP consistency, finding no new effects beyond the ALUCP Negative Declaration.

4. On November 18, 2025, the City adopted its 2040 General Plan and certified an associated EIR; the Hess-Laird Property is designated a “Future Study Area” in the City’s General Plan.

5. In April and May 2026, the City and County approved an Urban Limit Line and Regional Housing Needs Allocation Agreement and a related Property tax sharing agreement for the Hess-Laird Property. The applicants note that these City-County agreements are the subject of legal challenge.

6. On August 11, 2026, the ALUC Executive Officer found the City’s Special Study Zone Pre-Zoning of the Hess-Laird Property consistent with the 2024 ALUCP, subject to standard conditions.

7. On September 15, 2026, the City Council adopted an ordinance approving Special Study Pre-Zoning for the Hess-Laird Property with an Addendum to the General Plan EIR. The action authorizes no specific development, and future development would require separate City action subject to separate CEQA review. The applicants note that this pre-zoning determination may be subject to legal challenge.

ANALYSIS

The Napa LAFCO Policy on Spheres of Influence states that a Sphere of Influence is primarily a planning tool that will:

Serve as a master plan for the future organization of local government within the County by providing long range guidelines for the efficient provision of services to the public.

Discourage duplication of services by two or more local governmental agencies.

Guide the Commission when considering individual proposals for changes of organization.

Identify the need for specific reorganization studies, and provide the basis for recommendations to particular agencies for government reorganizations

The analysis below addresses the Affected Territory and existing conditions, the agencies and services involved, and consistency with the statutory sphere of influence factors and Napa LAFCO policies.

I. AFFECTED TERRITORY AND EXISTING CONDITIONS

The Affected Territory consists of APN 057-090-065 and a substantial portion of APN 057-090-089, as identified on the surveyor map submitted with the application, located east of State Route 29, north of Paoli Loop Road, and south of South Kelly Road, bounded on the north by the Eagle Vines Golf Course and on the south by the City.

The Property is relatively flat, fallow open space (generally 2–11% slopes), with a former vineyard removed and no structures. A portion of North Slough, a seasonal creek, is located in the southeast corner.

Napa County designated the Affected Territory as “Industrial” in its General Plan and zoned the affected territory as Industrial Park: Airport Compatibility. Chapter 18.40 and Chapter 18.80 of the Napa County Code outlines the uses allowed in an Industrial Park zone, which include, among other things, identified commercial and industrial uses, either by right or upon approval of a use permit, and consistency with the applicable airport compatibility zone.

The City designated the Affected Territory a “Future Study Area” in its 2040 General Plan. The City’s 2040 General Plan explains the “Future Study Area” as follows:

As part of the General Plan update the City identified a future study area (Figure LU-3) that has the potential for additional growth. This future study area encompasses the Hess/Laird property which is currently located within the jurisdiction of Napa County and was recently general planned and rezoned for industrial uses by the County. As a Future Study Area, the General Plan does not identify specific uses for the Hess/Laird property under CEQA at this time and it would be speculative to evaluate any specific uses at this time. When the City evaluates this Study Area for inclusion in the City’s Urban Limit Line, the process will evaluate future uses as part of a subsequent CEQA analysis.

The City has also pre-zoned the affected territory as a Special Study Zone District (SSZ). Chapter 19.50 of the City Code establishes the permitted uses in a Special Study Zone as agriculture, grazing, open space, and public uses; structures over 10,000 square feet require a conditional use permit, and no commercial, or industrial uses are permitted by right. The City’s pre-zoning authorizes less intense uses than the County’s existing zoning for the Property.

The Property is located in Napa County Airport Compatibility Zones D1 and D2 under the 2024 Airport Land Use Compatibility Plan (ALUCP). In August 2025, the County amended its General Plan and Airport Compatibility Zoning Designations to achieve compatibility with the ALUCP.

On August 6, 2025, the Airport Land Use Commission conducted an Airport Land Use Compatibility Review and Consistency Determination for the proposed Napa County General Plan and Zoning Code Updates, as required pursuant to the State Aeronautic Act and Public Utilities Code (PUC) Section 21676. In a unanimous 6-0 vote, the ALUC found the proposed updates to the Napa County General Plan and Zoning Code consistent with the 2024 ALUCP.

The Napa County Airport Land Use Compatibility (ALUC) Officer has also determined that the City’s Special Study Pre-Zoning Action was consistent with the Napa County Wide Airport Land Use Compatibility Plan with Standard ALUC conditions.

II. AGENCY AND SERVICE REVIEW

The Property lies substantially within the City’s existing Water Service Area and Sewer Service Area. Maps submitted with the application, as well as the analysis in the 2018 Region Municipal Service Review and Sphere of Influence Updates, indicate that water service and sewer service are available to the Property.

Essential public utilities, including electricity and natural gas, are available at or near the Property perimeter.

Fire protection and emergency response are currently provided by ACFPD pursuant to an automatic aid agreement with Napa County; the requested ACFPD sphere amendment would recognize this existing service relationship.

The Napa County Sheriff's Office currently provides law enforcement services to the affected territory. The City of American Canyon contracts with the Napa County Sheriff's Office for law enforcement. There is no anticipated change to this service relationship.

III. SUPPORT BY THE CITY, COUNTY AND ACFPD

There is an agreement between the City and Napa County (City Agreement No. 2026-64/Napa County Agreement No. 260377B) by which both entities agree to support the Sphere of Influence Amendments, as well as a potential future annexation of the Hess-Laird Property to the City (the "City/County Agreement"). The City/County Agreement is further referenced in the Background Section as Item # 5.

The Napa LAFCO Policy on Spheres of Influence provides, in pertinent part:

The Commission encourages cities, towns, and the County of Napa ("County") to meet and agree to SOI changes. The Commission shall give "great weight" to these agreements to the extent they are consistent with its policies.

Even disregarding the City/County Agreement, there is the following expressed support for the Sphere of Influence Amendments.

The City has separately expressed written support of the Sphere of Influence Amendments.

The American Canyon Fire Protection District has also expressed its written support for the Sphere of Influence Amendments.

IV. CONSISTENCY WITH GOVERNMENT CODE SECTION 56425(e)

Government Code Section 56425(e) requires the Commission to consider five factors before adopting or amending a sphere of influence. Staff's review of each factor is summarized below:

- 1) *Present and planned land uses, including agriculture and open space.* The Affected Territory is currently designated Industrial Park: Airport Compatibility (IP:AC) by the County. It is undeveloped. It is not under a Williamson Act contract and is not prime agricultural land. It is designated a "Future Study Area" in the City's General Plan, with no specific uses identified. Separately, it has recently been pre-zoned Special Study Zone (SSZ) by the City. The City's pre-zoning provides less intense uses than the County's existing zoning for the Property. Even after disregarding the City's pre-zoning, no specific uses have been identified by the City's General Plan and there are no contemplated development plans at this time.
- 2) *Present and probable need for public facilities and services.* The Affected Territory is substantially within the City's water and sewer service areas. It is served by ACFPD for fire protection under automatic aid. The Napa County Sheriff's Office currently provides

law enforcement for the Affected Territory. Additional public utilities, such as electricity and natural gas, are available at or near the perimeter of the affected area. No additional public facilities or services are needed within the Affected Territory in the foreseeable future.

- 3) *Present capacity of public facilities and adequacy of public services.* As previously stated, the City and ACFPD are identified as service providers and the Affected Territory is substantially within the City's water and sewer service areas. The Napa County Sheriff's Office currently provides law enforcement for the Affected Territory. Based on the 2018 Municipal Services Review for the South County Region, there is established capacity to provide a full range of municipal services to the affected territory.¹ No impact is currently expected as to the present capacity of public facilities and adequacy of public services.
- 4) *Existence of social or economic communities of interest.* The affected territory is adjacent to both the City of American Canyon and the Napa County Airport Industrial Area communities of interest. No other social or economic communities of interest have been identified.
- 5) *Present and probable need for sewer, water, and fire services of any disadvantaged unincorporated communities within the existing sphere of influence.* As previously stated, the Property is either wholly or substantially within the City's water and sewer service areas and currently receives ACFPD fire service under automatic aid. The Napa County Sheriff's Office currently provides law enforcement for the Affected Territory. No impact is currently expected and no change currently anticipated in the need for public facilities and services. There are no disadvantaged unincorporated communities within the existing spheres of influence for the City and ACFPD.

V. CONSISTENCY WITH GENERAL LAFCO POLICY

Section III of the Napa LAFCO Policy on Sphere of Influence Amendments provides, in pertinent part, that "It is the intent of the Commission to determine SOI's that promote the orderly development of cities, towns, and special districts in a manner that ensures the protection of the environment and agricultural and open space lands while also ensuring the effective, and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement."

Section V of the Napa LAFCO Policy on Spheres of Influence identifies factors for the Commission to consider. However, Section V also states that "No single factor is determinative. The Commission retains discretion to exercise its independent judgment as appropriate."

Section V(A)(10) of the Napa LAFCO Policy on Sphere of Influence Amendments provides that the Commission shall consider, at a minimum, the following land use criteria in determining spheres of influence.

¹ The Commission may look to the 2018 Municipal Services Review for the South County Region in considering the Sphere of Influence Amendments. The services review has been conducted before the Sphere of Influence Amendments, in accordance with Government Code section 56430(e), and the service review need only be updated every five years in connection with an updated sphere of influence "as necessary." Government Code section 56425(g).

a) *The present and planned land uses in the area, including lands designated for agriculture and open-space.* Please see the above analysis under Section IV.

b) *The present and probable need for public facilities and services in the area.* Please see the above analysis under Section IV.

c) *The present capacity of public facilities and adequacy of public services that the local agency provides or is authorized to provide.* Please see the above analysis under Section IV.

d) *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the local agency.* Please see the above analysis under Section IV.

e) *Consistency with the County General Plan and the general plan of any affected city or town.* The sphere of influence amendments are consistent with both the County General Plan and the City's General Plan. The County's General Plan has the Affected Territory designated as Industrial Park: Airport Compatibility. The City's General Plan has the area designated as a Future Study Area, with no specific uses identified.

f) *Adopted general plan policies of the County and of any affected city or town that guide future development away from lands designated for agriculture or open-space.* The Affected Territory is not currently designated for agriculture or open space. It is designated as "Industrial Park: Airport Compatibility" under the County's current general plan and zoning.

g) *Adopted policies of affected local agencies that promote infill development of existing vacant or underdeveloped land.* Napa LAFCO policy discourages SOI amendments involving vacant or underdeveloped land that requires the extension of urban facilities, utilities and services where infill development is more appropriate. The Affected Territory would qualify as infill development in that it is currently zoned for industrial and commercial uses by the County, consistent with the ALUCP, and is immediately adjacent to the City's current boundaries.

h) *Amount of existing vacant or underdeveloped land located within any affected local agency's jurisdiction and current SOI.* The 2018 Municipal Services Review for the South County Region stated that most of the area within the City's sphere of influence was built out. There were still some vacant and underutilized parcels that could be developed. The MSR stated:

There are approximately 72 acres of low density residential parcels, three acres of medium density residential parcels, and 43 acres of mixed use parcels within the City's jurisdictional boundary. Within these parcels there are 531 lower income lots and 122 moderate and above income lots. In addition, there is the planned Watson Ranch project, which includes 309 acres of primarily farmland and wetlands in addition to an abandoned cement plant. At present the Watson Ranch area is hayfields and wetlands. The project will add approximately 1,200 single family residences and a 200-room hotel along with mixed use development.

While this is a factor for the Commission to consider, pursuant to Napa LAFCO Policy, no single factor is determinative. The overarching standard is whether the sphere of influence amendment promotes the logical and orderly development of the area. Government Code section 56425.

i) *Adopted urban growth boundaries by the affected local agency.* The Hess-Laird Property lies outside the adopted urban limit line for the City. The proposed Sphere of Influence Amendments would place the City's sphere of influence outside the urban limit line. In doing so, however, it has no impact on and does not change the urban limit line.

While this is a factor for the Commission to consider, pursuant to Napa LAFCO Policy, no single factor is determinative. The overarching standard is whether the sphere of influence amendment promotes the logical and orderly development of the area. Government Code section 56425.

Additional Factors

1. *Airport Land Use Consistency*

Section V of the Napa LAFCO Policy on Spheres of Influence provides that "Land that is within the Napa County Airport Land Use Commission (ALUC) shall not be approved for including within any local agency's SOI prior to LAFCO conferring with the ALUC." Consistent with this policy, the record includes evidence of consultation with ALUC.

The Property is located in Napa County Airport Compatibility Zones D1 and D2 under the 2024 Airport Land Use Compatibility Plan (ALUCP).

In August 2025, the County amended its General Plan and Airport Compatibility Zoning Designations to achieve compatibility with the ALUCP.

On August 6, 2025, the Airport Land Use Commission conducted an Airport Land Use Compatibility Review and Consistency Determination for the proposed Napa County General Plan and Zoning Code Updates, as required pursuant to the State Aeronautic Act and Public Utilities Code (PUC) Section 21676. In a unanimous 6-0 vote, the ALUC found the proposed updates to the Napa County General Plan and Zoning Code consistent with the ALUCP.

Separately and independently, the Napa County Airport Land Use Compatibility (ALUC) Officer determined that the City's Special Study Pre-Zoning Action was consistent with the Napa County Wide Airport Land Use Compatibility Plan with Standard ALUC conditions.

Even disregarding the ALUC consistency finding on the City's pre-zoning action, the existing Napa County General Plan and Zoning for the Property has been determined to be consistent with the ALUCP.

2. *Creation of a "Corridor" of Unincorporated Area Outside the City's Sphere of Influence Directly West of the Hess-Laird Property*

Directly to the west of the Affected Territory, there are two parcels that are not currently within the City's sphere of influence or the City's jurisdictional boundaries. Approval of the Sphere of Influence Amendments will substantially surround these two unincorporated parcels with the City's sphere of influence, creating a "corridor" that is not within the City's sphere of influence.

The two parcels are identified as follows:

APN 057-090-004: Owned by the Azevedo Family Trust (Shirley M. Azevedo, Trustee)

APN 057-090-027: Owned by the Gonsalves Family Trust (William & Lena Gonsalves, Trustees)

On June 7, 2010, the Commission considered including these two parcels within the City's sphere of influence. They were identified as "Study Area F." The June 7, 2010 Staff Report described Study Area F as follows:

Study Area F includes 7.0 acres of unincorporated territory located immediately north of American Canyon along State Highway 29. It includes two assessor parcels developed with an auto-salvage business and a single-family residence. The study area is surrounded on three-fourths of its perimeter by the ULL. Inclusion is consistent with the present and planned urban uses of the study area under the County General Plan, which necessitates an urban level of services in which American Canyon is best situated to provide. Inclusion also encourages a more logical boundary for American Canyon in relation to the potential annexation of the Headwaters, Panattoni, and Atkins properties, which comprise Study Area A and substantially surround Study Area F.

At that time, the Commission declined to include "Study Area F" within the City's sphere of influence. The minutes of the June 7, 2010 meeting indicated that the County was opposed to including this area within the City's sphere of influence because it was outside the City's urban limit line and was not contemplated for annexation as part of an agreement between the County and the City. The City indicated that it would defer to the Commission on whether to add "Study Area F" to the City's sphere of influence.

The application for the Hess-Laird Sphere of Influence Amendments do not include these two parcels and the support from the City, County, and ACPD for the Hess-Laird Sphere of Influence Amendments do not include these two parcels.

While the creation of this "corridor" is a factor for the Commission to consider, pursuant to Napa LAFCO Policy, no single factor is determinative. The overarching standard is whether the sphere of influence amendment promotes the logical and orderly development of the area. Government Code section 56425.

3. Consideration of the Actions Subject to Legal Challenge

It is noted that certain actions referenced are either subject to a legal challenge or may be subject to a legal challenge. Those are (1) the City and County's Urban Limit Line and Regional Housing Needs Allocation Agreement and a related Property tax sharing agreement for the Hess-Laird Property and (2) the City's Special Study Pre-Zoning for the Hess-Laird Property (the "Challenged Actions").

Given the uncertainty surrounding these legal challenges, the Commission may determine to disregard the Challenged Actions in evaluating the Sphere of Influence Amendments. Even after disregarding the Challenged Actions, the Sphere of Influence Amendments are supported based on all other information that has been presented.

VI. CEQA

The Sphere of Influence Amendments are not subject to the California Environmental Quality Act (“CEQA”) for the following reasons.

The Sphere of Influence Amendments are not a “project” as that term is defined for purposes of CEQA because they are not an essential step culminating in action which may affect the environment. “The evaluation process contemplated by CEQA relates to the effect of proposed changes in the physical world which a public agency is about to either make, authorize or fund, not to every change of organization or personnel which may affect future determinations relating to the environment.” *Simi Valley Recreation & Park District v. Local Agency Formation Commission*, 51 Cal. App. 3d 648, 666 (1975). The Sphere of Influence Amendments are, at most, actions which may affect future unknown determinations that may or may not impact the environment.

In addition, under the common sense exemption, CEQA does not apply where it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment (CEQA Guidelines Section 15061(b)(3)).

The following facts are noted:

1. No development approvals are being sought or are contemplated with the Sphere of Influence Amendments. Therefore, the Sphere of Influence Amendments are not a necessary step for intended development and do not serve as an entitlement for intended development. Since no specific development project is being contemplated, environmental review would be speculative.
2. The Sphere of Influence Amendments do not change the existing County General Plan designation of Industrial and County zoning for the Property of Industrial Park: Airport Compatibility. The Affected Territory currently remains under County jurisdiction.
3. ACFPD has no land use authority over the affected territory.
4. The City’s General Plan designation does not identify specific uses for the Affected Territory and it would be speculative to evaluate any specific uses at this time. When the City evaluates the affected territory for inclusion in the City’s Urban Limit line, the process will evaluate future uses as part of a subsequent CEQA analysis.

VII. PROTEST PROCEEDINGS

Protest proceedings apply to changes of organization such as annexation and are not triggered by a sphere of influence amendment. No annexation is proposed by this application, and no protest proceedings are required for the Commission’s action on the Sphere of Influence Amendments.

VIII. DETERMINATION

Upon considering all relevant factors and information, and even after disregarding the Challenged Actions previously mentioned, the Sphere of Influence Amendments are consistent with the general Napa LAFCO sphere of influence policy to promote the orderly development of cities, towns, and special districts in a manner that ensures the protection of the environment and agricultural and open space lands while also ensuring the effective, and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement.

ATTACHMENTS

1. Draft Resolution Approving the Proposal for the City of American Canyon
2. Draft Resolution Approving the Proposal for the American Canyon Fire Protection District
3. Aerial Map of Affected Territory
4. Application Materials
5. 2018 South County Municipal Service Review and Sphere of Influence Updates

RESOLUTION NO. ____**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MAKING DETERMINATIONS****SPHERE OF INFLUENCE AMENDMENT INVOLVING
THE CITY OF AMERICAN CANYON
AND THE HESS-LAIRD PROPERTY**

WHEREAS, landowners (the “Applicants”) seeking a sphere of influence (SOI) amendment involving the City of American Canyon (“City”) and unincorporated territory of approximately 281.67 acres comprising one entire parcel identified by the County of Napa Assessor’s Office as APN 057-090-065 and a substantial portion of another parcel identified by the County of Napa Assessor’s Office as APN 057-090-089 (collectively, the “Hess-Laird Property”) have filed an application (the “Application”) with the Local Agency Formation Commission of Napa County, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the Application seeks Commission approval to amend the sphere of influence of the City to include the Hess-Laird Property (the “Sphere of Influence Amendment”); and

WHEREAS, notice of the Commission’s consideration of the Application has been provided in the manner required by law; and

WHEREAS, the Interim Executive Officer prepared a written report on the Application in accordance with Government Code Section 56428; and

WHEREAS, said Interim Executive Officer’s report has been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all evidence related to the Application, including oral and written testimony presented at a duly noticed public hearing held on October 5, 2026; and

WHEREAS, the Commission considered all the factors required by law under California Government Code Section 56425.

WHEREAS, the nature, location, and extent of functions or classes of services provided by the American Canyon Fire Protection District and other existing special districts for the applicable South County Region are established in the 2018 Municipal Service Review for the South County Region, which is hereby incorporated by reference.

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

1. The Recitals above are true and correct and are fully incorporated herein.
2. The Record of Proceedings (“Record”) upon which the Commission bases its decision includes, but is not limited to: (1) the staff reports, Commission files and records and other documents, prepared for and/or submitted to the Commission relating to the Application, including environmental analysis conducted or prepared pursuant to the California Environmental Quality Act (“CEQA”); (2) the evidence, facts, findings and other determinations set forth in this resolution; (3) all applicable General Plan(s), Specific Plan(s), zoning and pre-zoning designation(s), and adopted Commission policies; (4) all plans, studies, data and correspondence submitted by the Applicant and affected local agencies in connection with the Application; (5) all documentary and oral evidence received at public meetings and hearings or submitted to the Commission relating to the Application; (6) all other matters of common knowledge to the Commission including, but not limited to, local, state, and federal laws, policies, rules, regulations, reports, records and projections related to the Application.

The location and custodian of the records is the Napa County Local Agency Formation Commission at 1754 Second Street, Suite C, Napa CA 94559.

3. Certain actions referenced in the Record are either subject to a legal challenge or may be subject to a legal challenge. Those are (1) the City of American Canyon and County of Napa’s Urban Limit Line and Regional Housing Needs Allocation Agreement and a related Property tax sharing agreement for the Hess-Laird Property and (2) the City’s Special Study Pre-Zoning for the Hess-Laird Property (the “Challenged Actions”).

Given the uncertainty surrounding these legal challenges, the Commission determines to disregard the Challenged Actions in evaluating the Sphere of Influence Amendment. Even after disregarding the Challenged Actions, the Sphere of Influence Amendment is supported based on all other information in the Record.

4. The Sphere of Influence of the City of American Canyon is hereby amended to include all areas within its current Sphere of Influence and to also include the Hess-Laird Property, identified as the area shown in Exhibit One subject to the conditions outlined herein.
5. The Commission finds that the Sphere of Influence amendment is consistent with the Commission’s *Policy on Spheres of Influence* given it would promote the orderly development of the City in a manner that ensures the protection of the environment and agricultural and open space lands while also ensuring the effective, and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement.
6. The Commission finds the Sphere of Influence Amendment (1) is not subject to the California Environmental Quality (“CEQA”) and (2) is exempt from further review under the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations Section 15061(b)(3). These findings are based on the following determinations:

- a. The Sphere of Influence Amendment is not a “project” as that term is defined for purposes of CEQA because it is not an essential step culminating in action which may affect the environment. “The evaluation process contemplated by CEQA relates to the effect of proposed changes in the physical world which a public agency is about to either make, authorize or fund, not to every change of organization or personnel which may affect future determinations relating to the environment.” *Simi Valley Recreation & Park District v. Local Agency Formation Commission*, 51 Cal. App. 3d 648, 666 (1975). The Sphere of Influence Amendment is, at most, an action which may affect future unknown determinations that may or may not impact the environment.
- b. In addition, under the common sense exemption, CEQA does not apply where it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment (CEQA Guidelines Section 15061(b)(3)).
- c. The following facts are noted:
 - i. No development approvals are being sought or are contemplated with the Sphere of Influence Amendment. Therefore, the Sphere of Influence Amendment is not a necessary step for intended development and does not serve as an entitlement for intended development. Since no specific development project is being contemplated, environmental review would be speculative.
 - ii. The Sphere of Influence Amendment does not change the existing County General Plan designation of Industrial and County zoning for the Property of Industrial Park: Airport Compatibility. The Affected Territory currently remains under County jurisdiction.
 - iii. ACFPD has no land use authority over the affected territory.
 - iv. The City of American Canyon’s General Plan designation does not identify specific uses for the Affected Territory and it would be speculative to evaluate any specific uses at this time. When the City evaluates the affected territory for inclusion in the City’s Urban Limit line, the process will evaluate future uses as part of a subsequent CEQA analysis.

These findings are based on the Commission’s independent judgment and analysis. Each finding stands as a separate and independent basis for determining the Sphere of Influence Amendment is not subject to CEQA. The Executive Officer is the custodian of the records upon which these findings are based and such records are located at the Commission office located at 1754 Second Street, Suite C, Napa, California.

- 7. Pursuant to California Government Code Section 56425, the Commission adopts the statement of determinations as set forth in Exhibit Two, attached hereto and incorporated herein by reference.

8. The Parties have previously agreed to an Indemnification Agreement, effective September 24, 2026, which terms are incorporated herein by reference.
9. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.
10. The effective date of this Sphere of Influence Amendment shall be the date upon which all of the following conditions have been satisfied:
 - a) The Executive Officer is in receipt of all outstanding Commission fees.
11. The Executive Officer shall revise the official records of the Commission to reflect the Sphere of Influence Amendment upon the effective date.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on October 5, 2026, after a motion by Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES:	Commissioners	_____
NOES:	Commissioners	_____
ABSENT:	Commissioners	_____
ABSTAIN:	Commissioners	_____

Beth Painter
Commission Chair

ATTEST: _____
David Key
Interim Executive Officer

RECORDED BY: Charlie Livingston
Commission Clerk

HESS WINERY AND LAIRD PROPERTY SPHERE OF INFLUENCE AMENDMENT
TO THE CITY OF AMERICAN CANYON AND THE
AMERICAN CANYON FIRE PROTECTION DISTRICT

GRAPHIC DESCRIPTION

All that certain real property situate in a portion of Sections 12 and 13, Township 4 North, Range 4 West, Mount Diablo Baseline and Meridian, in the County of Napa, State of California, described as follows:

Being a portion of Parcels B and C as said Parcels are shown and so designated on Parcel Map No. 4827, recorded August 24, 1995, filed in book 21 of Parcel Maps, at page 50, in the office of the County Record of Napa County, more particularly described as follows:

Beginning at an angle point on the existing District boundary, said point being the Southeast corner of said Parcel C;

Thence, along said District boundary, (1) North 89°30'19" West 2220.39 feet;

Thence, leaving said District boundary along the Southern line of said Parcel C, (2) North 00°36'40" East 47.77 feet;

Thence, continuing along said Southern line of Parcel C, (3) North 89°23'20" West 261.35 feet.

Thence, further continuing along said Southern line of Parcel C, (4) North 46°02'51" West 40.22 feet to a point on said District boundary;

Thence, along said District boundary the following seven courses:

1. (5) North 02°42'22" West 359.52 feet;
2. (6) North 05°23'19" West 444.68 feet;
3. (7) North 00°29'28" East 2,922.03 feet;
4. (8) South 89°23'20" East 5.04 feet;
5. (9) North 00°36'40" East 545.83 feet;
6. (10) North 18°21'54" East 136.14 feet;
7. (11) North 57°34'07" East 70.28 feet;

Thence, leaving said District boundary and continuing along the easterly line of that certain right of way and easement for County Road, Highway purposes, and Utility purposes recorded August 11, 1995, under Series Number 1995 017420 of Official Records of Napa County, the following four courses:

1. (12) North 78°56'03" East 108.86 feet;
2. (13) Northwesterly along the arc of a non-tangent 330.00 foot radius curve to the left, from which the center of said curve bears North 02°33'47" West, through a central angle of 87°33'55", an arc distance of 504.34 feet;
3. (14) North 00°07'42" West 272.84 feet;
4. (15) Along the arc of a tangent 555.00 foot radius curve to the right, through a central angle of 32°23'12", an arc distance of 313.72 feet to a point on said District Boundary.

Thence, along said District boundary, (16) North 32°17'35" East 313.02 feet;

Thence, leaving said District boundary, (17) South 89°41'36" East 720.74 feet to the Northeast corner of said Parcel B;

Thence, along the Eastern line of said Parcel B, (18) South 00°32'08" West 1,600.00 feet to a point on the Northern line of said Parcel C;

Thence, along said Northern line, (19) South 89°41'36" East 1089.01 feet to the Northeast corner of said Parcel C;

Thence, along the Eastern line of said Parcel C, (20) South 00°32'08" West 4110.82 feet to the **Point of Beginning**.

Excepting therefrom any portion of said lands lying within the 100' wide strip of land to the California Pacific Railroad Company as described in that grant deed filed in book P of Deeds, at page 422, Napa County records.

Containing 281.67 acres of land, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer of sale of the land described.

DISCLAIMER:

"FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER OF SALE OF THE LAND DESCRIBED."

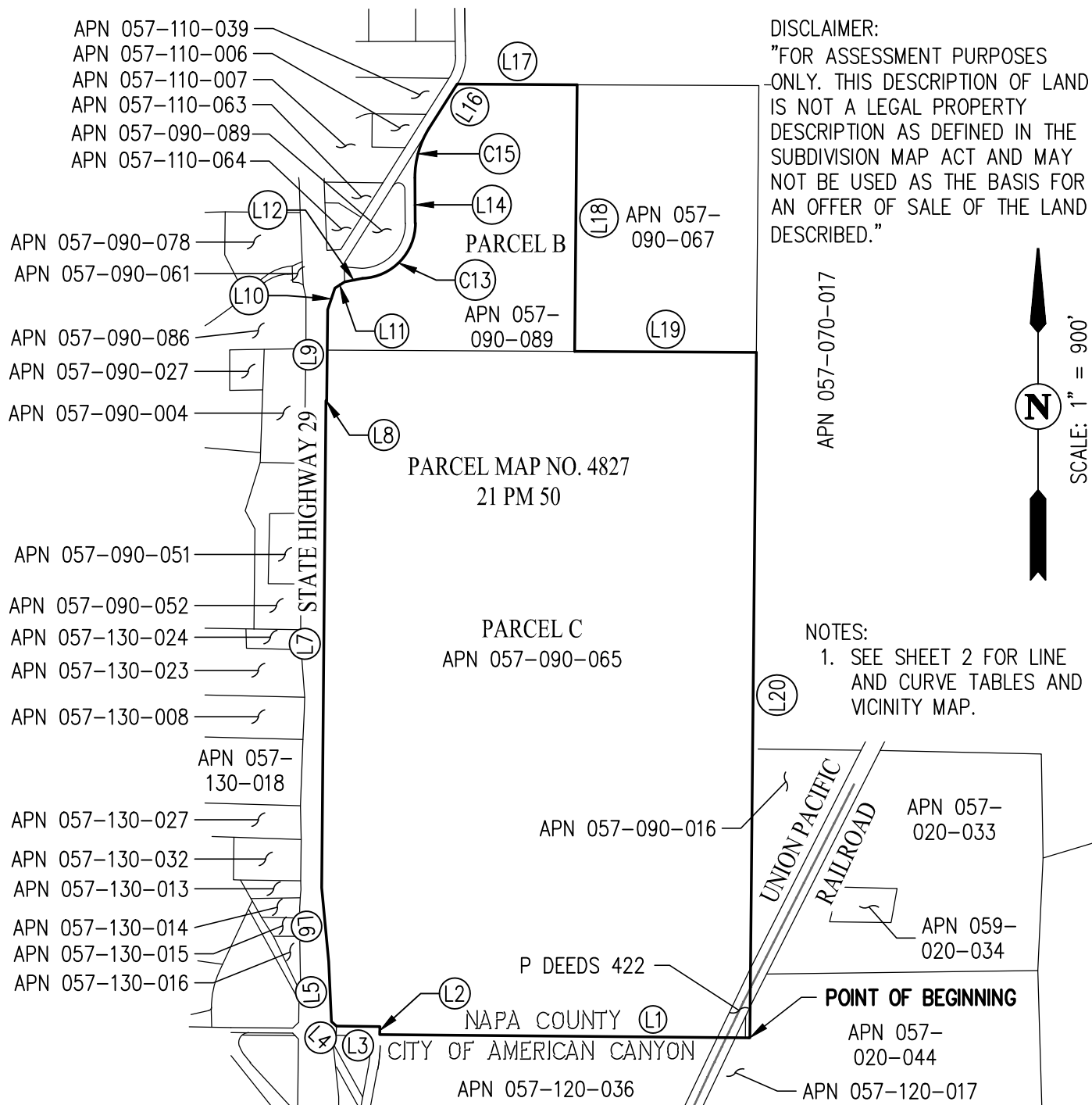


EXHIBIT B

PLAT TO ACCOMPANY LEGAL DESCRIPTION

AMEND SOI TO THE CITY OF AMERICAN CANYON
AND THE AMERICAN CANYON FIRE PROTECTION DISTRICT
AMERICAN CANYON, NAPA COUNTY, CALIFORNIA

SEPTEMBER 30, 2026

SHEET 1 OF 2



CIVIL ENGINEERS

SAN RAMON ■ (925) 866-0322

ROSEVILLE ■ (916) 788-4456

WWW.CBANDG.COM

■ SURVEYORS ■ PLANNERS

LINE TABLE		
NO	BEARING	LENGTH
L1	N89°30'19"W	2220.39'
L2	N00°36'40"E	47.77'
L3	N89°23'20"W	261.35'
L4	N46°02'51"W	40.22'
L5	N02°42'22"W	359.52'
L6	N05°23'19"W	444.68'
L7	N00°29'28"E	2922.03'
L8	S89°23'20"E	5.04'
L9	N00°36'40"E	545.83'
L10	N18°21'54"E	136.14'
L11	N57°34'07"E	70.28'
L12	N78°56'03"E	108.86'
L14	S00°07'42"E	272.84'
L16	N32°17'35"E	313.02'
L17	S89°41'36"E	720.74'
L18	S00°32'08"W	1600.00'
L19	S89°41'36"E	1089.01'
L20	S00°32'08"W	4110.82'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C13	330.00'	87°33'55"	504.34'
C15	555.00'	32°23'12"	313.72'

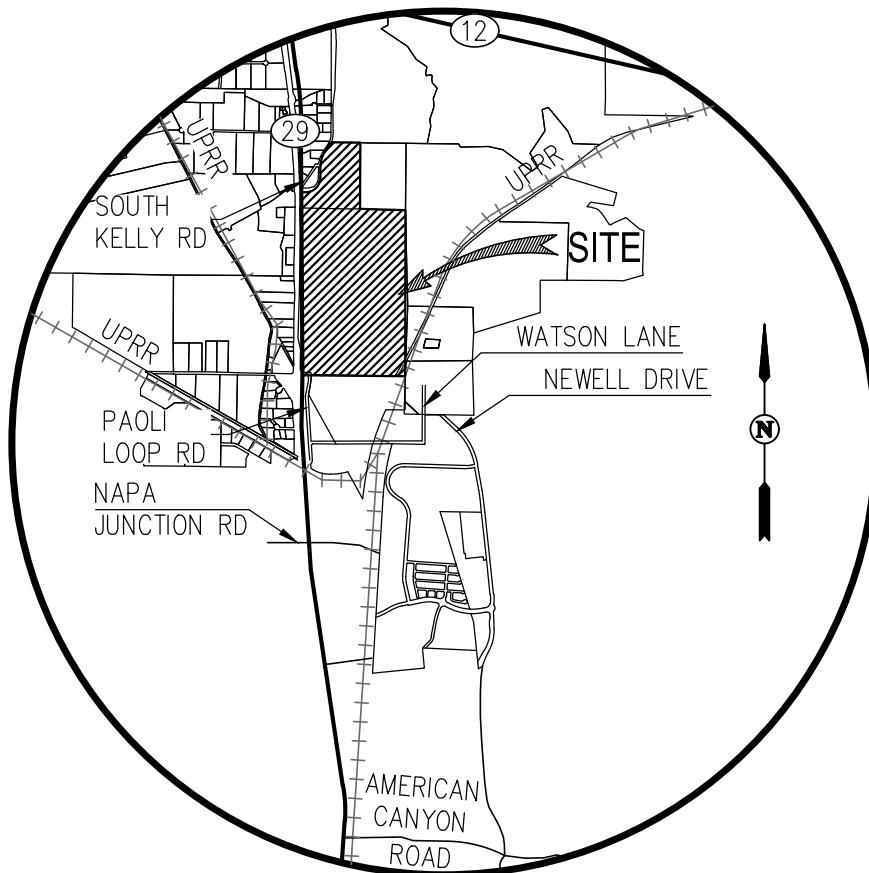


EXHIBIT B

PLAT TO ACCOMPANY LEGAL DESCRIPTION

AMEND SOI TO THE CITY OF AMERICAN CANYON
AND THE AMERICAN CANYON FIRE PROTECTION DISTRICT
AMERICAN CANYON, NAPA COUNTY, CALIFORNIA

SEPTEMBER 30, 2026

SHEET 2 OF 2



CIVIL ENGINEERS

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EXHIBIT TWO**STATEMENT OF DETERMINATIONS****SPHERE OF INFLUENCE AMENDMENT INVOLVING
THE CITY OF AMERICAN CANYON
AND THE HESS-LAIRD PROPERTY**

1. Present and planned land uses in the sphere, including agricultural and open-space lands (Government Code 56425(e)(1)):

The Affected Territory is currently designated Industrial Park: Airport Compatibility (IP:AC) by the County. It is undeveloped. It is not under a Williamson Act contract and is not prime agricultural land. It is designated a “Future Study Area” in the City’s General Plan, with no specific uses identified. Separately, it has recently been pre-zoned Special Study Zone (SSZ) by the City. The City’s pre-zoning provides less intense uses than the County’s existing zoning for the Property. Even after disregarding the City’s pre-zoning, no specific uses have been identified by the City’s General Plan and there are no contemplated development plans at this time.

The Property is located in Napa County Airport Compatibility Zones D1 and D2 under the 2024 Airport Land Use Compatibility Plan (ALUCP).

In August 2025, the County amended its General Plan and Airport Compatibility Zoning Designations to achieve compatibility with the ALUCP.

On August 6, 2025, the Airport Land Use Commission conducted an Airport Land Use Compatibility Review and Consistency Determination for the proposed Napa County General Plan and Zoning Code Updates, as required pursuant to the State Aeronautic Act and Public Utilities Code (PUC) Section 21676. In a unanimous 6-0 vote, the ALUC found the proposed updates to the Napa County General Plan and Zoning Code consistent with the ALUCP.

Separately and independently, the Napa County Airport Land Use Compatibility (ALUC) Officer determined that the City’s Special Study Pre-Zoning Action was consistent with the Napa County Wide Airport Land Use Compatibility Plan with Standard ALUC conditions.

Even after disregarding the ALUC consistency finding on the City’s pre-zoning action, the existing Napa County General Plan and Zoning for the Property has been determined to be consistent with the ALUCP.

2. The present and probable need for public facilities and services in the sphere (Government Code 56425(e)(2)):

The Affected Territory is substantially within the City's water and sewer service areas. It is served by ACFPD for fire protection under automatic aid. The Napa County Sheriff's Office currently provides law enforcement for the Affected Territory. Additional public utilities, such as electricity and natural gas, are available at or near the perimeter of the affected area. No additional public facilities or services are needed within the Affected Territory in the foreseeable future.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide (Government Code 56425(e)(3)):

As previously stated, the City and ACFPD are identified as service providers and the Affected Territory is substantially within the City's water and sewer service areas. The Napa County Sheriff's Office currently provides law enforcement for the Affected Territory. Based on the 2018 Municipal Services Review for the South County Region, there is established capacity to provide a full range of municipal services to the affected territory. No impact is currently expected as to the present capacity of public facilities and adequacy of public services.

4. The existence of any social or economic communities of interest in the sphere if the Commission determines that they are relevant to the agency (Government Code 56425(e)(4)):

The Affected Territory is adjacent to both the City of American Canyon and the Napa County Airport Industrial Area communities of interest

5. Present and probable need for public services for disadvantaged unincorporated communities (Government Code 56425(e)(5)):

As previously stated, the Property is substantially within the City's water and sewer service areas and currently receives ACFPD fire service under automatic aid. The Napa County Sheriff's Office currently provides law enforcement for the Affected Territory. No impact is currently expected and no change currently anticipated in the need for public facilities and services. There are no disadvantaged unincorporated communities within the existing sphere of influence for the City.

RESOLUTION NO. ____**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MAKING DETERMINATIONS****SPHERE OF INFLUENCE AMENDMENT INVOLVING
THE AMERICAN CANYON FIRE PROTECTION DISTRICT
AND THE HESS-LAIRD PROPERTY**

WHEREAS, landowners (the “Applicants”) seeking a sphere of influence (SOI) amendment involving the American Canyon Fire Protection District (“ACFPD”) and unincorporated territory of approximately 281.67 acres comprising one entire parcel identified by the County of Napa Assessor’s Office as APN 057-090-065 and a substantial portion of another parcel identified by the County of Napa Assessor’s Office as APN 057-090-089 (collectively, the “Hess-Laird Property”) have filed an application (the “Application”) with the Local Agency Formation Commission of Napa County, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the Application seeks Commission approval to amend the sphere of influence of ACFPD to include the Hess-Laird Property (the “Sphere of Influence Amendment”); and

WHEREAS, notice of the Commission’s consideration of the Application has been provided in the manner required by law; and

WHEREAS, the Interim Executive Officer prepared a written report on the Application in accordance with Government Code Section 56428; and

WHEREAS, said Interim Executive Officer’s report has been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all evidence related to the Application, including oral and written testimony presented at a duly noticed public hearing held on October 5, 2026; and

WHEREAS, the Commission considered all the factors required by law under California Government Code Section 56425.

WHEREAS, the nature, location, and extent of functions or classes of services provided by ACFPD and other existing special districts for the applicable South County Region are established in the 2018 Municipal Service Review for the South County Region, which is hereby incorporated by reference.

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

1. The Recitals above are true and correct and are fully incorporated herein.
2. The Record of Proceedings (“Record”) upon which the Commission bases its decision includes, but is not limited to: (1) the staff reports, Commission files and records and other documents, prepared for and/or submitted to the Commission relating to the Application, including environmental analysis conducted or prepared pursuant to the California Environmental Quality Act (“CEQA”); (2) the evidence, facts, findings and other determinations set forth in this resolution; (3) all applicable General Plan(s), Specific Plan(s), zoning and pre-zoning designation(s), and adopted Commission policies; (4) all plans, studies, data and correspondence submitted by the Applicant and affected local agencies in connection with the Application; (5) all documentary and oral evidence received at public meetings and hearings or submitted to the Commission relating to the Application; (6) all other matters of common knowledge to the Commission including, but not limited to, local, state, and federal laws, policies, rules, regulations, reports, records and projections related to the Application.

The location and custodian of the records is the Napa County Local Agency Formation Commission at 1754 Second Street, Suite C, Napa CA 94559.

3. Certain actions referenced in the Record are either subject to a legal challenge or may be subject to a legal challenge. Those are (1) the City of American Canyon and County of Napa’s Urban Limit Line and Regional Housing Needs Allocation Agreement and a related Property tax sharing agreement for the Hess-Laird Property and (2) the City’s Special Study Pre-Zoning for the Hess-Laird Property (the “Challenged Actions”).

Given the uncertainty surrounding these legal challenges, the Commission determines to disregard the Challenged Actions in evaluating the Sphere of Influence Amendment. Even after disregarding the Challenged Actions, the Sphere of Influence Amendment is supported based on all other information in the Record.

4. The Sphere of Influence of the American Canyon Fire Protection District is hereby amended to include all areas within its current Sphere of Influence and to also include the Hess-Laird Property, identified as the area shown in Exhibit One subject to the conditions outlined herein.
5. The Commission finds that the Sphere of Influence amendment is consistent with the Commission’s *Policy on Spheres of Influence* given it would promote the orderly development of ACFPD in a manner that ensures the protection of the environment and agricultural and open space lands while also ensuring the effective, and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement.
6. The Commission finds the Sphere of Influence Amendment (1) is not subject to the California Environmental Quality (“CEQA”) and (2) is exempt from further review under the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations Section 15061(b)(3). These findings are based on the following determinations:

- a. The Sphere of Influence Amendment is not a “project” as that term is defined for purposes of CEQA because it is not an essential step culminating in action which may affect the environment. “The evaluation process contemplated by CEQA relates to the effect of proposed changes in the physical world which a public agency is about to either make, authorize or fund, not to every change of organization or personnel which may affect future determinations relating to the environment.” *Simi Valley Recreation & Park District v. Local Agency Formation Commission*, 51 Cal. App. 3d 648, 666 (1975). The Sphere of Influence Amendment is, at most, an action which may affect future unknown determinations that may or may not impact the environment.
- b. In addition, under the common sense exemption, CEQA does not apply where it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment (CEQA Guidelines Section 15061(b)(3)).
- c. The following facts are noted:
 - i. No development approvals are being sought or are contemplated with the Sphere of Influence Amendment. Therefore, the Sphere of Influence Amendment is not a necessary step for intended development and does not serve as an entitlement for intended development. Since no specific development project is being contemplated, environmental review would be speculative.
 - ii. The Sphere of Influence Amendment does not change the existing County General Plan designation of Industrial and County zoning for the Property of Industrial Park: Airport Compatibility. The Affected Territory currently remains under County jurisdiction.
 - iii. ACFPD has no land use authority over the affected territory.
 - iv. The City of American Canyon’s General Plan designation does not identify specific uses for the Affected Territory and it would be speculative to evaluate any specific uses at this time. When the City evaluates the affected territory for inclusion in the City’s Urban Limit line, the process will evaluate future uses as part of a subsequent CEQA analysis.

These findings are based on the Commission’s independent judgment and analysis. Each finding stands as a separate and independent basis for determining the Sphere of Influence Amendment is not subject to CEQA. The Executive Officer is the custodian of the records upon which these findings are based and such records are located at the Commission office located at 1754 Second Street, Suite C, Napa, California.

- 7. Pursuant to California Government Code Section 56425, the Commission adopts the statement of determinations as set forth in Exhibit Two, attached hereto and incorporated herein by reference.

8. The Parties have previously agreed to an Indemnification Agreement, effective September 24, 2026, which terms are incorporated herein by reference.
9. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.
10. The effective date of this Sphere of Influence Amendment shall be the date upon which all of the following conditions have been satisfied:
 - a) The Executive Officer is in receipt of all outstanding Commission fees.
11. The Executive Officer shall revise the official records of the Commission to reflect the Sphere of Influence Amendment upon the effective date.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on October 5, 2026, after a motion by Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES:	Commissioners	_____
NOES:	Commissioners	_____
ABSENT:	Commissioners	_____
ABSTAIN:	Commissioners	_____

Beth Painter
Commission Chair

ATTEST: _____
David Key
Interim Executive Officer

Recorded by: Charlie Livingston
Commission Clerk

HESS WINERY AND LAIRD PROPERTY SPHERE OF INFLUENCE AMENDMENT
TO THE CITY OF AMERICAN CANYON AND THE
AMERICAN CANYON FIRE PROTECTION DISTRICT

GRAPHIC DESCRIPTION

All that certain real property situate in a portion of Sections 12 and 13, Township 4 North, Range 4 West, Mount Diablo Baseline and Meridian, in the County of Napa, State of California, described as follows:

Being a portion of Parcels B and C as said Parcels are shown and so designated on Parcel Map No. 4827, recorded August 24, 1995, filed in book 21 of Parcel Maps, at page 50, in the office of the County Record of Napa County, more particularly described as follows:

Beginning at an angle point on the existing District boundary, said point being the Southeast corner of said Parcel C;

Thence, along said District boundary, (1) North 89°30'19" West 2220.39 feet;

Thence, leaving said District boundary along the Southern line of said Parcel C, (2) North 00°36'40" East 47.77 feet;

Thence, continuing along said Southern line of Parcel C, (3) North 89°23'20" West 261.35 feet.

Thence, further continuing along said Southern line of Parcel C, (4) North 46°02'51" West 40.22 feet to a point on said District boundary;

Thence, along said District boundary the following seven courses:

1. (5) North 02°42'22" West 359.52 feet;
2. (6) North 05°23'19" West 444.68 feet;
3. (7) North 00°29'28" East 2,922.03 feet;
4. (8) South 89°23'20" East 5.04 feet;
5. (9) North 00°36'40" East 545.83 feet;
6. (10) North 18°21'54" East 136.14 feet;
7. (11) North 57°34'07" East 70.28 feet;

Thence, leaving said District boundary and continuing along the easterly line of that certain right of way and easement for County Road, Highway purposes, and Utility purposes recorded August 11, 1995, under Series Number 1995 017420 of Official Records of Napa County, the following four courses:

1. (12) North 78°56'03" East 108.86 feet;
2. (13) Northwesterly along the arc of a non-tangent 330.00 foot radius curve to the left, from which the center of said curve bears North 02°33'47" West, through a central angle of 87°33'55", an arc distance of 504.34 feet;
3. (14) North 00°07'42" West 272.84 feet;
4. (15) Along the arc of a tangent 555.00 foot radius curve to the right, through a central angle of 32°23'12", an arc distance of 313.72 feet to a point on said District Boundary.

Thence, along said District boundary, (16) North 32°17'35" East 313.02 feet;

Thence, leaving said District boundary, (17) South 89°41'36" East 720.74 feet to the Northeast corner of said Parcel B;

Thence, along the Eastern line of said Parcel B, (18) South 00°32'08" West 1,600.00 feet to a point on the Northern line of said Parcel C;

Thence, along said Northern line, (19) South 89°41'36" East 1089.01 feet to the Northeast corner of said Parcel C;

Thence, along the Eastern line of said Parcel C, (20) South 00°32'08" West 4110.82 feet to the **Point of Beginning**.

Excepting therefrom any portion of said lands lying within the 100' wide strip of land to the California Pacific Railroad Company as described in that grant deed filed in book P of Deeds, at page 422, Napa County records.

Containing 281.67 acres of land, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer of sale of the land described.

DISCLAIMER:

"FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER OF SALE OF THE LAND DESCRIBED."

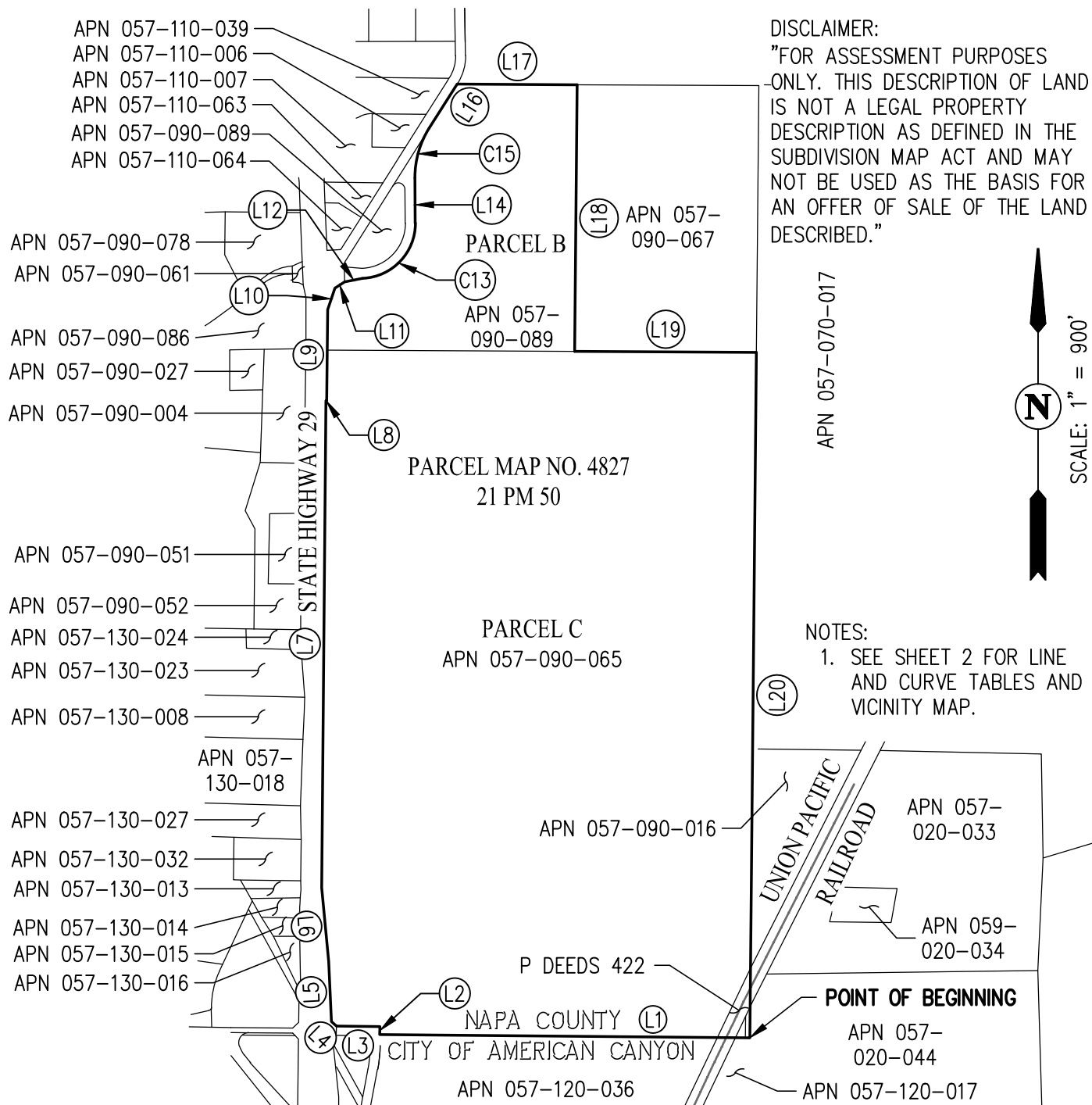


EXHIBIT B

PLAT TO ACCOMPANY LEGAL DESCRIPTION

AMEND SOI TO THE CITY OF AMERICAN CANYON
AND THE AMERICAN CANYON FIRE PROTECTION DISTRICT
AMERICAN CANYON, NAPA COUNTY, CALIFORNIA

SEPTEMBER 30, 2026

SHEET 1 OF 2



CIVIL ENGINEERS

SAN RAMON ■ (925) 866-0322

ROSEVILLE ■ (916) 788-4456

WWW.CBANDG.COM

■ SURVEYORS ■ PLANNERS

LINE TABLE		
NO	BEARING	LENGTH
L1	N89°30'19"W	2220.39'
L2	N00°36'40"E	47.77'
L3	N89°23'20"W	261.35'
L4	N46°02'51"W	40.22'
L5	N02°42'22"W	359.52'
L6	N05°23'19"W	444.68'
L7	N00°29'28"E	2922.03'
L8	S89°23'20"E	5.04'
L9	N00°36'40"E	545.83'
L10	N18°21'54"E	136.14'
L11	N57°34'07"E	70.28'
L12	N78°56'03"E	108.86'
L14	S00°07'42"E	272.84'
L16	N32°17'35"E	313.02'
L17	S89°41'36"E	720.74'
L18	S00°32'08"W	1600.00'
L19	S89°41'36"E	1089.01'
L20	S00°32'08"W	4110.82'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C13	330.00'	87°33'55"	504.34'
C15	555.00'	32°23'12"	313.72'

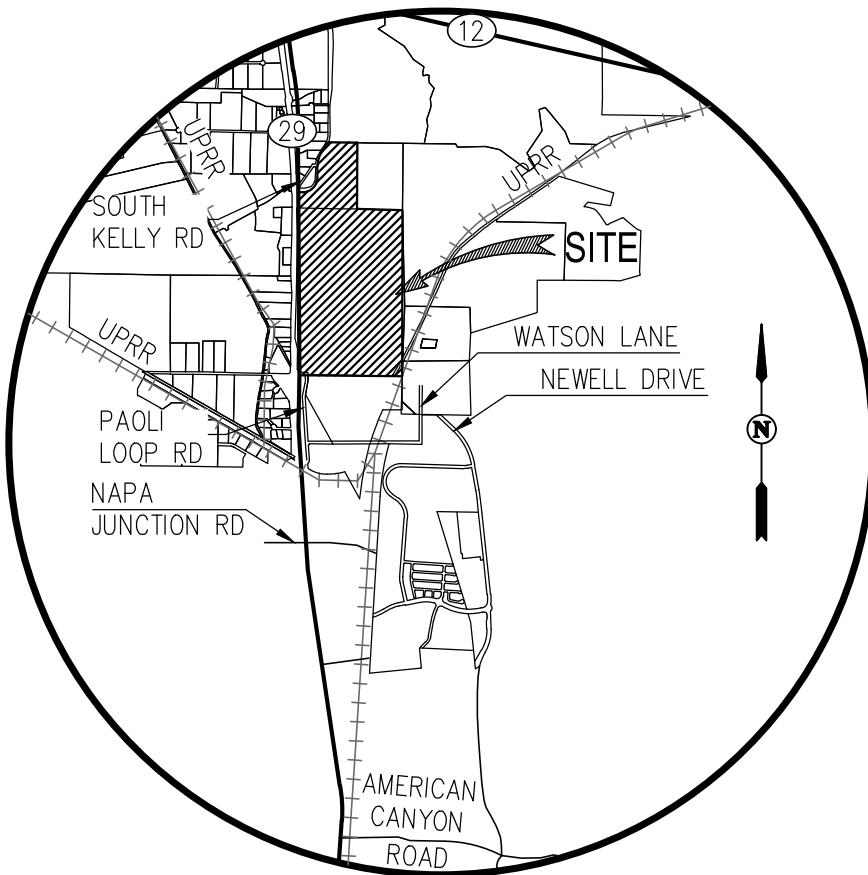


EXHIBIT B

PLAT TO ACCOMPANY LEGAL DESCRIPTION

AMEND SOI TO THE CITY OF AMERICAN CANYON
AND THE AMERICAN CANYON FIRE PROTECTION DISTRICT
AMERICAN CANYON, NAPA COUNTY, CALIFORNIA

SEPTEMBER 30, 2026

SHEET 2 OF 2



CIVIL ENGINEERS

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EXHIBIT TWO**STATEMENT OF DETERMINATIONS****SPHERE OF INFLUENCE AMENDMENT INVOLVING
THE AMERICAN CANYON FIRE PROTECTION DISTRICT
AND THE HESS-LAIRD PROPERTY**

1. Present and planned land uses in the sphere, including agricultural and open-space lands (Government Code 56425(e)(1)):

The Affected Territory is currently designated Industrial Park: Airport Compatibility (IP:AC) by the County. It is undeveloped. It is not under a Williamson Act contract and is not prime agricultural land. It is designated a “Future Study Area” in the City’s General Plan, with no specific uses identified. Separately, it has recently been pre-zoned Special Study Zone (SSZ) by the City. The City’s pre-zoning provides less intense uses than the County’s existing zoning for the Property. Even after disregarding the City’s pre-zoning, no specific uses have been identified by the City’s General Plan and there are no contemplated development plans at this time.

The Property is located in Napa County Airport Compatibility Zones D1 and D2 under the 2024 Airport Land Use Compatibility Plan (ALUCP).

In August 2025, the County amended its General Plan and Airport Compatibility Zoning Designations to achieve compatibility with the ALUCP.

On August 6, 2025, the Airport Land Use Commission conducted an Airport Land Use Compatibility Review and Consistency Determination for the proposed Napa County General Plan and Zoning Code Updates, as required pursuant to the State Aeronautic Act and Public Utilities Code (PUC) Section 21676. In a unanimous 6-0 vote, the ALUC found the proposed updates to the Napa County General Plan and Zoning Code consistent with the ALUCP.

Separately and independently, the Napa County Airport Land Use Compatibility (ALUC) Officer determined that the City’s Special Study Pre-Zoning Action was consistent with the Napa County Wide Airport Land Use Compatibility Plan with Standard ALUC conditions.

Even after disregarding the ALUC consistency finding on the City’s pre-zoning action, the existing Napa County General Plan and Zoning for the Property has been determined to be consistent with the ALUCP.

2. The present and probable need for public facilities and services in the sphere (Government Code 56425(e)(2)):

The Affected Territory is substantially within the City's water and sewer service areas. It is served by ACFPD for fire protection under automatic aid. The Napa County Sheriff's Office currently provides law enforcement for the Affected Territory. Additional public utilities, such as electricity and natural gas, are available at or near the perimeter of the affected area. No additional public facilities or services are needed within the Affected Territory in the foreseeable future.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide (Government Code 56425(e)(3)):

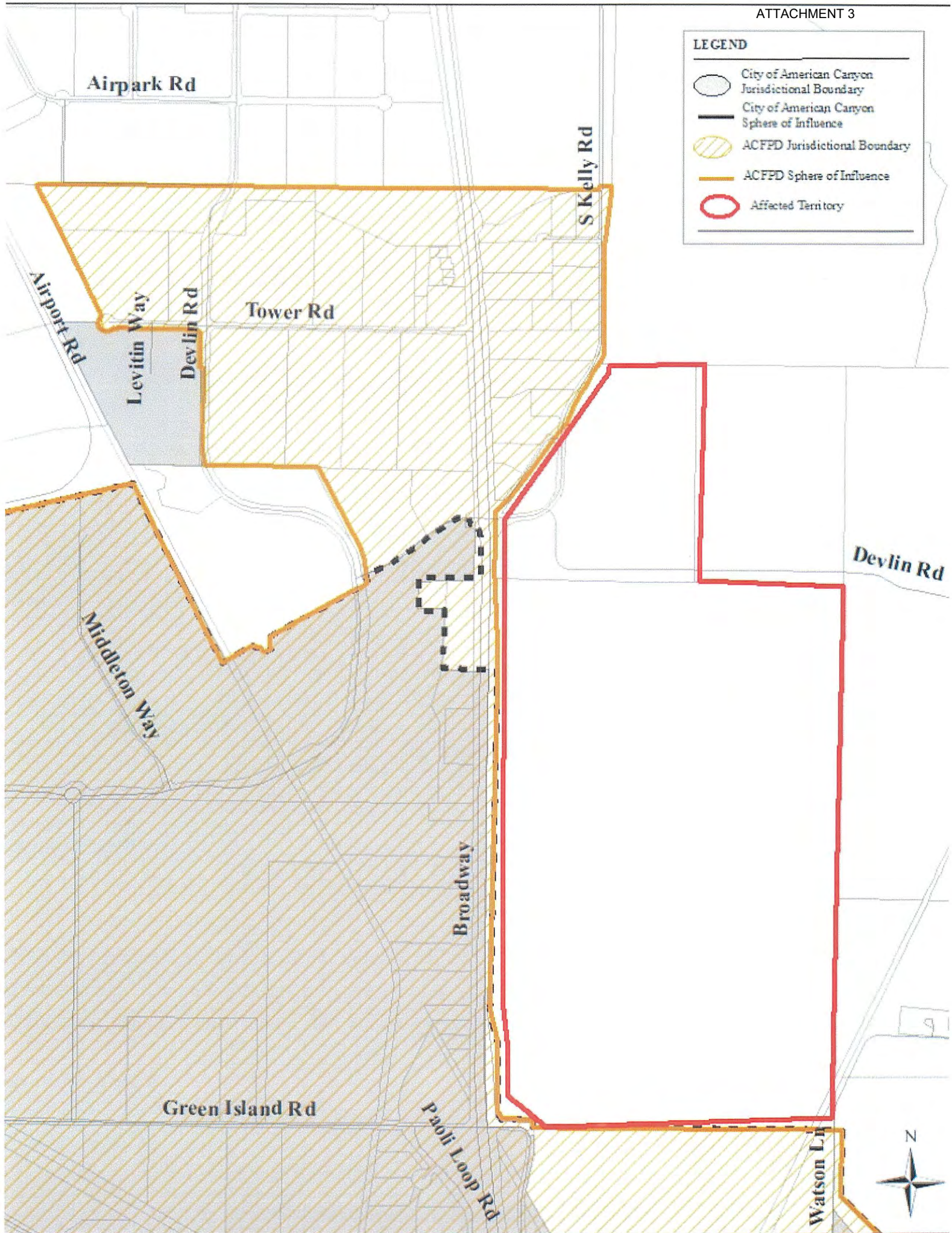
As previously stated, the City and ACFPD are identified as service providers and the Affected Territory is substantially within the City's water and sewer service areas. The Napa County Sheriff's Office currently provides law enforcement for the Affected Territory. Based on the 2018 Municipal Services Review for the South County Region, there is established capacity to provide a full range of municipal services to the affected territory. No impact is currently expected as to the present capacity of public facilities and adequacy of public services.

4. The existence of any social or economic communities of interest in the sphere if the Commission determines that they are relevant to the agency (Government Code 56425(e)(4)):

The Affected Territory is adjacent to both the City of American Canyon and the Napa County Airport Industrial Area communities of interest

5. Present and probable need for public services for disadvantaged unincorporated communities (Government Code 56425(e)(5)):

As previously stated, the Property is substantially within the City's water and sewer service areas and currently receives ACFPD fire service under automatic aid. The Napa County Sheriff's Office currently provides law enforcement for the Affected Territory. No impact is currently expected and no change currently anticipated in the need for public facilities and services. There are no disadvantaged unincorporated communities within the existing sphere of influence for the ACFPD.



HESS-LAIRD NAPA COUNTY LAFCO APPLICATION FOR ACFPD SOI AND AC SOI AMENDMENTS

TABLE OF CONTENTS

1. Napa LAFCO Sphere of Influence Amendment Application (Originally Submitted August 11, 2026; Supplemented on August 20, 2026 and September 17, 2026)
2. November 12, 2024: The County adopted a General Plan amendment, zoning changes, and an associated CEQA Addendum to the Napa County 2008 General Plan EIR, which specifically redesignated and rezoned the Property from Agricultural Watershed: Airport Compatibility (AW:AC) to Industrial Park; Airport Compatibility (IP:AC) (the “Hess-Laird General Plan Amendment”).
3. December 4, 2024: The Napa County Airport Land Use Commission (“ALUC”) adopted an Initial Study/Negative Declaration in connection with its adoption of the 2024 Napa County Airport Land Use Compatibility Plan (“ALUCP”), which found that the updated ALUCP would not have any potentially significant environmental impacts.
4. August 19, 2025: The County adopted General Plan and Zoning Code amendments to achieve consistency with the ALUCP, finding that the impacts associated with the amendments were previously evaluated and within the scope of the Initial Study/Negative Declaration adopted by the Airport Land Use Commission on December 4, 2024.
5. November 18, 2025: The City of American Canyon adopted its 2040 General Plan and certified an associated Environmental Impact Report (“EIR”). As discussed in the Application, the City’s General Plan designated the Property as a “Study Area.”
6. April 21, 2026 and May 5, 2026: The Napa County Board of Supervisors and the City of American Canyon City Council approved American Canyon Agreement 2026-64 / Napa County Agreement No. 260377B (Urban Limit Line and Regional Housing Agreement). At this same time, the agencies also approved a certain Property Tax Sharing Agreement for the Hess- Laird Property.
7. August 11, 2026: The Napa County ALUC Executive Officer considered the City of American Canyon’s voluntary referral of the City of American Canyon Hess/Laird Territory Special Study Pre-Zoning Action and found the Action consistent with the Napa Countywide Airport Land Use Compatibility Plan with standard ALUC conditions.
8. September 15, 2026: The City of American Canyon City Council adopted an Ordinance to approve Special Study Pre-Zoning for the Hess/Laird Territory consistent with the City’s General Plan (American Canyon Municipal Code Chapter 19.50). No development is approved by this project. All future development with the Affected Territory would be subject to rezoning and applications for discretionary permits that would separately require their own review and analysis in compliance with CEQA. An Addendum to the General Plan EIR was prepared and findings were made pursuant to the provisions of CEQA.

1



Napa LAFCO

Sphere of Influence Amendment Application

1754 Second Street • Suite C • Napa, CA 94559

707-259-8645 • www.napa.lafco.ca.gov • Policy Amended 2/2/26

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INSTRUCTIONS & INFORMATION ON THE LAFCO APPLICATION

The following information is designed to help you understand and move your project through the various stages of the LAFCO process.

General Step by Step Process

1. Applicant Gathers Application Materials and Meets with Staff for a Pre-Application Meeting
2. Applicant Submits Their Application to LAFCO
3. LAFCO Review Period Begins
4. 30-Day Review – Information Hold Letter or Deemed Sufficient for Filing
5. LAFCO Hearing. LAFCO has the authority to approve, conditionally approve or deny a proposal.
6. 30-Day Reconsideration Period
7. Review requests, if any, for Petition for removal from sphere of influence (§56429)
8. Notification of Commission Action Form
9. Final Notice of Completion with Affected Agencies / Interested Parties
10. LAFCO GIS Boundary Updates

Important Tips

- Any person or local agency may file a written request with the executive officer requesting amendments to a sphere of influence adopted by the commission. The request shall state the nature of the proposed amendment, state the reasons for the request, include a map of the proposed amendment, and contain any additional data and information as may be required by the executive officer (§56428).
- It is important to note that while a SOI amendment, may be initiated by any person or local agency, ultimately, the affected agency must consent to the change and all parties may be required to provide information, conduct studies, and may be subject to conditions of approval.

NAPA LAFCO POLICY ON SPHERES OF INFLUENCE

I. BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, beginning with [California Government Code \(G.C.\) §56425](#), requires the Local Agency Formation Commission (LAFCO or “Commission”) to establish and maintain spheres of influence for all local agencies within its jurisdiction. A sphere of influence (SOI) is defined by statute as a “plan for the probable physical boundary and service area of a local government agency as determined by the commission” ([G.C. §56076](#)). Every determination made by LAFCO shall be consistent with the SOIs of the local agencies affected by that determination ([G.C. §56375.5](#)). The Commission encourages cities, towns, and the County of Napa (“County”) to meet and agree to SOI changes. The Commission shall give “great weight” to these agreements to the extent they are consistent with its policies ([G.C. §56425\(b\) and \(c\)](#)). Local agency SOIs are established and changed in part based on information in municipal service reviews, including adopted determinative statements and recommendations ([G.C. §56430](#)).

II. PURPOSE

The purpose of these policies is to guide the Commission in its consideration of SOI amendment requests as well as SOI reviews and updates initiated by LAFCO. This includes establishing consistency with respect to the Commission’s approach in the scheduling, preparation, and adoption of SOI reviews and updates. Requests to amend an SOI may be made by any person or local agency as described in Section VI of this policy. Requests to amend an SOI are encouraged to be filed with LAFCO’s Executive Officer as part of the Commission’s municipal service review (MSR) and SOI review process.

III. OBJECTIVE

It is the intent of the Commission to determine appropriate SOIs that promote the orderly expansion of cities, towns, and special districts in a manner that ensures the protection of the environment and agricultural and open space lands while also ensuring the effective, efficient,

and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement. The Commission recognizes the importance of considering local conditions and circumstances in implementing these policies. An SOI is primarily a planning tool that will:

- Serve as a master plan for the future organization of local government within the County by providing long range guidelines for the efficient provision of services to the public;
- Discourage duplication of services by two or more local governmental agencies;
- Guide the Commission when considering individual proposals for changes of organization;
- Identify the need for specific reorganization studies, and provide the basis for recommendations to particular agencies for government reorganizations.

IV. DEFINITIONS

Recognizing that an SOI is a plan for the probable physical boundary and service area of a local government agency as determined by LAFCO, the Commission incorporates the following definitions:

- A. “Agricultural lands” are defined as set forth in [G.C. §56016](#).
- B. “Open space” are defined as set forth in [G.C. §56059](#).
- C. “Prime agricultural land” is defined as set forth in [G.C. §56064](#).
- D. “Infill” is defined as set forth in [Public Resources Code §21061.3](#).
- E. “Underdeveloped land” is defined as land that lacks components of urban development such as utilities or structure(s).
- F. “Vacant land” is defined as land that has no structure(s) on it and is not being used. Agricultural and open space uses are considered a land use and therefore the underlying land is not considered vacant land.

- G. “SOI establishment” refers to the initial adoption of a city or special district SOI by the Commission.
- H. “SOI amendment” refers to a single change to an established SOI, typically involving one specific geographic area and initiated by a landowner, resident, or local agency.
- I. “SOI review” refers to a comprehensive review of an established SOI conducted as part of an MSR. Based on information collected in the SOI review component of an MSR, the Commission shall determine if an SOI update is needed.
- J. “SOI update” refers to a single change or multiple changes to an established SOI, typically initiated by the Commission and based on information collected in the SOI review.
- K. “Zero SOI” when determined by the Commission, indicates a local agency should be dissolved and its service area and service responsibilities assigned to one or more other local agencies.
- L. “Study area” refers to territory evaluated as part of an SOI update for possible addition to, or removal from, an established SOI. The study areas shall be identified by the Commission in consultation with all affected agencies.

V. LOCAL CONSIDERATIONS

A. General Guidelines for Determining Spheres of Influence

The following factors are intended to provide a framework for the Commission to balance competing interests in making determinations related to SOIs. No single factor is determinative. The Commission retains discretion to exercise its independent judgment as appropriate:

- 1) Land defined or designated in the County of Napa General Plan land use map as agricultural or open space shall not be approved for inclusion within any local agency’s SOI for purposes of new urban development unless the action is consistent with the objectives listed in Section III of this policy.
- 2) Land that is within the Napa County Airport Land Use Commission (ALUC) Planning Area shall not be approved for inclusion within any local agency’s SOI prior to LAFCO conferring with the ALUC.

- 3) The Commission encourages residents, landowners, and local agencies to submit requests for changes to SOIs to the LAFCO Executive Officer as part of the LAFCO-initiated MSR and SOI review process.
- 4) The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use. Measure J was passed by voters in 1990 and Measure P was passed by voters in 2008 and requires voter approval for any changes that would re-designate unincorporated agricultural and open-space lands. The Commission will consider the Agricultural Preserve and intent of voters in passing Measure J and Measure P in its decision making processes to the extent they apply, prior to taking formal actions relating to SOIs.
- 5) In the course of an SOI review for any local agency as part of an MSR, the Commission shall identify all existing outside services provided by the affected agency. For any services provided outside the affected agency's jurisdictional boundary but within its SOI, the Commission shall request the affected agency submit an annexation plan or explanation for not annexing the territory that is receiving outside services. For any services provided outside an agency's jurisdictional boundary and SOI, the Commission encourages a dialogue between the County and the affected agency relating to mutually beneficial provisions.
- 6) In the course of reviewing a city or town's SOI, the Commission will consider the amount of vacant land within the affected city or town's SOI. The Commission discourages SOI amendment requests involving vacant or underdeveloped land that requires the extension of urban facilities, utilities, and services where infill development is more appropriate.
- 7) A local agency's SOI shall generally be used to guide annexations within a five-year planning period. Inclusion of land within an SOI shall not be construed to indicate automatic approval of an annexation proposal.
- 8) When an annexation is proposed outside a local agency's SOI, the Commission may consider both the proposed annexation and SOI amendment at the same meeting. The SOI amendment to include the affected territory, however, shall be considered and resolved prior to Commission action on the annexation.

- 9) A local agency's SOI should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission. This includes information contained in current MSRs. The Commission shall consider the following municipal service criteria in determining SOIs:
 - a) The present capacity of public facilities and adequacy of public services provided by affected local agencies within the current jurisdiction, and the adopted plans of these local agencies to address any municipal service deficiency, including adopted capital improvement plans.
 - b) The present and probable need for public facilities and services within the area proposed or recommended for inclusion within the SOI, and the plans for the delivery of services to the area.
- 10) The Commission shall consider, at a minimum, the following land use criteria in determining SOIs:
 - a) The present and planned land uses in the area, including lands designated for agriculture and open-space.
 - b) The present and probable need for public facilities and services in the area.
 - c) The present capacity of public facilities and adequacy of public services that the local agency provides or is authorized to provide.
 - d) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the local agency.
 - e) Consistency with the County General Plan and the general plan of any affected city or town.
 - f) Adopted general plan policies of the County and of any affected city or town that guide future development away from lands designated for agriculture or open-space.
 - g) Adopted policies of affected local agencies that promote infill development of existing vacant or underdeveloped land.
 - h) Amount of existing vacant or underdeveloped land located within any affected local agency's jurisdiction and current SOI.
 - i) Adopted urban growth boundaries by the affected local agency.

B. Scheduling Sphere of Influence Reviews and Updates

G.C. §56425(g) directs the Commission to review and update each SOI every five years, as necessary. Each year, the Commission shall adopt a Work Program with a schedule for initiating and completing MSRs and SOI reviews based on communication with local agencies. This includes appropriate timing with consideration of city, town, and County general plan updates. The Commission shall schedule SOI updates, as necessary, based on determinations contained in MSRs.

C. Environmental Review

SOI establishments, amendments, and updates will be subject to the review procedures defined in the California Environmental Quality Act (CEQA) and the Napa LAFCO CEQA Guidelines. If an environmental assessment or analysis is prepared by an agency for a project associated with an SOI establishment, amendment, or update, and LAFCO is afforded the opportunity to evaluate and comment during the Lead Agency's environmental review process, then LAFCO can act as a Responsible Agency under CEQA for its environmental review process. All adopted environmental documents prepared for the project, a copy of the filed Notice of Determination/Notice of Exemption, and a copy of the Department of Fish and Wildlife fee receipt must be submitted as part of the application. Completion of the CEQA review process will be required prior to action by the Commission.

VI. REQUESTS FOR SPHERE OF INFLUENCE AMENDMENTS

A. Form of Request

Any person or local agency may file a written request with the Executive Officer requesting amendments to an SOI pursuant to G.C. §56428(a). Requests shall be made using the form provided in this packet. Requests shall include an initial

deposit as prescribed under the Commission's adopted Schedule of Fees and Deposits. The Executive Officer may require additional data and information to be included with the request. Requests by cities, towns, and special districts shall be made by resolution of application.

B. Review of Request

The Executive Officer shall review and determine within 30 days of receipt whether the request to amend an agency's SOI is complete. If a request is deemed incomplete, the Executive Officer shall immediately notify the applicant and identify the information needed to accept the request for filing.

C. Consideration of Request

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation. The Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration. The public hearing will be scheduled for the next meeting of the Commission for which adequate notice can be given. The Commission may approve, approve with conditions, or deny the request for an SOI amendment. The Commission's determination and any required findings will be set out in a resolution that specifies the area added to, or removed from, the affected agency's SOI. While the Commission encourages the participation and cooperation of the subject agencies, the determination of an SOI is a LAFCO responsibility and the Commission is the sole authority as to the sufficiency of the documentation and consistency with law and LAFCO policy.

SPHERE OF INFLUENCE APPLICATION CHECKLIST

The following information must be submitted when filing a proposal with the Napa Local Agency Formation Commission (LAFCO); additional information may be requested during review of the proposal.

-
- ☐ 1. Completed **SPHERE OF INFLUENCE APPLICATION CHECKLIST** with applicable materials (everything listed in the checklist).
 - ☐ 2. Any person or local agency may file a written request to the Executive Officer for a SOI Amendment.
 - ☐ 3. **LAFCO QUESTIONNAIRE**.
 - ☐ 4. A **MAP AND GEOGRAPHIC DESCRIPTION** of the proposal territory perimeter for the proposed boundary change(s), and a reproducible parcel map
 - ☐ 5. **ENVIRONMENTAL DOCUMENTATION** to comply with the California Environmental Quality Act (CEQA); submit documents for applicable category only. For an ND, MND, or EIR, a copy of the Notice of Determination and the Environmental Filing Cash Receipt for the fee paid to the California Department of Fish and Wildlife must be submitted.
 - (a) CATEGORICAL EXEMPTION (CE): Submit document if an agency has determined is exempt.
 - (b) NEGATIVE DECLARATION (ND) or MITIGATED NEGATIVE DECLARATION (MND): Submit document from agency making said determination.*
 - (c) ENVIRONMENTAL IMPACT REPORT (EIR): Submit a copy of the certified Final EIR.
 - (d) NO CEQA DOCUMENTATION: If the proposed action has not been analyzed pursuant to the requirements of CEQA, please indicate this and CEQA will be performed by LAFCO and the appropriate level of documentation will be determined, i.e. CE, ND, MND or EIR.
 - ☐ 6. **APPLICANT FINANCIAL DISCLOSURE FORM**.
 - ☐ 7. **LAFCO PROCESSING FEES & COST ACCOUNTING AGREEMENT**.
 - ☐ 8. **PRE-APPLICATION MEETING**. A pre-application meeting with staff is strongly encouraged due to the complexity of submittal requirements and applicable laws. (Limited to 2 hours of staff time at no cost.)

QUESTIONNAIRE

The information provided in this application will be used to evaluate this proposal. Please complete this form to facilitate our review. Please respond to all items in this form, indicating "NA" when an item does not apply. It is important to note that while a SOI amendment may be initiated by any person or local agency, ultimately, the affected agency must consent to the change and all parties may be required to provide information, conduct studies, and may be subject to conditions of approval.

Subject Agency(ies)
(City or Special District): American Canyon Fire Protection District ("ACFPD") & City of American Canyon ("City")

Describe Proposed SOI Change(s): Amend ACFPD SOI and City SOI to include Hess-Laird Property

SEE ATTACHMENT A

Applicant/ Agents

Name	Email	Telephone	Mailing
1. Timothy Persson, Landowner;	tpersson@hesspersson.com;	(707) 255-1144	
2. Kenneth Laird, Landowner;	kejacklaird@aol.com;	(707) 974-0837	
3. David B. Gilbreth, Attorney;	davidgnapa@icloud.com;	(707) 337-6412	
4. Andrea A. Matarazzo, Attorney;	andrea@matarazzolaw.net;	(916) 241-0533	
5. Nick Johnson, Consultant;	nick@jacair.com;	(818) 606-3560	

SEE ATTACHMENT A

Interested Parties

Name	Email	Telephone	Mailing
1. Jason Holley, City Manager;	jholley@americancanyon.gov;	(707) 647-4351	
2. Cliff Campbell;	ccampbell@amcanfire.ca.gov;	(707) 551-0650	
3. Ryan J. Alsop, Napa County Chief Executive Officer;	ryan.alsop@countyofnapa.org		
4. Brian Bordona, Napa County PBES Director;	brian.bordona@countyofnapa.org		

HESS-LAIRD NAPA COUNTY LAFCO APPLICATION FOR ACFPD AND AC SOI AMENDMENTS

Applicant / Agent / Attorney's Contact Information

Timothy Persson, Owner; tpersson@hesspersson.com; Owner; (707) 255-1144; 4411 Redwood Road, Napa, CA 94558

Kenneth Laird, Owner; kejacklaird@aol.com; Owner; (707) 974-0837; 5211 Big Ranch Road, Napa, CA 94558

David B. Gilbreth, Attorney; davidgnapa@icloud.com; (707) 337-6412; 1152 Hardman Avenue; Napa, CA 94558

Andrea A. Matarazzo, Attorney; andrea@matarazzolaw.net; (916) 241-0533; 1215 K Street, Suite 1210 Sacramento, CA 95814

Nick Johnson, Consultant; nick@jacair.com; (818) 606-3560; 30141 Agoura Rd., Suite 104; Agoura Hills, CA 91301

Interested Parties

Jason Holley, City of American Canyon City Manager; jholley@americancanyon.gov; (707) 647-4351; 4381 Broadway Street, Suite 201

Cliff Campbell, American Canyon Fire Protection District, Acting Fire Chief; ccampbell@amcanfire.ca.gov; (707) 551-0650 911 Donaldson Way East, American Canyon

Brian Bordona, Napa County Department of Planning, Building and Environmental Services (PBES) Director; brian.bordona@countyofnapa.org; (707) 253-4417; 1195 Third Street, 2nd Floor, Napa, CA 94559

Ryan J. Alsop, Napa County Chief Executive Officer; ryan.alsop@countyofnapa.org; (707) 253-4421; 1195 Third Street, Suite 310, Napa, CA 94559

A. General Information

1. This application was initiated by:

Landowners - See Attachment A

2. State reason(s) for requesting the proposed action **at this time**.

See Attachment A

3. Describe the use of developed property within the proposal territory, including details about existing structures, if applicable. Describe anticipated development of vacant property, including types of buildings, number of units, supporting facilities, etc., and when development is scheduled to occur, if applicable.

See Attachment A

4. State the location of the property and its general location in relation to communities, freeways/highways, roads, etc.:

See Attachment A

5. Describe the present and planned uses in the area, including agricultural and open space lands.

See Attachment A

6. Describe the present and probable need for public facilities and services in the area.

See Attachment A

7. Describe the present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

See Attachment A

8. Describe the existence of any social or economic communities of interest in the area that the Commission may determine are relevant to the agency.

See Attachment A (there are social and economic goals).

B. Land Use Information

1. Total acreage: 284.64 acres
2. Assessor Parcel Number(s): 057-090-065 & 057-090-089
- a. If multiple parcels are involved in the sphere request, will any be consolidated?
3. Indicate the current zoning:
- a. County: Industrial Park / Airport Compatible (IP:AC)
- b. City: Planned Pre-zoning (9/1/26) Special Study Zone (SSZ)
4. What community plan or General Plan is the territory in:
- Napa County General Plan and City's 2040 General Plan
5. The County/City General Plan land use designation:
- Industrial (County) / Future Study Area (City)

6. Describe any special land use concerns found in General Plans:

None. See Attachment A

7. What is the proposed land use?

No new land use is proposed. The SOI amendment is a planning designation only and authorizes no development.

8. Has the affected territory been rezoned? ☐ No ☒ Yes

If yes, what is the rezoning use and densities (if applicable) permitted?

Special Study Zone (SSZ) District (ACMC Ch. 19.50) - a holding zone permitting only agriculture, grazing, open space, and public uses; structures over 10,000 sq. ft. require a conditional use permit. No residential, commercial, or industrial development is authorized by right. City Council consideration scheduled 9/1/2026 (Planning Commission recommended 7/30/2026).

9. Indicate below all permits or approvals that will be needed, or have been granted by, the County or any city or town to complete the project.

Type of Approval	File No.	Approval Date	Resolution attached?
Tentative Parcel Map	n/a	n/a	☐ No / ☐ Yes / ☒ N/A
Use Permit	n/a	n/a	☐ No / ☐ Yes / ☒ N/A
City/Town/County General Plan Amendment	P21-00055 (County)	11/12/2024 (County)	☐ No / ☐ Yes / ☐ N/A
City/Town Rezoning	PL-26-16	9/1/2026	☐ No / ☒ Yes / ☐ N/A
County Rezone	P24-0221	11/12/2024	☐ No / ☒ Yes / ☐ N/A
Other		n/a	☐ No / ☐ Yes / ☒ N/A

10. Have any of the above-mentioned approvals been appealed? ☒ No ☐ Yes

If yes, please state when the project was appealed, who appealed it, and when it was or will be reconsidered.

n/a

11. Is the affected territory subject to a Williamson Act Contract or Farmland Security Zone Contract?

☒ No ☐ Yes

If yes, please attach the following (if applicable)

- Copy of contract
- Board of Supervisor's resolution upholding contract
- City resolution protesting contract
- City resolution succeeding to contract

12. How will the proposal assist a city, town, or the County to achieve its fair share of regional housing needs as determined by its current General Plan Housing Element, and are any RHNA transfer agreements applicable?

Yes. There is an agreement between the City and Napa County (City Agreement No. 2026-64 / Napa County Agreement No. 260377B) to achieve fair share regional housing needs and RHNA transfers in the future. There is no project now.

C. Environmental Information

1. Has an environmental determination (Notice of Exemption, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report) been adopted and/or certified by a legislative body?

☐ No ☒ Yes (If yes, please attach a copy)

a. Is the certified environmental documentation currently being challenged? ☒ No ☐ Yes

2. Is the site presently zoned for or engaged in agricultural use?

If yes, please explain:

No. Presently zoned Industrial Park / Airport Compatible (IP:AC) by the County. No current agricultural use.

3. Does the site contain prime agricultural land as defined in Gov. Code §56064? ☒ No ☐ Yes

4. Will extension of services requested for this proposal induce growth on affected property? ☒ No ☐ Yes

a. On adjacent properties? ☒ No ☐ Yes

b. Unincorporated? ☒ No ☐ Yes

c. Vacant? ☒ No ☐ Yes

5. Please provide a detailed description of the environmental setting of the site, including any information related to potential environmental impacts associated with an SOI amendment:

The Property is relatively flat (slopes generally 2-11%), fallow open space in unincorporated Napa County; the former vineyard has been removed and there are no structures. It is bounded by SR-29 (west), Eagle Vines Golf Course (north), agricultural properties (east), and the City (south). The SOI amendment is a planning designation only. It does not result in any new land use or municipal service authority. There of course is no project.

6. Terrain:

- ☒ Level to gently rolling (0-10%)
☐ Slopes (10-30%)
☐ Steep slopes (over 30%)

7. Hydrology:

- ☐ Streams, lakes, or marshes on site? ☐ No ☒ Yes

If yes, please explain:

The Hess parcel is bisected in the southeast corner by a portion of North Slough, a seasonal creek.

- ☐ Is there irrigation on site? ☒ No ☐ Yes
☐ Is the site within a GSA managed subbasin? ☐ No ☒ Yes

8. Has the natural vegetation already been removed or altered? ☒ No ☐ Yes
9. Are there any endangered plant species on site? ☐ No ☒ Yes
10. Have any endangered or threatened species been identified? ☒ No ☐ Yes

If yes, please explain:

I hereby certify that the statements made in this entire Sphere of Influence Amendment Application are to the best of my knowledge accurate.

Tim Persson Ken Laird
PRINT name of person completing this application

08 / 14 / 2026 08 / 14 / 2026
Date

Timothy Persson Kenneth E Laird
Signature

email

Address

Phone Number

SEE EXHIBIT A FOR LANDOWNER SIGNATURES

MAP & GEOGRAPHIC DESCRIPTION REQUIREMENTS

Map and geographic descriptions should meet LAFCO and State Board of Equalization (BOE) requirements; listed below:

1. The map & geographic description shall be prepared by a Registered Civil Engineer or a Licensed Land Surveyor.
2. First submittal shall be digital. Once the map and geographic description have been reviewed and determined to be definite and certain you may submit four (4) copies.
3. Applicable fees shall be paid by the applicant for County Surveyor Review and BOE filing on or after LAFCO Approval in accordance with their fee schedules.
4. Map and Geographic Description examples are available on our website at <https://napa.lafco.ca.gov/forms#docaccess-2a46c94dc49dab89e9f407edd9b39b9d13760c553ca9c083fee68af7d980f859>.

Written Geographic Description(s) of the Project Area(s):

5. Every written geographic description (a document separate from the maps) must stand on its own without the necessity of reference to any extraneous document; a description that relies solely on the use of secondary references will not be accepted.
6. The geographic description shall:
 - a. State the township and range, section number(s) or rancho(s)
 - b. Have a point of beginning (POB) referenced to a known major geographic position (e.g., section corners, intersection of street centerlines, or the intersection of street centerline and an existing agency boundary at the time of filing). A description will be rejected if the POB refers only to a tract map, a subdivision map or a recorded survey map. It is preferable that the POB be the point of departure from an existing agency boundary (when applicable).
 - c. Be expressed as a specific parcel description in sectionalized land (e.g., "The SW 1/4 of Section 22, T1N, R1W") or by bearings and distances. When the description is by bearings and distances, all courses shall be numbered and listed individually in a consistent clockwise direction. The description shall not be written in a narrative format. All courses required to close the traverse of the project area must be stated. All curves must be described by direction of concavity. Delta,

arc length, chord, and radius shall be listed, including radial bearings for all points of non-tangency.

7. The written description shall state the acreage for each separate single area (Special Fee Provisions for each single area as defined but the BOE) and a combined total acreage.

Example: "Area A containing 2.50 acres, Area B containing 1.75 acres: Total computed acreage containing 4.25 acres more or less."

8. All information stated on the description must match with the map(s), such as the name of the short title, the point of beginning, the course numbers, all the bearings and distances, and the acreage(s).

Map(s)

9. All maps shall be professionally and accurately drawn or copied. Rough sketches or pictorial drawings will not be accepted. Assessor's parcel maps will not be accepted as a substitute for the project map.
10. Original or copies of the same size project map must be submitted. Reduced maps are not acceptable and will be rejected.
11. A vicinity map shall be included. The vicinity map shall show the location of the existing sphere in relationship to a larger geographic area that includes major streets and highways or other physical features.
12. Any portion of an existing agency boundary in close proximity to the project area shall be shown and identified.
13. Every map must clearly show all existing streets, roads and highways with their current names that are within and adjacent to the project area. Additionally, every map shall indicate each township and range, section lines and numbers, or ranchos that are in proximity of the project area.
14. Every map shall bear a scale and a north arrow. The point of beginning shall be clearly shown and match the written geographic description.
15. The boundaries of the project area shall be distinctively delineated on each map without masking any essential geographic or political features. The boundaries of the project area must be the most predominant line on the map. Boundary lines that are delineated by a line that exceeds 1.5 millimeter in width will be rejected by the BOE. The use of graphic tape or broad tip marking pens to delineate the boundary is not acceptable.
16. All dimensions needed to plot the boundaries must be given on the map of the project area. Each map shall have numbered courses matching the written geographic description. Index tables may be utilized.

17. All parcels within the project area that touch the new boundary shall be clearly labeled with the assessor's parcel number. Interior parcels that do not touch the boundary need not be identified on the map.
18. If the project area has an interior island(s) of exclusion or the boundary has a peninsula of exclusion (or inclusion), that area(s) should be shown in an enlarged drawing.
19. When it is necessary to use more than one map sheet to show the boundaries of the project area, the sheet size should be uniform. A small key map giving the relationship of the several sheets shall be furnished. Match lines between adjoining sheets must be used. While the geography on adjoining sheets may overlap, the project boundaries must stop at the match lines.

APPLICANT CAMPAIGN CONTRIBUTION DISCLOSURE FORM

LAFCOs are subject to the campaign disclosure provisions detailed in Government Code §84308, and the Regulations of the Fair Political Practices Commission (FPPC), §18438.1.

Please carefully read the following information to determine if the provisions apply to you. If you determine that the provisions are applicable, the Campaign Contribution Disclosure Form must be completed and returned to Napa LAFCO with your application.

1. No LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$500 from any party, participant, or agent thereof while a Commission proceeding is pending, and for 12 months subsequent to the date a final decision is rendered by LAFCO. This prohibition commences when your application has been filed, or the proceeding is otherwise before the Commission for its decision or other action.
2. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$500 made to any commissioner by the party, or agent, during the preceding 12 months. No party to a LAFCO proceeding, or agent, shall make a contribution to a commissioner during the proceeding and for 12 months following the date a final decision is rendered by LAFCO.
3. Prior to rendering a decision on a LAFCO proceeding, any commissioner who received a contribution of more than \$500 within the preceding 12 months from any party or participant to a proceeding shall disclose that fact on the record of the proceeding. A commissioner shall be disqualified from participating in a proceeding if they willfully or knowingly received a contribution of more than \$500 in the preceding 12 months from a party or a party's agent, or from a participant or participant's agent if the commissioner knows or has reason to know that the participant has a financial interest in the decision. However, if any commissioner receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days from the time the commissioner makes any decision, or knows, or should have known, about the contribution and the relevant proceeding, whichever comes last, that commissioner shall be permitted to participate in the proceeding.

To determine whether a campaign contribution of more than \$500 has been made by you or your agent to a commissioner within the preceding 12 months, all contributions made by you or your agent during that period must be aggregated. (The contributions of an agent are not aggregated with contributions from a party or participant and are counted separately.) Names of current LAFCO commissioners are available at <https://napa.lafco.ca.gov/commission-roster>. If you have questions about Government Code §84308, FPPC regulations, or the Campaign Disclosure Form, please contact Napa LAFCO at 1754 Second Street, Suite C, Napa, CA 94559, (707) 259-8645.

FINANCIAL DISCLOSURE FORM

Proposed change(s) of organization:

Amend ACFPD and City of American Canyon SOIs to include the Hess-Laird Property.

Name and address of any party, participant, or agent who has contributed more than \$500 to any commissioner within the preceding 12 months:

1. None

2.

3.

Date and amount of contribution:

Date: n/a

Amount \$ n/a

Date:

Amount \$

Name of commissioner to whom contribution was made:

1. n/a

2.

I certify that the above information is provided to the best of my knowledge.

Printed Name: Timothy Persson / Kenneth Laird

Signature:

Timothy Persson

Kenneth E Laird

Date: 08 / 14 / 2026

08 / 14 / 2026

Phone:

FEE SCHEDULE

All fees shall be paid prior to the acceptance of an application for processing. All fees should be submitted to LAFCO as a separate check to each of the agencies listed below:

1. LAFCO Processing Fee & Environmental Fee
2. Public Works Department Fee
3. Board of Equalization Filing Fee

Where indicated below, the fees are an initial deposit toward the actual cost of processing an application. The applicant shall enter into an agreement to provide for reimbursement to LAFCO for the actual costs of processing an application. A refund shall be issued for any portion of the fee not used for processing. When deposited fees are expended and additional fees are required, the applicant shall be notified by the Executive Officer or the Commission Clerk to pay an additional deposit amount not exceeding the initial deposit. The proposal shall be suspended until such additional funds are deposited with the LAFCO Clerk. Napa LAFCO's current fully burdened hourly rate for staff time is \$196.44 per hour. The Commission's current fee schedule is available at: <https://napa.lafco.ca.gov/forms#docaccess-294a7c304fd7987b2fcecfd55298d5db21948f27f6066b12d63ffa72ce626d09>.

Other Charges

In addition to the fees specified herein, the Executive Officer may charge an applicant/appellant for the actual costs that are incurred as a result of processing a proposal that are not covered in the Commission's fee schedule. An applicant/appellant may appeal the decision of the Executive Officer in writing. Such an appeal will be presented to the Commission at its next meeting.

Refunds for withdrawn applications shall be based on an estimate by the Executive Officer of the total costs incurred in processing the application up to the date of the withdrawal request.

Fee Waiver

The Commission, as per Government Code §56383, may waive or reduce fees upon finding that payment of fees would be detrimental to the public interest. Requests for fee waiver must be submitted in writing to the Commission, and there is a \$500 fee. The waiver will be considered at a public meeting of the Commission.

FEE SCHEDULE WORKSHEET

If you need help in determining your fees, please contact LAFCO staff for assistance at (707) 259-8645.

1. Check made payable to *Napa LAFCO*:

Sphere of Influence Fee:	\$
Environmental Fees	\$
County Clerk Recorder Filing Fee	\$
Other Fees:	\$
TOTAL	\$

COST ACCOUNTING AGREEMENT

Applicant: Hess Persson Estates / Kenneth & Gail Laird Revocable Trust
Mailing Address: _____
Telephone: 707-255-1144
E-mail Address: tpersson@hesspersson.com; kejacklaird@aol.com

The cost of processing an application may exceed the initial deposit required. In order to recover any additional costs associated with processing your application, LAFCO has found it necessary to implement a provision of the Fee Schedule that provides full cost recovery for processing an application.

I, Timothy Persson/ Kenneth Laird, the landowner and/or responsible Applicant, agree to pay the actual costs pursuant to the Fee Schedule incorporated by reference hereto, plus copying charges and related expenses incurred in the processing of this application. I also understand that if payment on any invoices or billings transmitted prior to final action is not paid within thirty (30) days, I agree that processing of my application may be suspended until payment is received.

In order to implement the cost accounting provisions, please sign and date this statement indicating your agreement to the cost accounting procedure agreement. This signed agreement is required for your application to be accepted for processing. Checks may be made payable to Napa LAFCO and delivered or mailed to the LAFCO Office at 1754 Second Street, Suite C, Napa, CA 94559. If you have questions regarding your application, please contact the LAFCO Office at (707) 259-8645.

Timothy Persson

Applicant Signature

08 / 14 / 2026

Date

Kenneth E Laird

Applicant Signature

08 / 14 / 2026

Date

Applicant Signature

Date

ATTACHMENT A

HESS-LAIRD NAPA COUNTY LAFCO APPLICATION FOR ACFPD SOI AND AC SOI AMENDMENTS

Mr. Timothy Persson, Chairman & CEO of the Hess Persson Estates, 4411 Redwood Road, Napa, CA 94558 and Mr. Kenneth Laird representing the Kenneth and Gail Laird Revocable Trust, 5211 Big Ranch Road, Napa, CA 94558 (“Applicants”), by their managers, respectfully, are applying to Napa County LAFCO to include their property (“Hess-Laird Property” or “Property”) within the spheres of influence of (1) the City of American Canyon Fire Protection District (“ACFPD”) (“ACFPD SOI”); and (2) and City of American Canyon (“City”) (“City SOI”) (collectively the “Application”).

The Application is clearly consistent and complies with the Cortese–Knox–Hertzberg Local Government Reorganization Act of 2000 (“Act”) and Napa County LAFCO’s Policy on Spheres of Influence (“SOI Policy”), because the Application simply and classically promotes logical boundaries and orderly development based upon the following:

1. Logical boundaries of infill land: The Property is designated as “Industrial” and compatible residential uses in the Napa County General Plan, and a “Study Area” in the City of American Canyon General Plan, both of which are incorporated by reference;
2. The Property is served by ACFPD pursuant to an automatic aid agreement between ACFPD and Napa County;
3. The Property is within the City’s existing Water Service Area and Sewer Service Area;
4. The availability of essential public services for the Property that either are or will be exclusively provided by the City and/or ACFPD;
5. The availability of essential public utilities for the Property (e.g., electricity and natural gas) at or near the perimeter of the Property;
6. Provides an economic return on investment based upon economies of scale of millions of dollars invested by Napa County and the City of American Canyon for improving the regional service transportation network in southern Napa County;
7. On November 12, 2024, the County adopted a General Plan Amendment, zoning changes, and an associated CEQA Addendum to the Napa County 2008 General Plan EIR, which specifically redesignated and rezoned the Property from

Agricultural Watershed: Airport Compatibility (AW:AC) to Industrial Park; Airport Compatibility (IP:AC) (the “Hess-Laird General Plan Amendment”).

8. On December 4, 2024, after multiple public hearings and extensive public outreach, the Napa County Airport Land Use Commission (“ALCU”) unanimously adopted and published its 2024 Airport Land Use Compatibility Plan (“ALUCP”).¹ The 2024 ALUCP entirely replaced the prior plan, last amended in December 1999. According to the Airport and Land Use Commission, the “need for the comprehensive update arose primarily because of a desire to bring the plan up to current standards, reflect current airport layout plans (ALPs), and address stakeholder needs.” (2024 Plan, p. 1-1.) The basic function of the updated ALUCP “is to promote compatibility between the two airports [Napa County Airport and Angwin Airport] *and future land use development in their surroundings* . . . through establishment of a set of compatibility criteria applicable to new development around each airport.” (*Ibid.* [italics added].) The 2024 ALUCP provides that the Property is located in Compatibility Zones D1 and D2. ALUCP policy 2.7.4(d) provides that in Napa County Airport compatibility Zone D1, “affordable housing developments, including workforce housing” are allowed by right “in commercial zones or mixed-income housing developments along commercial corridors as defined by state law and local regulations.” (2024 ALUCP, p. 2-16.) In Zone D1, “workforce housing associated with a primary nonresidential use” is also allowed by right, as provided in ALUCP policy 2.7.4(e). (2024 ALUCP, p. 2-17.) ALUC further provided that “normally compatible” and “conditionally compatible” uses in Zone D1 include development of short-term group lodging (e.g., farmworker housing), short-term lodging (e.g., hotels, motels, etc.) and long-term lodging (≤ 30 days).² (*Id.* at p. D-8; 2024 ALUCP, Exhibit 5-1 [Basic Compatibility Criteria, Napa County Airport].) Family day care homes (≤ 14 children) are “normally compatible” in Zone D1, and various commercial uses are “conditionally compatible.” (2024 ALUCP, Exhibit 5-1.) Zone D2 is deemed compatible with the above uses, as well as housing (e.g., single-family and multi-family residential) with density restrictions. Compatibility Zone D2 allows for 10-25 dwelling units per acre. (*Ibid.*)
9. On August 19, 2025, the Napa County Board of Supervisors approved General Plan amendments and Zoning Code updates to ensure consistency with the 2024 ALUCP (the “ALUCP General Plan

¹ / Napa County Airport Land Use Commission, Napa Countywide Airport Land Use Compatibility Plan (Dec. 4, 2024), <https://www.countyofnapa.org/DocumentCenter/View/35937/Napa-Countywide-ALUCP-Complete-Version?bidId=>.

² / As provided in the 2024 ALUCP, “Normally Compatible” means that normal examples of the use are presumed to comply with applicable countywide noise, safety, airspace protection, and overflight criteria. “Conditional” means that the proposed land use is compatible if the indicated usage *Intensity* (e.g., residential density restrictions) and other listed conditions are met. (2024 ALUCP, p. 3-3 [italics in original].)

Amendments”). These approvals redesignated and rezoned the Property to allow for, among other uses, Industrial uses. In sum, the 2024 ALUCP update and associated General Plan amendments demonstrate the Property’s suitability for future uses consistent with LAFCO’s policies regarding logical boundaries within the jurisdiction of the City of American Canyon.

10. On November 18, 2025, the City of American Canyon adopted its 2040 General Plan and certified an associated Environmental Impact Report (“EIR”). As discussed in the Application, the City’s General Plan designated the Property as a “Study Area.”
11. On April 21, 2026, the City of American Canyon approved American Canyon Agreement 2026-64 / Napa County Agreement No. 260377B (attached), which expressly found that the Property is particularly suitable for the City’s future development given its infill location immediately adjacent to the City and its essential services and provided a possible future path to promote fair share regional housing needs and Regional Housing Needs Allocation (“RHNA”) transfers in the future. Accordingly, the Application is strongly supported by the Napa County Board of Supervisors and the City Council of the City of American Canyon.
12. On August 11, 2026, the Napa County ALUC Executive Officer considered the City of American Canyon’s voluntary referral of the City of American Canyon Hess/Laird Territory Special Study Rezoning Action and found the action consistent with the Napa County Wide Airport Land Use Compatibility Plan with Standard ALUC conditions.
13. The City Planning Commission has recommended to the City Council that the Property be pre-zoned as a “special study zone” (“SSZ”) to be consistent with the City’s General Plan. The City Council is scheduled to hear the matter on September 1, 2026. In anticipation of the City Council hearing, the ALUC issued a Consistency Determination on August 11, 2026, which found that pre-zoning the Property as a SSZ would be consistent with the ALUCP (the ALUC’s Consistency Determination is attached).
14. The City can and does provide the Property with essential public services. As such, the SOI amendments would “[d]iscourage duplication of services by two or more local governments” and promote orderly development by “ensuring the effective, efficient, and economic provision of essential public services.” (Napa County LAFCO Policy of Spheres of Influence (2026), pp. 4-5.)
15. The Application aligns and complies with Government Code section 56425, subdivision (a), which provides:
 “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination

of local governmental agencies subject to the jurisdiction of the commission to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each city and each special district . . . within the county and enact policies designed to promote the logical and orderly development of areas within the sphere.”

(Gov. Code, § 65425(a).)

16. The Application fully satisfies the fundamental objectives set forth in LAFCO’s SOI Policy:

“It is the intent of the Commission to determine appropriate SOIs that promote the orderly expansion of cities, towns, and special districts in a manner that ensures the protection of the environment and agricultural and open space lands while also ensuring the effective, efficient, and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement.”

(Napa County LAFCO, SOI Policy, § 3, pp. 4-5.)

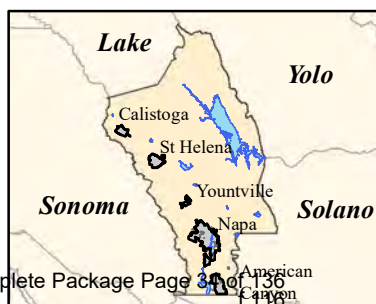
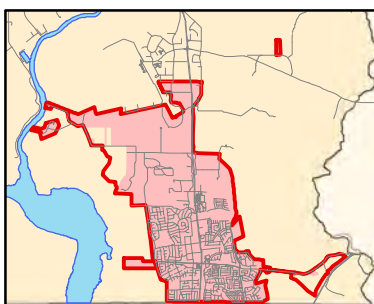
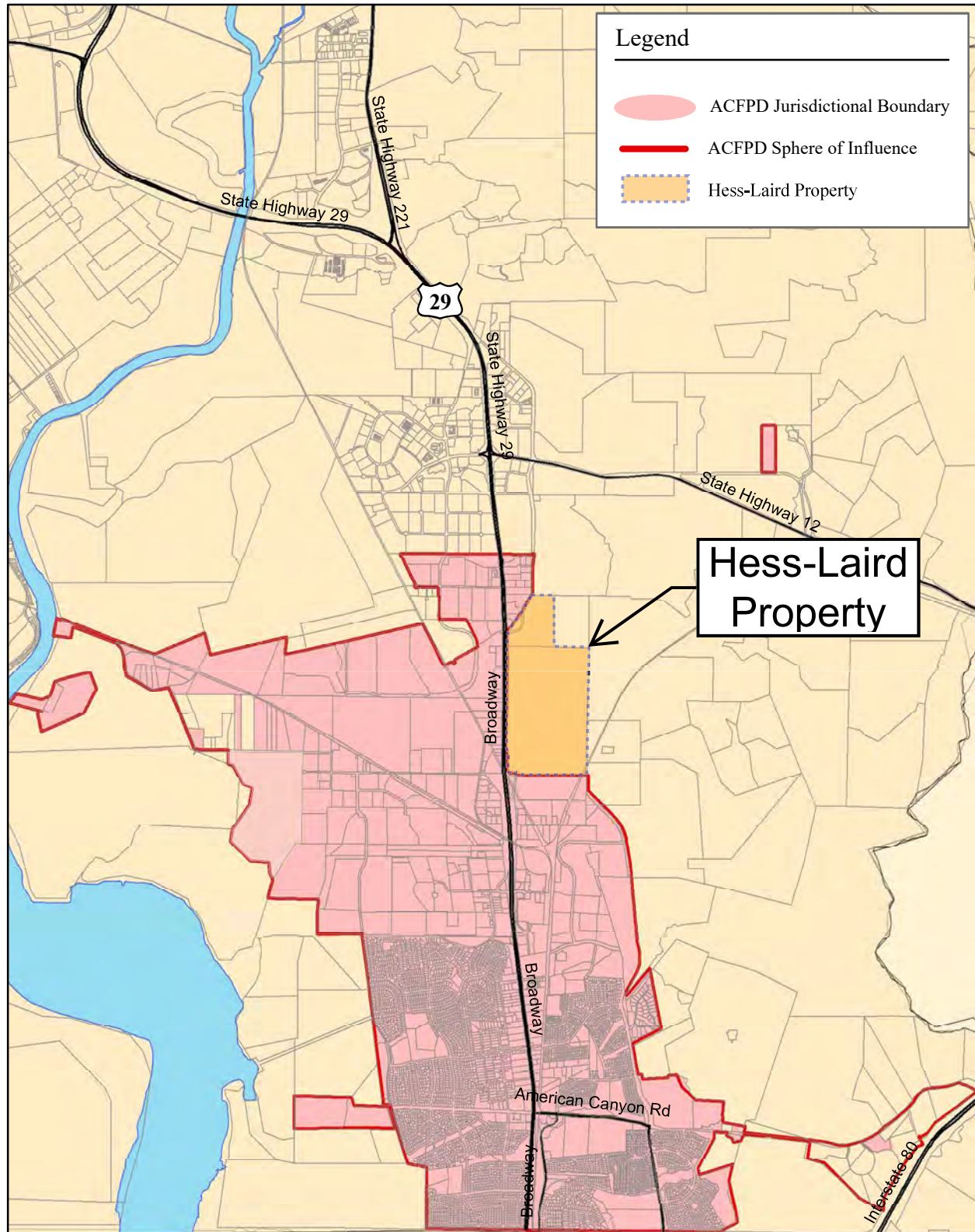
17. The Application is exempt from California Environmental Quality Act (“CEQA”), and no further review is required because it continues the status quo of existing conditions and results in no new land use or municipal service authority. There of course is no project.

In summary, the proposed SOI amendments are logical and consistent with the purposes of the Act and Napa County LAFCO’s SOI Policy. The Property’s local conditions and circumstances show it is classically infill property. These circumstances include the Property’s location next to expanding industrial area/business park uses; the Napa County Airport Land Use Commission’s recent compatibility findings; Napa County General Plan and City of American Canyon General Plan amendments and related zoning; the availability of public services and utilities from the City of American Canyon and ACFPD; and Napa County and the City of American Canyon’s firm support for providing a possible future path to promote fair share regional housing needs and RHNA transfers in the future. As a whole, the Application demonstrates exceptional input from Napa County and City of American Canyon residents and effective leadership by the Napa County Board of Supervisors, the City of American Canyon City Council, the Napa County Airport Land Use Commission, and associated staff.

We respectfully request that Napa County LAFCO approve the SOI amendments to include the Property in the sphere of influence of the American Canyon Fire

Protection District and the sphere of influence of the City of American Canyon because to do so is logical and complies with all state and local LAFCO laws and procedures.

American Canyon Fire Protection District

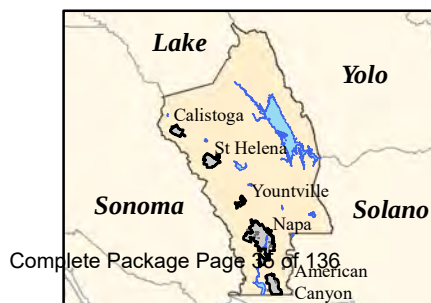
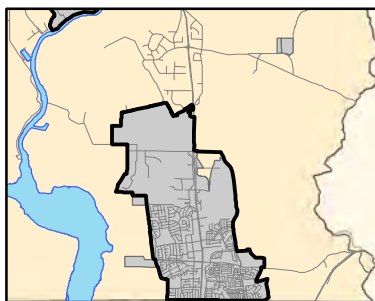
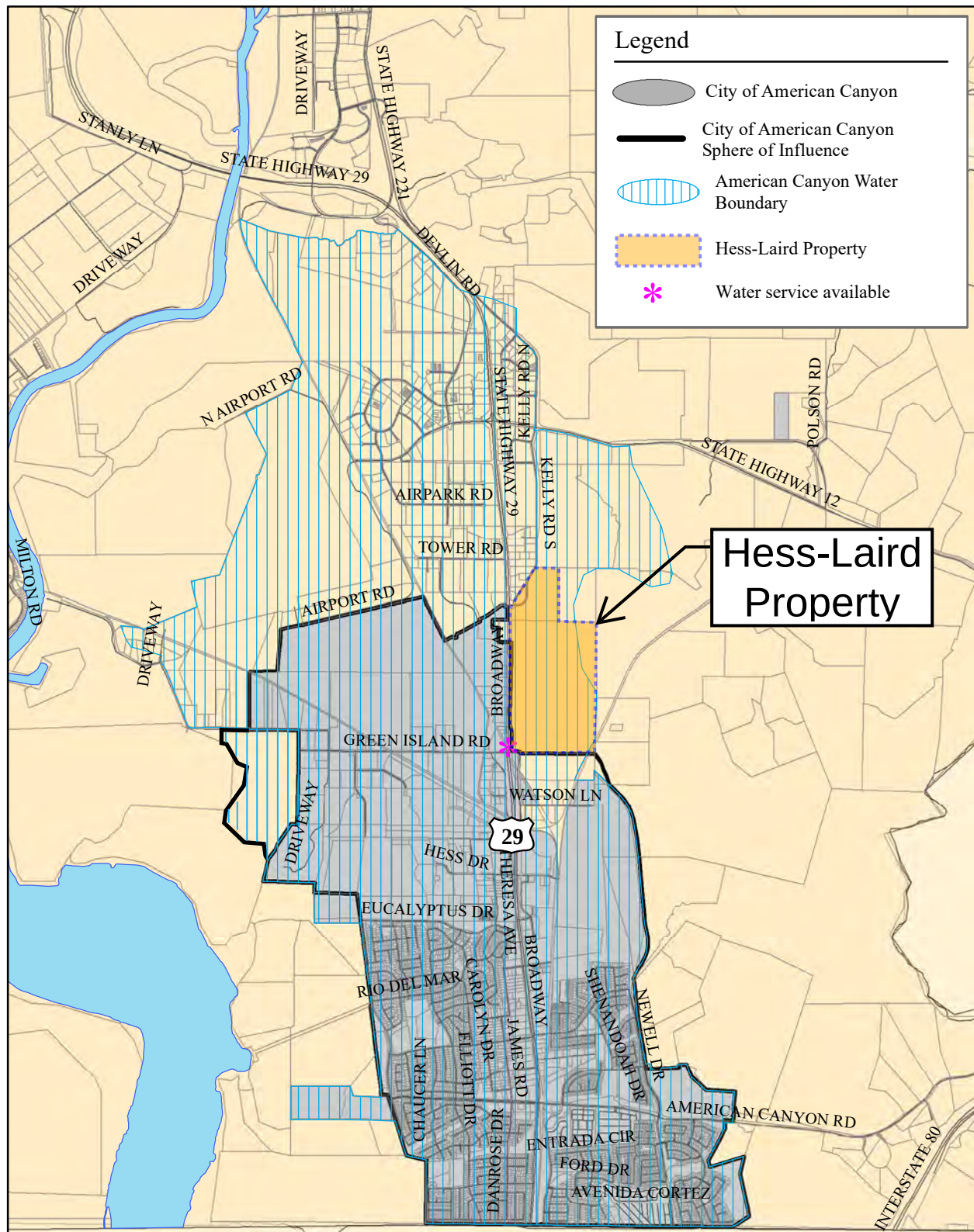


July 5, 2022
Prepared by BF

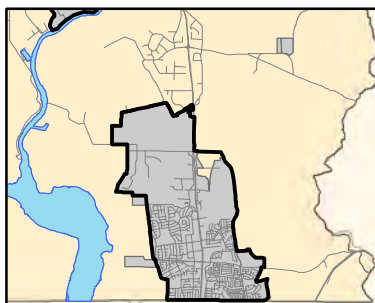
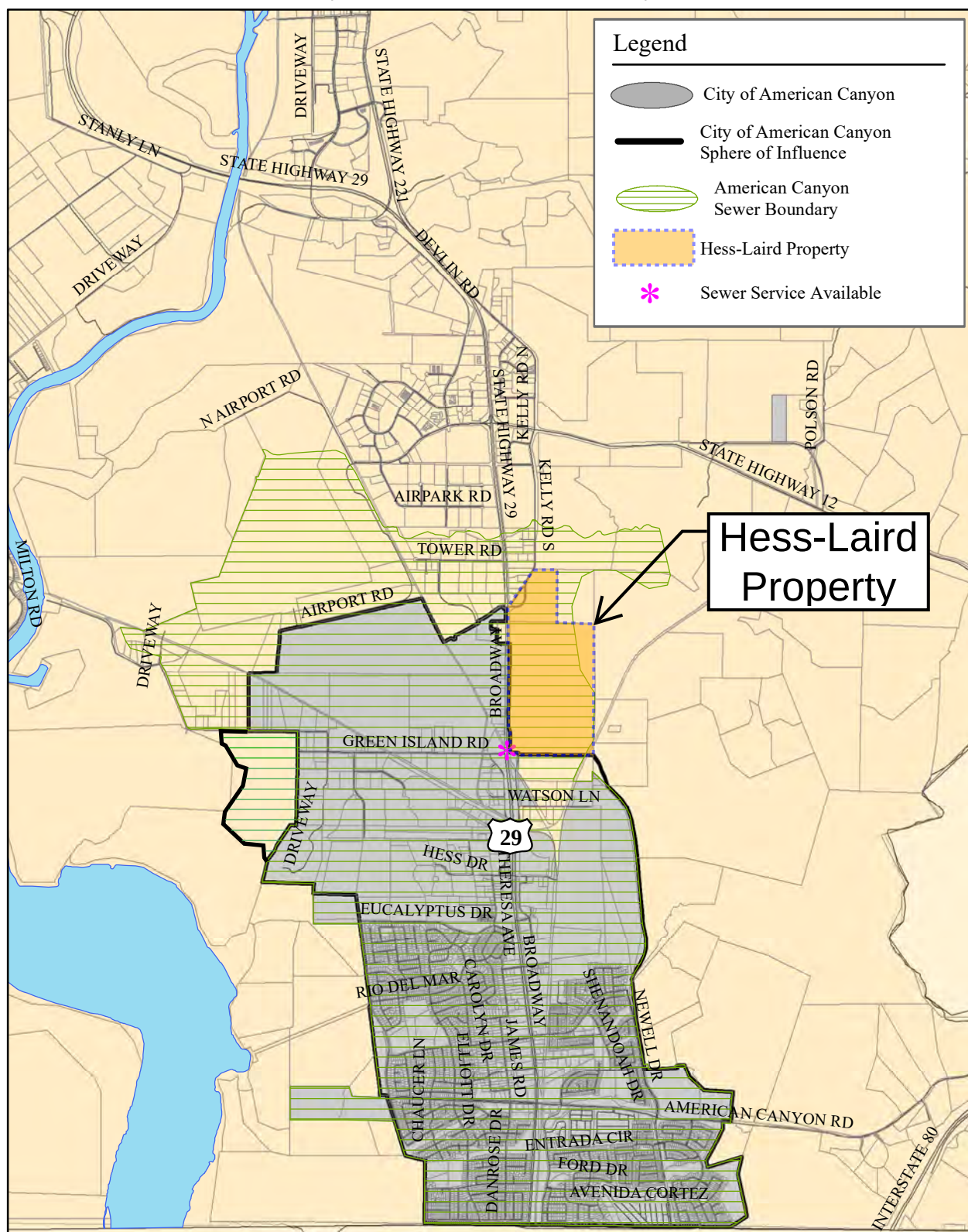


LAFCO of Napa County
1754 Second Street, Suite C
Napa, California 94559
www.napa.lafco.ca.gov

City of American Canyon



City of American Canyon



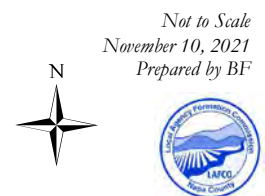
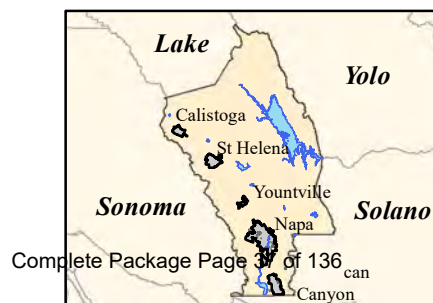
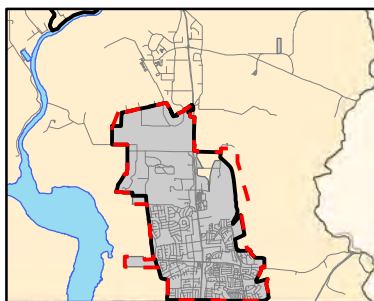
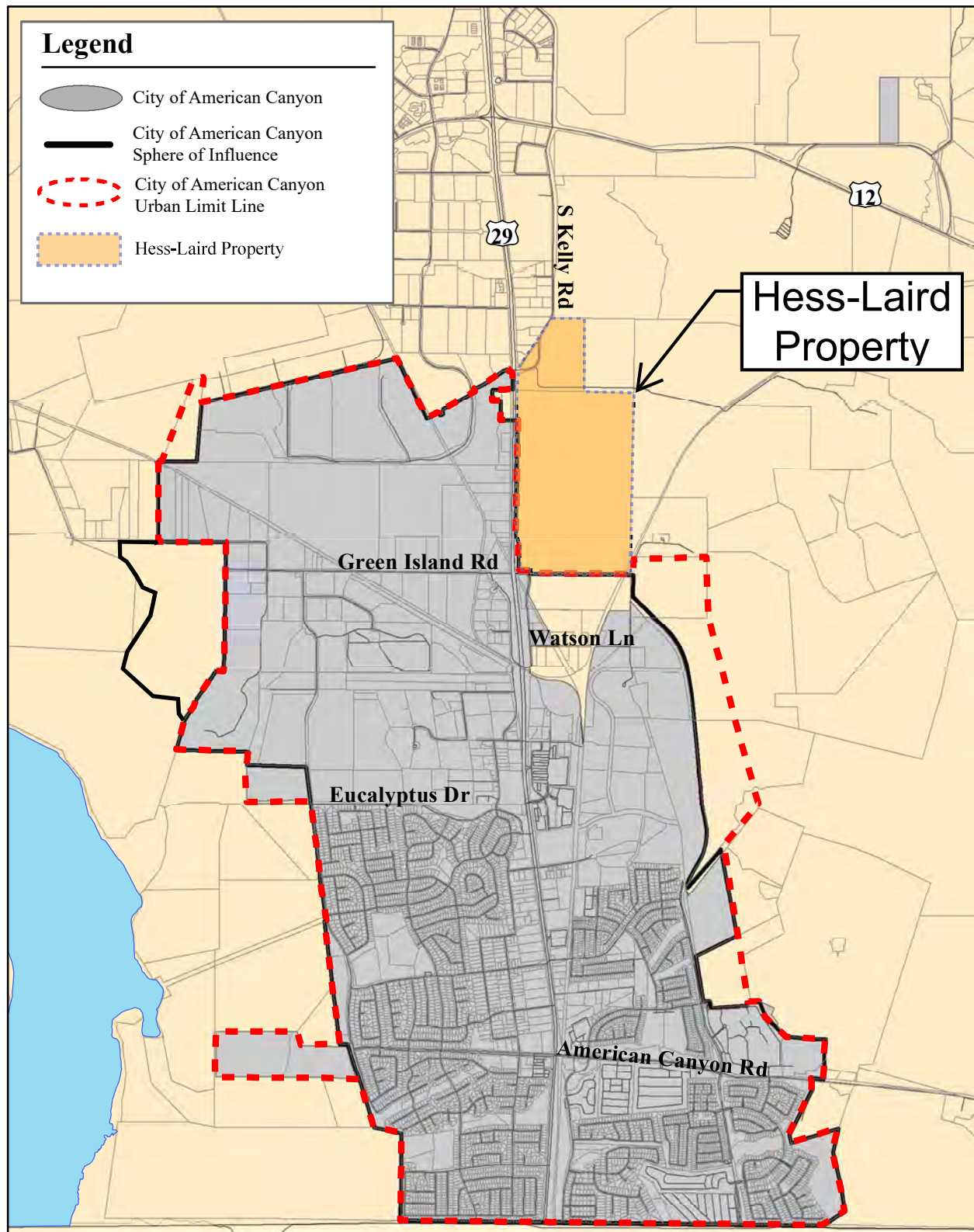
Not to Scale
June 11, 2013
Prepared by BF



LAFCO of Napa County
1030 Seminary Street, Suite B
Napa, California 94559
<http://www.napa.lafco.ca.gov>

City of American Canyon

ATTACHMENT 4



Not to Scale
November 10, 2021
Prepared by BF

LAFCO of Napa County
1754 Second Street, Suite C
Napa, California 94559
www.napa.lafco.ca.gov

HESS WINERY AND LAIRD PROPERTY SPHERE OF INFLUENCE AMENDMENT
TO THE CITY OF AMERICAN CANYON AND THE
AMERICAN CANYON FIRE PROTECTION DISTRICT

GRAPHIC DESCRIPTION

All that certain real property situate in a portion of Sections 12 and 13, Township 4 North, Range 4 West, Mount Diablo Baseline and Meridian, in the County of Napa, State of California, described as follows:

Being a portion of Parcels B and C as said Parcels are shown and so designated on Parcel Map No. 4827, recorded August 24, 1995, filed in book 21 of Parcel Maps, at page 50, in the office of the County Record of Napa County, more particularly described as follows:

Beginning at an angle point on the existing District boundary, said point being the Southeast corner of said Parcel C;

Thence, along said District boundary, (1) North 89°30'19" West 2220.39 feet;

Thence, leaving said District boundary along the Southern line of said Parcel C, (2) North 00°36'40" East 47.77 feet;

Thence, continuing along said Southern line of Parcel C, (3) North 89°23'20" West 261.35 feet.

Thence, further continuing along said Southern line of Parcel C, (4) North 46°02'51" West 40.22 feet to a point on said District boundary;

Thence, along said District boundary the following seven courses:

1. (5) North 02°42'22" West 359.52 feet;
2. (6) North 05°23'19" West 444.68 feet;
3. (7) North 00°29'28" East 2,922.03 feet;
4. (8) South 89°23'20" East 5.04 feet;
5. (9) North 00°36'40" East 545.83 feet;
6. (10) North 18°21'54" East 136.14 feet;
7. (11) North 57°34'07" East 70.28 feet;

Thence, leaving said District boundary and continuing along the easterly line of that certain right of way and easement for County Road, Highway purposes, and Utility purposes recorded August 11, 1995, under Series Number 1995 017420 of Official Records of Napa County, the following four courses:

1. (12) North 78°56'03" East 108.86 feet;
2. (13) Northwesterly along the arc of a non-tangent 330.00 foot radius curve to the left, from which the center of said curve bears North 02°33'47" West, through a central angle of 87°33'55", an arc distance of 504.34 feet;
3. (14) North 00°07'42" West 272.84 feet;
4. (15) Along the arc of a tangent 555.00 foot radius curve to the right, through a central angle of 32°23'12", an arc distance of 313.72 feet to a point on said District Boundary.

Thence, along said District boundary, (16) North $32^{\circ}17'35''$ East 313.02 feet;

Thence, leaving said District boundary, (17) South $89^{\circ}41'36''$ East 720.74 feet to the Northeast corner of said Parcel B;

Thence, along the Eastern line of said Parcel B, (18) South $00^{\circ}32'08''$ West 1,600.00 feet to a point on the Northern line of said Parcel C;

Thence, along said Northern line, (19) South $89^{\circ}41'36''$ East 1089.01 feet to the Northeast corner of said Parcel C;

Thence, along the Eastern line of said Parcel C, (20) South $00^{\circ}32'08''$ West 4110.82 feet to the **Point of Beginning**.

Excepting therefrom any portion of said lands lying within the 100' wide strip of land to the California Pacific Railroad Company as described in that grant deed filed in book P of Deeds, at page 422, Napa County records.

Containing 281.67 acres of land, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer of sale of the land described.

DISCLAIMER:
"FOR ASSESSMENT PURPOSES
-ONLY. THIS DESCRIPTION OF LAND
IS NOT A LEGAL PROPERTY
DESCRIPTION AS DEFINED IN THE
SUBDIVISION MAP ACT AND MAY
NOT BE USED AS THE BASIS FOR
AN OFFER OF SALE OF THE LAND
DESCRIBED."

APN 057-070-017

APN 057-090-078
APN 057-090-061

APN 057-090-086
APN 057-090-027
APN 057-090-004

APN 057-090-051
APN 057-090-052
APN 057-130-024
APN 057-130-023
APN 057-130-008

APN 057-130-027

APN 057-130-032

APN 057-130-013

APN 057-130-014

APN 057-130-015

APN 057-130-016

ELB (817) APN 057-090-067

APN 057-
090-089

PARCEL MAP NO. 4827
21 PM 50

PARCEL C
APN 057-090-065

APN 057-090-016

APN 057-
020-033

APN 059-
020-034

POINT OF BEGINNING

APN 057-
020-044

- APN 057-120-017

P DEEDS 422

NAPA COUNTY (L1)

CITY OF AMERICAN CANYON

APN 057-120-036

STATE HIGHWAY 29—
L7—

EXHIBIT B

PLAT TO ACCOMPANY LEGAL DESCRIPTION

AMEND SOI TO THE CITY OF AMERICAN CANYON
AND THE AMERICAN CANYON FIRE PROTECTION DISTRICT
AMERICAN CANYON, NAPA COUNTY, CALIFORNIA

SEPTEMBER 11, 2026

SHEET 1 OF 2



SAN RAMON ■ (925) 866-0322
ROSEVILLE ■ (916) 788-4456
WWW.CBANDG.COM

CIVIL ENGINEERS ■ SURVEYORS ■ PLANNERS

LINE TABLE		
NO	BEARING	LENGTH
L1	N89°30'19"W	2220.39'
L2	N00°36'40"E	47.77'
L3	N89°23'20"W	261.35'
L4	N46°02'51"W	40.22'
L5	N02°42'22"W	359.52'
L6	N05°23'19"W	444.68'
L7	N00°29'28"E	2922.03'
L8	S89°23'20"E	5.04'
L9	N00°36'40"E	545.83'
L10	N18°21'54"E	136.14'
L11	N57°34'07"E	70.28'
L12	N78°56'03"E	108.86'
L14	S00°07'42"E	272.84'
L16	N32°17'35"E	313.02'
L17	S89°41'36"E	720.74'
L18	S00°32'08"W	1600.00'
L19	S89°41'36"E	1089.01'
L20	S00°32'08"W	4110.82'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C13	330.00'	87°33'55"	504.34'
C15	555.00'	32°23'12"	313.72'

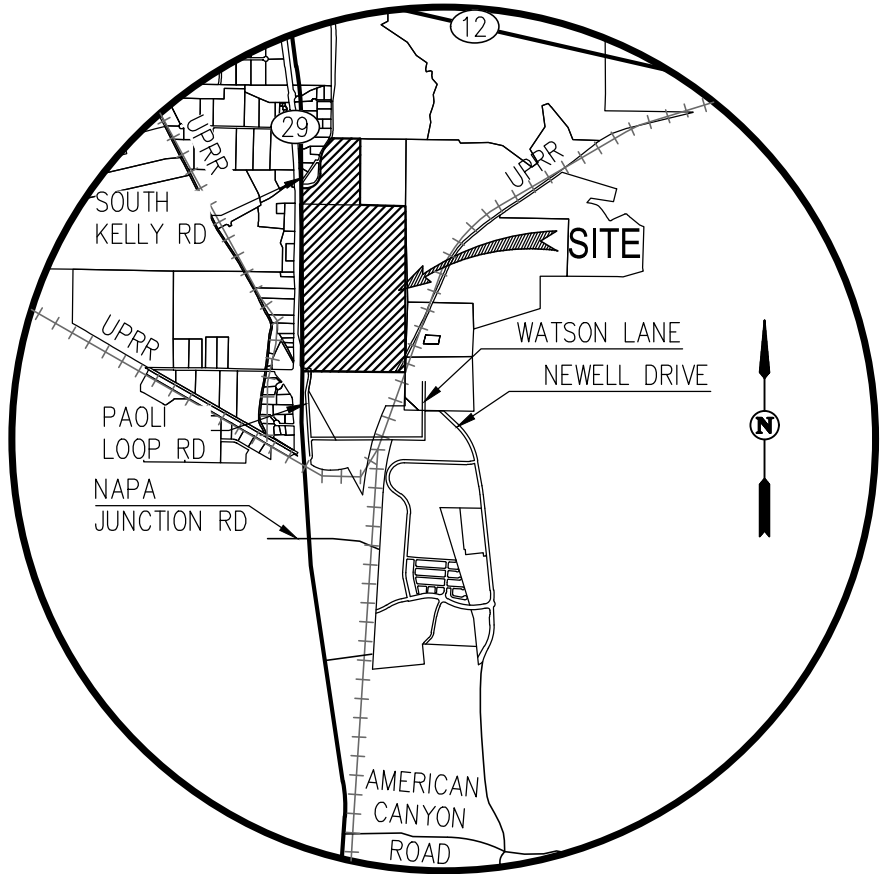


EXHIBIT B

PLAT TO ACCOMPANY LEGAL DESCRIPTION

AMEND SOI TO THE CITY OF AMERICAN CANYON
AND THE AMERICAN CANYON FIRE PROTECTION DISTRICT
AMERICAN CANYON, NAPA COUNTY, CALIFORNIA

SEPTEMBER 11, 2026

SHEET 2 OF 2



CIVIL ENGINEERS ■ SURVEYORS ■ PLANNERS

SAN RAMON ■ (925) 866-0322
ROSEVILLE ■ (916) 788-4456
WWW.CBANDG.COM

Parcel Map Check Report

Parcel Name: HESS LAIRD FIRE ANNEX

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 1,832,977.5158'

East: 6,490,645.8557'

Segment# 1: Line

Course: N89°30'19"W

Length: 2,220.39'

North: 1,832,996.6876'

East: 6,488,425.5485'

Segment# 2: Line

Course: N0°36'40"E

Length: 47.77'

North: 1,833,044.4549'

East: 6,488,426.0580'

Segment# 3: Line

Course: N89°23'20"W

Length: 261.35'

North: 1,833,047.2423'

East: 6,488,164.7228'

Segment# 4: Line

Course: N46°02'51"W

Length: 40.22'

North: 1,833,075.1575'

East: 6,488,135.7678'

Segment# 5: Line

Course: N2°42'22"W

Length: 359.52'

North: 1,833,434.2766'

East: 6,488,118.7938'

Segment# 6: Line

Course: N5°23'19"W

Length: 444.68'

North: 1,833,876.9914'

East: 6,488,077.0337'

Segment# 7: Line

Course: N0°29'28"E

Length: 2,922.03'

North: 1,836,798.9140'

East: 6,488,102.0796'

Segment# 8: Line

Course: S89°23'20"E	Length: 5.04'
North: 1,836,798.8603'	East: 6,488,107.1194'

Segment# 9: Line

Course: N0°36'40"E	Length: 545.83'
North: 1,837,344.6592'	East: 6,488,112.9410'

Segment# 10: Line

Course: N18°21'54"E	Length: 136.14'
North: 1,837,473.8655'	East: 6,488,155.8345'

Segment# 11: Line

Course: N57°34'07"E	Length: 70.28'
North: 1,837,511.5559'	East: 6,488,215.1533'

Segment# 12: Line

Course: N78°56'03"E	Length: 108.86'
North: 1,837,532.4501'	East: 6,488,321.9893'

Segment# 13: Curve

Length: 504.34'	Radius: 330.00'
Delta: 87°33'55"	Tangent: 316.27'
Chord: 456.67'	Course: N43°39'15"E
Course In: N2°33'47"W	Course Out: N89°52'18"E
RP North: 1,837,862.1200'	East: 6,488,307.2321'
End North: 1,837,862.8591'	East: 6,488,637.2312'

Segment# 14: Line

Course: N0°07'42"W	Length: 272.84'
North: 1,838,135.6984'	East: 6,488,636.6201'

Segment# 15: Curve

Length: 313.72'	Radius: 555.00'
Delta: 32°23'12"	Tangent: 161.17'
Chord: 309.56'	Course: N16°03'54"E
Course In: N89°52'18"E	Course Out: N57°44'30"W
RP North: 1,838,136.9415'	East: 6,489,191.6187'
End North: 1,838,433.1659'	East: 6,488,722.2829'

Segment# 16: Line

Course: N32°17'35"E

North: 1,838,697.7700'

Length: 313.02'

East: 6,488,889.5138'

Segment# 17: Line

Course: S89°41'36"E

North: 1,838,693.9124'

Length: 720.74'

East: 6,489,610.2434'

Segment# 18: Line

Course: S0°32'08"W

North: 1,837,093.9823'

Length: 1,600.00'

East: 6,489,595.2881'

Segment# 19: Line

Course: S89°41'36"E

North: 1,837,088.1535'

Length: 1,089.01'

East: 6,490,684.2825'

Segment# 20: Line

Course: S0°32'08"W

North: 1,832,977.5131'

Length: 4,110.82'

East: 6,490,645.8584'

Perimeter: 16,086.61'

Error Closure: 0.0038

Error North : -0.00267

Area: 12,269,359.47Sq.Ft.

Course: S45°06'36"E

East: 0.00268

Precision 1: 4,233,315.79

MEMORANDUM

To: **Brendon Freeman, Executive Officer**
Local Agency Formation Commission of Napa County

Rubin Cruse, Counsel
Renne Public Law Group

From: **Andrea A. Matarazzo**

Date: **August 11, 2026**

Re: **Hess Laird Properties –**
CEQA Review of Proposed SOI Amendments

QUESTION PRESENTED: Are the proposed amendments to the Sphere of Influence (“SOI”) for the City of American Canyon (“City”) and the American Canyon Fire Protection District (“ACFPD”) to incorporate the Hess Laird Properties subject to environmental review under the California Environmental Quality Act (“CEQA”)?

SHORT ANSWER: The proposed amendments are exempt from CEQA and no environmental review is required because they continue the status quo of existing conditions and result in no new land use or municipal service authority.

DISCUSSION:

The owners of Napa County APNs 057-090-065 and 057-090-089 propose to include these properties in the sphere of influence (“SOI”) of the City of American Canyon (“City”) and the SOI of the American Canyon Fire Protection District (“ACFPD”).¹ Hess Laird’s proposed SOI amendments request LAFCO to formally recognize that the City should have an opportunity to address land use planning for these properties.

¹ / The landowners are the Hess Collection Winery (“Hess”) and the Kenneth and Gail Laird Revocable Trust (“Laird”).

The Cortese-Knox-Hertzberg Act governs all types of boundary changes, including SOI amendments. Under section 56428 of the Act:

- (a) Any person or local agency may file a written request with the executive officer requesting amendments to a sphere of influence or urban service area adopted by the commission. The request shall state the nature of the proposed amendment, state the reasons for the request, include a map of the proposed amendment, and contain any additional data and information as may be required by the executive officer.
- (b) After complying with the California Environmental Quality Act, Division 13 (commencing with Section 21000) of the Public Resources Code, the executive officer shall place the request on the agenda of the next meeting of the commission for which notice can be given.

(Gov. Code, § 56428.)

Compliance with CEQA does not always require an environmental document, however. “Environmental review is required under CEQA only if a public agency concludes that a proposed activity is a project and does not qualify for an exemption.” (*Union of Medical Marijuana Patients, Inc. v. City of San Diego* (2019) 7 Cal.5th 1171, 1199.) Only if a public agency determines that a proposed action is both a project and not exempt from CEQA does that agency undertake an initial study (after which it determines which type of environmental document is appropriate). (*Id.* at p. 1187.)

A “project” under CEQA is “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and as relevant here is:

An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 6510-65700.

(CEQA Guidelines, § 15378(a); see also Pub. Resources Code, § 21065.)

“[A] proposed activity is a CEQA project if, by its general nature, the activity is capable of causing a direct or reasonably foreseeable indirect physical change in the environment.” (*Union of Medical Marijuana Patients, supra*, 7 Cal.5th at p. 1197.) The appropriate inquiry is “not

whether the activity will affect the environment, . . . but whether the activity's potential for causing environmental change is sufficient to justify the further inquiry into its actual effects that will follow from an application of CEQA." (*Id.* at p. 1198.)

Under the circumstances presented here, "further inquiry into actual effects" of the proposed SOI amendments is fundamental to the questions of whether and to what extent CEQA could apply. "Not all of LAFCO's decisions, particularly sphere of influence determinations, require an EIR or negative declaration." (*City of Agoura Hills v. Local Agency Formation Commission* (1988) 198 Cal.App.3d 480, 494.) Rather, case law distinguishes between two types of LAFCO actions: a decision "which constitutes an essential step culminating in action which may affect the environment and [a decision] which portends no particular action affecting the environment." (*Fullerton Joint Union High School District v. State Board of Education* (1982) 32 Cal.3d 779, 796-797.) "The evaluation process contemplated by CEQA relates to the effect of proposed changes in the physical world which a public agency is about to either make, authorize or fund, not to every change of organization or personnel which may affect future determinations relating to the environment." (*Simi Valley Recreation & Park District v. Local Agency Formation Commission of Ventura County* (1975) 51 Cal.App.3d 648, 666.)

The fact that SOI determinations are important factors in development "does not compel the conclusion" that they are "per se" subject to environmental review under CEQA. (*City of Agoura Hills, supra*, 198 Cal.App.3d at pp. 495-496.) This is consistent with case law recognizing that impacts that are speculative or unlikely to occur are not reasonably foreseeable and therefore do not trigger environmental review. (See, e.g., *Aptos Council v. County of Santa Cruz* (2017) 10 Cal.App.5th 266 [potential impacts of local ordinance amending hotel zoning limits were not reasonably foreseeable because future hotel developments were wholly speculative at the time of adoption].)

Likewise here, these SOI amendments do not commit any local agency to take any definite course of action or to approve any specific project. The SOI amendments do not foreseeably impact the physical environment in any way and therefore are not subject to CEQA review. CEQA analysis should not be undertaken when it would be speculative to do so; there must be some proposed project before CEQA analysis is required. (CEQA Guidelines, § 15004(b) [CEQA documents "should be prepared as early as feasible in the planning process to enable environmental considerations to influence project program and design yet late enough to provide meaningful information for environmental assessment"]; § 15352 [CEQA is triggered when approval commits the agency to a definite course of action]; see, e.g., *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 77, fn. 5; *Lake County Energy Council v.*

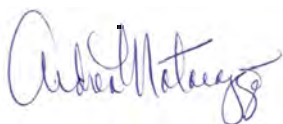
County of Lake (1977) 70 Cal.App.3d851, 854; *Center for Biological Diversity v. County of San Bernardino* (2016) 247 Cal.App.4th 326, 349; see also *Kaufman & Broad-South Bay, Inc. v. Morgan Hill Unified School District* (1992) 9 Cal.App.4th 464 [agency action that establishes funding for potential future projects but does not commit the agency to proceed with them is not subject to CEQA];² *Citizens to Enforce CEQA v. City of Rohnert Park* (2005) 131 Cal.App.4th 1594 [city's agreement to fund infrastructure to support proposed casino was not approval of a project because it merely established a funding source that the city might approve if the proposed casino were built]; *Chung v. City of Monterey Park* (2012) 210 Cal.App.4th 394, 406 [ballot measure requiring competitive bidding for city's trash collection franchise agreements was not a project because it did not commit city to a specific course of action that would affect the environment]; *Parchester Village Neighborhood Council v. City of Richmond* (2010) 182 Cal.App.4th 305, 315 [CEQA does not apply to agency actions that are merely procedural precursors to potential projects that may be modified or not implemented at all depending on a number of factors, including environmental review by the lead agency with primary responsibility for evaluating and approving it].)

Possible later phases of a project need not be considered if no commitment has been made to future actions. (See *El Dorado County Taxpayers for Quality Growth v. County of El Dorado* (2004) 122 Cal.App.4th 1591, 1600 [future expansion was not foreseeable consequence of project approval because decision to allow future expansion was speculative depending on environmental, social, and political factors].) CEQA recognizes that no purpose would be served in requiring speculation about the environmental consequences of uncertain future development. (*Pala Band of Mission Indians v. County of San Diego* (1998) 68 Cal.App.4th 556, 575 [because future use of tentatively reserved landfill sites was speculative, tentative reservation of such sites in county solid-waste plan was not substantial evidence of potential impact]; *Lucas Valley Homeowners Association v. County of Marin* (1991) 233 Cal.App.3d 130, 162 [because use permit to convert residence to synagogue required new or amended permit before growth or expansion, previous expansion plans were not substantial evidence that future expansion was reasonably foreseeable]; *Perley v. Board of Supervisors* (1982) 137 Cal.App.3d 424, 434, fn. 6 [county properly treated use permit for open-pit mining operation as separate for CEQA purposes from an underground mine that applicant hoped eventually to open subject to later review if application was submitted].)

² / The California Supreme Court approvingly cited *Kaufman & Broad-South Bay, Inc.* as an example of a case where, as here, the causal link between the activity (formation of the community facilities district) and potential changes in the environment (construction of a specific project) was missing. (*Union of Medical Marijuana Patients, Inc., supra*, 7 Cal.5th at p 1197.)

So it is here. A sphere of influence amendment identifies areas with potential for possible future annexations, not a commitment. It continues the status quo without change in relation to the physical environment. A subsequent annexation to the government responsible for delivery of services is necessary and, even then, annexations commonly are categorically exempt from CEQA review. (CEQA Guidelines, §§ 15319(b), 15320.) An SOI amendment very rarely is ripe for environmental review unless it is made in conjunction with annexation and identified development plans that will lead to changes in the environment. Accordingly, LAFCO agencies typically require CEQA review of sphere of influence amendments only if directly connected with development of a project.

Here, even if LAFCO desired to treat the proposed SOI amendments as a CEQA event and prepare an environmental analysis of potential future development, it would be a speculative and essentially meaningless exercise. (See *Santa Rita Union School District v. City of Salinas* (2023) 94 Cal.App.5th 298, 342-350 [public agencies are not required to engage in speculation based on nonspecific and uncertain information about events or development that might occur in the future].) LAFCO would have no ability, beyond mere speculation, to identify appropriate land uses, analyze their environmental impacts, formulate mitigation measures, or consider alternatives. The proposed SOI amendments therefore are exempt from CEQA, and no environmental review is required.



AAM:lr

September 10, 2026

Via Electronic Mail

Brendon Freeman, Executive Officer
Local Agency Formation Commission of Napa County
1754 Second Street, Suite C
Napa, California 94559

Rubin Cruse, Counsel
Renne Public Law Group

Re: Napa County LAFCO Application to Amend ACFPD and City SOI to
Include Hess-Laird Property
Our File No. 5508.001

Dear Mr. Freeman:

On August 14, 2026, Mr. Timothy Persson, Chairman & CEO of the Hess Persson Estates, 4411 Redwood Road, Napa, CA 94558 and Mr. Kenneth Laird representing the Kenneth and Gail Laird Revocable Trust, 5211 Big Ranch Road, Napa, CA 94558 ("Applicants"), by their managers submitted an application to Napa County LAFCO ("LAFCO") to include their property ("Hess-Laird Property" or "Property") within the spheres of influence of (1) the City of American Canyon Fire Protection District ("ACFPD") ("ACFPD SOI"); and (2) and City of American Canyon ("City") ("City SOI") (collectively the "Application"). The Applicants signed the completed Application via DocuSign and simultaneously paid the applicable application fee.

On August 20, 2026, the Applicants submitted an updated version of Attachment A to the Application, which contained minor editorial changes. At this same time, the Applicants attached the entire completed application for LAFCO's convenience.

To ensure that LAFCO has a full and complete understanding of the factual and legal statements in the Application, the Applicants respectfully submit the following supplemental information for LAFCO's review and consideration.

Re: Napa County LAFCO Application to Amend ACFPD and City SOI to
Include Hess-Laird Property
Date: September 10, 2026
Page 2

1. As Demonstrated, the Application is Exempt from the California Environmental Quality Act (“CEQA”).

Section C, question 1 of LAFCO’s SOI Amendment Application asks: “Has an environmental determination (Notice of Exemption, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report) been adopted and/or certified by a legislative body?” (Application, p. 19.) Understanding this question to mean whether the proposed Application is consistent with CEQA, we marked “Yes.” As discussed in the Application, there is no development project. The SOI Amendments are exempt from CEQA as demonstrated in the letter submitted by Andrea Matarazzo dated August 11, 2026. (Application, pp. 45-49.) Because the requested SOI Amendments do not commit any local agency to take any definite course of action or to approve any specific project, any environmental review would be entirely speculative and inconsistent with CEQA’s focus identifying the reasonably foreseeable impacts of defined projects. (*Ibid.*)

This well-settled conclusion is supported by LAFCO’s recent decisions to find similar SOI amendments exempt from CEQA. For example, on April 6, 2026, LAFCO approved amendments to the Napa Sanitation District SOI finding the amendments exempt from further CEQA review pursuant to CEQA Guidelines section 15061(b)(3).¹ On April 7, 2025, LAFCO also approved a landowner request to amend the City’s SOI, finding that the request is categorically exempt from CEQA review pursuant to CEQA Guidelines section 15061(b)(3). The same categorical exemption clearly applies here: Because there is no project, “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment,” meaning “the activity is not subject to CEQA.” (CEQA Guidelines, § 15061(b)(3).)

Nevertheless, for informational purposes, the following local governmental approvals are relevant to the Application.

¹ / Napa County LAFCO (April 6, 2026) Staff Report Re: Agenda Item No. 8a, Napa Sanitation District SOI Update, p. 6, <https://napalafco.specialdistrict.org/files/78d31d5a5/4-6-26+8a+NSD+SOI+Update.pdf>; Napa County LAFCO, April 6, 2026 Meeting Minutes, p. 4, <https://napalafco.specialdistrict.org/files/566177eae/6-1-26+7a+Minutes+for+4-6-26+Regular+Meeting+Staff+Report.pdf>; Napa County ALFCO, April 7, 2025 Meeting Minutes, pp. 2-3, <https://napalafco.specialdistrict.org/files/d7b8b5275/6-2-25+8a+Minutes+for+4-7-25+Regular+Meeting.pdf>.

Re: Napa County LAFCO Application to Amend ACFPD and City SOI to
Include Hess-Laird Property

Date: September 10, 2026

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1. On November 12, 2024, the County adopted a General Plan amendment, zoning changes, and an associated CEQA Addendum to the Napa County 2008 General Plan EIR, which specifically redesignated and rezoned the Property from Agricultural Watershed: Airport Compatibility (AW:AC) to Industrial Park; Airport Compatibility (IP:AC) (the “Hess-Laird General Plan Amendment”). The Addendum found that the General Plan amendment and zoning changes associated with the Property would not result in new significant impacts or an increase in the severity of any impacts previously identified in the 2008 General Plan EIR.² **This Napa County General Plan amendment is not, and has never been, under any legal challenge.**
2. On December 4, 2024, after multiple public hearings and extensive public outreach, the Napa County Airport Land Use Commission adopted an Initial Study/Negative Declaration in connection with its adoption of the 2024 Airport Land Use Compatibility Plan (“ALUCP”), which found that the updated ALUCP would not have any potentially significant environmental impacts.³ **This Napa County Airport Land Use Commission ALUCP is not, and has never been, under any legal challenge.**
3. On August 19, 2025, the County adopted General Plan and Zoning Code amendments to achieve consistency with the ALUCP, finding that the impacts associated with the amendments were previously evaluated and within the scope of the Initial Study/Negative

² / Napa County Board of Supervisors, November 12, 2024 Agenda, p. 9 Item 10B,
<https://napa.legistar.com/View.ashx?M=A&ID=1127332&GUID=BAB4A60F-E55B-412E-B52A-0862061762B2>; Addendum to 2008 General Plan EIR (Oct. 2024),

<https://napa.legistar.com/View.ashx?M=F&ID=13525544&GUID=36FC808C-5503-45FD-A3F2-8C1C066612F0>.

³ / Napa County Airport Land Use Commission, December 4, 2024 Agenda, p. 4, <https://napa.legistar.com/View.ashx?M=A&ID=1248449&GUID=16361AAF-DB69-4F32-A59B-EE815D04D8D7>; Napa County (Oct. 2024) Initial Study/Negative Declaration, Draft Update to the 2024 Napa Countywide Airport Land Use Compatibility Plan,
<https://napa.legistar.com/View.ashx?M=F&ID=13585311&GUID=9C6FC5C5-1506-4A32-B619-01C075B2A1C0>.

Re: Napa County LAFCO Application to Amend ACFPD and City SOI to
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Declaration adopted by the Airport Land Use Commission on December 4, 2024.⁴ **These Napa County General Plan and Zoning Code amendments to ensure consistency with the ALUCP are not, and have never been, under any legal challenge.**

4. On November 18, 2025, the City of American Canyon adopted its 2040 General Plan and certified an associated Environmental Impact Report (“EIR”).⁵ As discussed in the Application, the City’s General Plan designated the Property as a “Study Area.” (Application, Attachment A, p. 1; City of American Canyon, 2040 General Plan, pp. LU-13-LU-14.) **This City of American Canyon General Plan and associated EIR are not, and have never been, under any legal challenge.**
5. While not a CEQA study, the City of American Canyon City Council and the Napa County Board of Supervisors approved American Canyon Agreement 2026-64 / Napa County Agreement No. 260377B (Urban Limit Line and Regional Housing Agreement) on April 21, 2026, and on May 5, 2026, respectively. At this same time, the agencies also approved a certain Property Tax Sharing Agreement for the Hess-Laird Property. **While irrelevant to the subject Application for SOI Amendments, we understand that the City and County’s adoption of these agreements is being legally challenged.**
6. In July 2026, the City prepared an Addendum to its 2024 General Plan EIR to evaluate pre-zoning the Property to “Special Study Zone District” (“SSZ”), which is consistent with the current land use designations provided in the City’s General Plan EIR.⁶ A first reading of the proposed pre-zoning was held by the City Council on September 1, 2026. (*Ibid.*) **We understand that this action is under an informal legal challenge.**

⁴ / Napa County Board of Supervisors, August 9, 2025 Agenda, p. 11, <https://napa.legistar.com/View.ashx?M=A&ID=1243634&GUID=18025208-297F-4479-80F3-F223DF2D95B7>.

⁵ / City of American Canyon, General Plan 2040, <https://www.americancanyon.gov/Work/Community-Infrastructure-Development/Growth-Development-Strategy/General-Plan-AmCan2040>.

⁶ / City of American Canyon, September 1, 2026 Agenda Packet, pp. 2, 32-71 [information regarding proposed pre-zoning to SSZ, including an Addendum attached as Exhibit C].)

Re: Napa County LAFCO Application to Amend ACFPD and City SOI to
Include Hess-Laird Property

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In sum, it must be emphasized that the Application is categorically exempt from CEQA, as demonstrated in my letter dated August 11, 2026.

Even though the Application is categorically exempt, Napa County LAFCO may and, respectfully, should recognize the following local governmental approvals: (1) the General Plan Amendment, zoning changes, and CEQA Addendum adopted by Napa County for the Hess-Laird Property on November 12, 2024; (2) the 2024 Airport Land Use Compatibility Plan and associated Initial Study/Negative Declaration adopted by the Napa County Airport Land Use Commission on December 4, 2024; (3) Napa County's General Plan and Zoning Code amendments adopted on August 19, 2025 the ALUCP; and (4) the City of American Canyon's 2040 General Plan and associated EIR adopted on November 18, 2025.

These four relevant local governmental approvals demonstrate that the Application is consistent with Napa County LAFCO's fundamental policies of promoting logical boundaries and orderly development.

Very truly yours,

MATARAZZO LAW, APC



ANDREA A. MATARAZZO

AAM:CPS:lr

From: "Morrison, Dana" <dana.morrison@countyofnapa.org>

Date: September 9, 2026 at 12:50:47 PM PDT

To: David Gilbreth <davidgnapa@icloud.com>

Subject: ALUCP update

Good afternoon David. Please find a summary of the ALUCP update process that started in 2022 and ran through adoption in December 2024.

ALUCP Update Process Key Dates:

- November 2022 – City of American Canyon, City of Napa, Airport Manager, and Napa County Staff were invited to participate in the ALUCP update along with ALUC staff, helped review the RFPs received from aviation consultants and held interviews. Mead & Hunt recommended as consultant firm.
- December 2022 – BOS approved and authorized Agreement No 230266B with Mead & Hunt for \$329,994 to assist with ALUCP update and necessary CEQA review.
- February 1, 2023 – held publicly noticed kick-off meeting introducing the ALUCP update– noticed in the Napa Valley Register (NVR).
- February 1, 2023 - held the first Project Development Team (PDT) meeting which included reps from the City of American Canyon, the City of Napa, the County of Napa, Pacific Union College, a local aviator, ALUC staff and Mead & Hunt (internal PDT meetings not public)
- April 2, 2023 – 2ND PDT meeting (internal PDT meetings not public)
- June 22, 2023 – 3RD PDT meeting (internal PDT meetings not public)
- Oct 19, 2023 – 4th PDT meeting (internal PDT meetings not public)
- November 16, 2023 - first stakeholder outreach workshop open to the public. The first meeting was focused on parcels which resulted in a change to a more restrictive ALUC Zone
- December 7, 2023 – second stakeholder workshop
- May 29, 2024-
 - o The public draft of the ALUCP was released
 - o ALUC workshop held from 2-4 (noticed in the NVR and via mailers)
 - o Public workshop held from 4:30-6:30 (noticed in the NVR and via mailers)
- June and July 2024 - Negative Declaration and Public Hearing Notice for July 17, 2024 hearing were noticed in NVR, to interested parties, including the PDT members
- Item was continued to Sept 18, the item was re-noticed to all property owners in the AIA and to the City of Napa, and to the Interested Parties, including the PDT members, the item was also published in the Napa Valley Register.
- September 18, 2024 - BOS Approved and authorized Amendment No. 1 to Agreement No. 230266B with Mead & Hunt to work on addressing stakeholder concerns, prepare Response to Comments and consider potential changes to Draft ALUCP, request for an additional \$50,000.
- September 18, 2024- hearing canceled due to a lack of quorum and the entire project was re-noticed
- November 6, 2024 - ALUC requested one more continuance to address the outstanding items of concern and the ALUCP adoption was continued to December 4, 2024. Since this was continued to a date certain no mailers were sent out for December 4.
- December 3, 2024 – BOS approved and authorized Amendment No. 2 to Agreement No. 230266B with Mead & Hunt to support finalizing and adopting the update to the Airport Land Use Compatibility Plan.
- December 4, 2024 – ALUC adopts the ALUCP
- Additionally, the update was featured in the NVR on a number of occasions.



Dana Morrison (she | her | hers)
Supervising Planner - Conservation
Planning, Building, & Environmental Services
Napa County

Phone: 707-253-4437

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Napa, CA 94559

www.countyofnapa.org

Napa LAFCO

Sphere of Influence Amendment Application

**HESS-LAIRD NAPA COUNTY LAFCO APPLICATION FOR ACFPD SOI
AND AC SOI AMENDMENTS**

I hereby certify that the statements made in this entire Sphere of Influence Amendment Application are to the best of my knowledge accurate	
TIMOTHY PERSSON, Chairman and CEO of the Hess Persson Estates	
PRINT name of person completing this application	August 10, 2026
<i>Timothy Persson</i>	Date
Signature	Email
4411 Redwood Road, Napa, CA 94558	
Address	Phone Number

I hereby certify that the statements made in this entire Sphere of Influence Amendment Application are to the best of my knowledge accurate	
KENNETH LAIRD, representing Kenneth and Gail Laird Revocable Trust	
PRINT name of person completing this application	August 10, 2026
<i>Kenneth E Laird</i>	Date
Signature	Email
5211 Big Ranch Road, Napa, CA 94558	
Address	Phone Number

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Meeting Minutes

Napa County Board of Supervisors

Joelle Gallagher, District 1
 Ryan Gregory, District 2
 Anne Cottrell, District 3
 Alfredo Pedroza, District 4
 Belia Ramos, District 5

* This is a simultaneous meeting of the Board of Supervisors of Napa County, Napa County Public Improvement Corporation, Silverado Community Services District, Monticello Public Cemetery District, In-Home Supportive Services Public Authority of Napa County, Lake Berryessa Resort Improvement District, Napa Berryessa Resort Improvement District, Napa County Housing Authority, and the Napa County Groundwater Sustainability Agency.

www.countyofnapa.org

Tuesday, November 12, 2024

9:00 AM

**Board of Supervisors Chambers
 1195 Third Street, Third Floor**

1. CALL TO ORDER; ROLL CALL

Present: Chair Joelle Gallagher, Vice-Chair Anne Cottrell, Supervisors Ryan Gregory, Alfredo Pedroza and Belia Ramos. The meeting was called to order by Chair Joelle Gallagher.

Napa County Sheriff Honor Guard presented the National Anthem and posting of colors.

2. PLEDGE OF ALLEGIANCE

Chair Joelle Gallagher lead the assembly in the Pledge of Allegiance.

3. PET OF THE WEEK

Animal Shelter Manager Katie Ribardiere presented the Pet of the Week (Billy The Kid).

4. APPROVAL OF PROCLAMATIONS AND COMMENDATIONS

None

5. CONSENT CALENDAR - SPECIAL DISTRICTS

Motion Text:	Approve Special Districts Consent Calendar.
Voting Yes:	Pedroza, Cottrell, Gregory, Ramos and Gallagher
Recusals:	None
Result:	Passed

Napa County Housing Authority

- A. Approve and authorize removing depreciated, obsolete, and unusable capital asset from the Housing Authority's inventory. (No Fiscal Impact) [24-1830](#)

Lake Berryessa Resort Improvement District

- B. Award a Construction Contract to Benchmark Civil Construction of Napa, CA for Phase I of the Lake Berryessa Resort Improvement District Wastewater Ponds Groundwater Inflow Mitigation Project, LB 18-01 ; and approve Amendment No. 2 to Agreement No. 240306B with GHD, Inc. adding construction administration and inspection services for the project. (Fiscal Impact: \$550,499 Expense; Lake Berryessa Resort Improvement District Fund; Budgeted; Discretionary) [24-1800](#)

Enactment No: A-240306B (LBRID) Amend. 2

6. CONSENT CALENDAR

Motion Text: Approve Consent Calendar.
Voting Yes: Cottrell, Ramos, Gregory, Pedroza, and Gallagher
Recusals: None
Result: Passed

Clerk of the Board

- A. Approval of minutes from the November 5, 2024 regular meeting. (No Fiscal Impact) [24-936](#)
- B. Appoint Thomas Kalbrener to serve on the Napa County Commission on Aging as a Commissioner Emeritus for an indefinite term. (No Fiscal Impact) [24-1906](#)
- C. Reappoint Teresa Foss for a fifth term, representing County-At-Large with the term of office to commence immediately and expire September 30, 2025; and reappoint James Bailey, for a fourth term, representing Presentation/Performing Arts; and Jeffrey L. Prather, for a second term, representing County-At-Large with the terms of office to commence immediately and expire September 30, 2027 on the Napa County Arts and Culture Advisory Committee. (No Fiscal Impact) [24-1907](#)

County Counsel

- D. Adopt a Resolution approving a scheduled partial loan forgiveness for the relocation incentive loan provided to the County Executive Officer, as set forth in the employment agreement, modifying terms of a prior resolution concerning interest accrual, and extending the term from 30 to 90 days for loan repayment in the event of early separation from employment. (Fiscal Impact: \$15,000 Expense; General Fund; Budgeted; Mandatory) [24-1337](#)

Enactment No: R-2024-120

- E. Approve and authorize Agreement No. 250239B with Liebert Cassidy Whitmore to provide specialized legal advice and representation to Napa County regarding labor and employment matters, with a term from October 1, 2024 to June 30, 2029, and an annual maximum compensation amount of \$75,000 per fiscal year. (Fiscal impact: \$75,000 Expense; General Fund; Budgeted; Discretionary). [4/5 Vote Required] [24-1855](#)

Enactment No: A-250239B

- F. Appointment of qualified candidates to those special district boards in the County where the number of candidates does not exceed the number of offices to be filled in lieu of conducting elections (No Fiscal Impact) [24-1916](#)

County Executive Office

- G. Accept the Williams Monitoring Report provided by the Napa County Superintendent of Schools. (No Fiscal Impact) [24-1831](#)

County Fire Department

- H. Approve a Capital Asset purchase and Budget Amendment to increase Fire Operations appropriation for signage at the Napa County Fire Department building at 951 California Boulevard. (Fiscal Impact: \$12,000 Expense; Fire Fund; Not Budgeted; Discretionary) [4/5 vote required] [24-1853](#)

Human Resources – Division of CEO's Office

- I. Adopt a Resolution to amend the Departmental Allocation List for the Probation Department with net decrease to full-time equivalents, effective November 12, 2024. (Fiscal Impact: \$61,500 Reduced Expense; General Fund; Budgeted; Discretionary) [24-1842](#)

Enactment No: R-2024-121

- J. Adopt a Resolution to amend Napa County Policy Manual Part I, Section 37BB - Hiring and Promotional Incentive Pilot Program Policy, effective November 12, 2024. (Fiscal Impact: \$200,000 Expense; Fund dependent upon Department usage; Budgeted; Discretionary) [24-1857](#)

Enactment No: R-2024-122

Information Technology Services – Division of CEO’s Office

- K. Declare certain items of capital asset property as surplus and no longer required for public use; authorize removal of the capital assets from the Information Technology Services’ capital asset inventory; and authorize e-waste disposal (No Fiscal Impact). [24-1419](#)

Public Works

- L. Approve and authorize Agreement No. 250223B with Bureau Veritas for a contract maximum of \$42,183 for constructability review services to support the construction of the Dry Creek Road Bridge and approve a Budget Amendment for design, engineering and construction management. (Fiscal Impact: \$287,264; Capital Improvement Projects Fund; Not Budgeted; Discretionary) [24-1778](#)
[4/5 vote required]

Enactment No: A-250223B

- M. Approve and authorize creation of Roads Capital Improvement Project 25014 for the “2025 Annual County Bridge Repairs,” RDS 25-05 and approve a Budget Amendment in the amount of \$300,000 for design. (Fiscal Impact: \$300,000 Expense; SB1 Non-Operating Special Revenue Fund; Not Budgeted; Discretionary) [24-1807](#)
[4/5 vote required]

- N. Approve and authorize Agreement No. 250232B with Brightly Software, Inc. with a term ending June 30, 2025 and maximum compensation of \$49,000 to perform various facility condition assessments to inform the County’s infrastructure operations and maintenance and capital asset forecasting and approve an associated budget amendment to upgrade our property management software. (Fiscal Impact: \$138,220 Expense; Property Management Division; Not Budgeted; Discretionary) [24-1836](#)
[4/5 vote required]

Enactment No: A-250232B

- O. Approve and authorize Agreement No. 250241B with Monarch Justice Center for use of space located at 5 Financial Plaza, for the term September 1, 2024 through September 30, 2029, to house The Courage Center, which is staffed and administered by the Napa County District Attorney’s Office. (Fiscal Impact: \$95,090 Expense; General Fund; Budgeted; Discretionary) [24-1846](#)

Enactment No: A-250241B

- P. Approve and authorize Amendment No. 7 to Lease Agreement No. 170064B with James B. Duncan and Nancy A. Duncan to extend the lease term by 2 years and to increase the monthly rent 3% annually for County's use of space located at 1834 Soscol Avenue, Suite A as the Napa County Probation Department's Evening Reporting Center for youth. (Fiscal Impact: \$19,450 Expense; General Fund; Budgeted; Discretionary)

[24-1852](#)

Enactment No: A-170064B Amend. 7

7. PUBLIC COMMENT

One (1) person spoke during public comment.

8. BOARD OF SUPERVISORS REPORTS AND ANNOUNCEMENTS

Chair Joelle Gallagher provided a thank you to the Napa County Elections Department staff. Chair Gallagher also requested a county-wide summary of federal funds received and those that may be at risk based on experience between 2017 and 2020. Chair Gallagher requested the Board update the Immigration Proclamation that was presented in 2017 to include all marginalized populations that may be at risk. Chair Gallagher suggested the creation of an ad hoc committee to respond to any executive orders or legislation that may impact our civil liberties, reproduction rights, immigrant protection, and climate actions.

Supervisor Ryan Gregory reported on attending a State Route 37 policy committee meeting on behalf of Napa County and Napa Valley Transportation Authority where he provided an update on current projects.

Vice-Chair Anne Cottrell reported on attending the ribbon cutting ceremony at Chiles-Pope Valley Road Bridge. She also held a community meeting with Congressman Mike Thompson called the Post Election Debrief where State Senator-Elect Christopher Cabaldon showcased support. Lastly, Vice Chair Cottrell reported on attending a pancake breakfast at the new Angwin fire station and a pile burning in Las Posadas.

County Executive Officer Ryan J. Alsop requested the Board's support to bring an item forward that supports Chair Gallagher's request above.

9. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDARS

None

10. ADMINISTRATIVE ITEMS - SPECIAL DISTRICTS

None

11. ADMINISTRATIVE ITEMS

Human Resources – Division of CEO's Office

- A. Receive a presentation regarding Napa County's participation in the U.S. Army Partnership for Your Success (PaYS) Program. (No Fiscal Impact) [24-1883](#)

Director of Human Resources Christine Briceño made presentation.

U.S. Army Captain Robert Alison made presentation.

U.S. Army Lieutenant Christopher Sadowski made presentation

Napa County Veterans Service Officer Del Pratt made presentation.

County Counsel

- B. Consideration and adoption of a Resolution of Findings of Fact and Decision on Appeal regarding an appeal filed by Appellant John Murphy on behalf of Preserve Lodi Lane concerning the Napa County Planning Commission's decision on May 3, 2023, to approve the Duckhorn Vineyards Winery Use Permit Major Modification Application No. P19-00097-MOD and adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. (No fiscal impact.)

[24-1368](#)

Deputy County Counsel Laura Anderson made presentation.

Motion Text: Adopt the Resolution.

Voting Yes: Ramos, Gregory, Cottrell, Pedroza, and Gallagher

Recusals: None

Result: Passed

Enactment No: R-2024-123

County Executive Office

[24-1639](#)

- C. Receive presentation from Napa Sanitation District regarding the recent Napa Purified Water Feasibility Study and other District project updates.

Napa Sanitation District General Manager Andrew Damron made presentation.

Discussion held.

- D. Adopt a Resolution of Intent to purchase approximately 874 acres of land commonly known as the Skyline Wilderness Park property from the State of California. (Fiscal Impact: \$7.2 million; Capital Improvement Fund; Budgeted; Discretionary) [24-1840](#)

Assistant County Executive Officer Rebecca Craig made presentation.

Discussion held.

Motion Text: Adopt the Resolution.
Voting Yes: Gregory, Ramos, Cottrell, Pedroza, and Gallagher
Recusals: None
Result: Passed
Enactment No: R-2024-124

12. PUBLIC HEARING - SPECIAL DISTRICTS

None

13. PUBLIC HEARINGS

Planning, Building and Environmental Services (PBES)

- A. PUBLIC HEARING - Introduction of Ordinance [24-1294](#)

Introduction and intention to adopt an Ordinance adopting modifications to the Napa County Code Chapter 5.70 and the addition of Chapter 5.80 to reduce the waste and pollution caused by single-use plastic bags and eliminating the use of single-use plastic food ware in the County. (No Fiscal Impact)

Chair Joelle Gallagher opened the public hearing.

Director of Planning, Building, and Environmental Services Brian Bordona made presentation.

Planning, Building, and Environmental Services Planner Ryan Melendez made presentation.

Three (3) people spoke during Public comment.

Discussion held.

Chair Joelle Gallagher closed the public hearing.

Motion Text: Approve the intent to adopt the ordinance.
Voting Yes: Gregory, Ramos, Cottrell, Pedroza, and Gallagher
Recusals: None
Result: Passed

B. PUBLIC HEARING - Hess-Collection-Laird General Plan Amendment (P21-00055) and Rezone (P24-0221)

24-1819

Conduct a public hearing to consider the project, adopt an addendum to the 2008 General Plan Environmental Impact Report (EIR); adopt the proposed Resolution; and adopt the proposed Ordinance. (No Fiscal Impact)

Correction memorandum provided.

Chair Joelle Gallagher opened the public hearing.

Director of Planning, Building, and Environmental Services Brian Bordona made presentation.

Planning, Building and Environmental Services Supervising Planner Sean Trippi made presentation.

Applicant Representative Clark Morrison made presentation.

Seven (7) people spoke during public comment.

Discussion held.

Chair Joelle Gallagher closed the public hearing.

Motion Text:

Approve the requested actions.

Voting Yes:

Ramos, Pedroza, Cottrell, Gregory, and Gallagher

Recusals:

None

Result:

Passed

Enactment No:

O-1500; R-2024-125

C. PUBLIC HEARING - Sentinel LLC/Inglenook Residence Appeal

[24-1837](#)

Move to continue the public hearing for an appeal filed by Water Audit California (Appellant) to the Napa County Planning Commission's decision on November 15, 2023, to approve a Use Permit Exception to the Conservation Regulations (No. P22-00404-UP) filed by Adobe Associates, Inc. on behalf of Niebaum-Coppola Estate Winery LP (Applicant) to allow a private access road to encroach into the creek setback in order to serve existing agricultural structures and a potential future residence. (No Fiscal Impact)

(CONTINUED FROM AUGUST 20, 2024. APPELLANT, APPLICANT, AND STAFF REQUEST A CONTINUANCE TO DECEMBER 3, 2024, AT 9:00 AM.)

Chair Joelle Gallagher opened the Public hearing.

Planning, Building and Environmental Services Planner Kelli Cahill made presentation.

Motion Text: Approve the continuance.

Voting Yes: Ramos, Gregory, Cottrell, Pedroza, and Gallagher

Recusals: None

Result: Passed

14. CLOSED SESSION

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)
Title: Chief Probation Officer

[24-1946](#)

Closed session held. No reportable action.

15. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, DECEMBER 3, 2024 AT 9:00 A.M.

Neha Hoskins (By e-signature)

NEHA HOSKINS, Clerk of the Board

3



Special Meeting Minutes

Napa County Airport Land Use Commission

District 1, Kara Brunzell
 District 2, Dave Whitmer
 District 3, Heather Phillips
 District 4, Andrew Mazotti
 District 5, Megan Dameron (*Vice-Chair*)
 Aviation Expertise, Charles Koch (*Chair*)
 Aviation Expertise, Norm Brod

Brian D. Bordona, Director
 Jason Dooley, County Counsel
 Dana Morrison, ALUC Executive Officer
 Wendy Atkins, ALUC Staff Liaison
 Alexandria Quackenbush, Meeting Clerk
 Angie Ramirez Vega, Meeting Clerk

Wednesday, December 4, 2024

9:00 AM

Board of Supervisors Chambers
 1195 Third Street, Third Floor

1. CALL TO ORDER / ROLL CALL

Commission Members Present: Kara Brunzell, Heather Phillips, Dave Whitmer, Norm Brod
Commission Members Absent: Charles Koch, Megan Dameron, Andrew Mazotti

Motion by Commissioner Phillips to elect Commissioner Whitmer as Chair pro tem in the absence of Chair Koch and Vice-Chair Dameron, seconded by Commissioner Brunzell.

Vote: Carried 4-0-3

Yes: Phillips, Brunzell, Brod, Whitmer

No: None

Absent: Koch, Dameron, Mazotti

2. PLEDGE OF ALLEGIANCE

Led by Commissioner Whitmer.

3. CITIZEN COMMENTS AND RECOMMENDATIONS

None.

4. APPROVAL OF MINUTES

Motion by Commissioner Phillips to approve minutes for the regular November 6, 2024, meeting, as presented, seconded by Commissioner Brunzell.

Vote: Carried 4-0-3

Yes: Phillips, Brunzell, Brod, Whitmer

No: None

Absent: Koch, Dameron, Mazotti

5. AGENDA REVIEW

Dana Morrison provided the review.

6. DISCLOSURES

Yes: None.

No: Brunzell, Phillips, Brod, Whitmer

Absent: Koch, Mazotti, Dameron

7. PUBLIC HEARING ITEMS**A. AIRPORT LAND USE COMPATABILITY PLAN (ALUCP) UPDATE AND NEGATIVE DECLARATION (ND) ADOPTION HEARING**

REQUEST: Consider and adopt by Resolution the updated Airport Land Use Compatibility Plan (Attachment A), including changes made in response to public comments, and certify a Negative Declaration (Attachment C) finding that the proposed project would not have any potentially significant environmental impacts.

STAFF RECOMENDATION: Staff recommends that the Commission adopt by Resolution (see Attachments G and H) the update to the Airport Land Use Compatibility Plan and adopt a Negative Declaration. The proposed update would more closely align the ALUCP to state guidelines provide by CalTrans Aeronautics Division, since the plan has not been updated since 1999.

STAFF CONTACT: Dana Morrison, (707) 253-4437 or dana.morrison@countyofnapa.org.

CONSULTANT CONTACT: Maranda Thompson, (707) 284-8690 or maranda.thompson@meadhunt.com.

Motion by Commissioner Whitmer to adopt by Resolutions the update to the Airport Land Use Compatibility Plan (ALUCP) for Angwin and Napa Airports, including revised language presented by staff at the hearing in regard to section 2.5.2(a)(1), and certify the Negative Declaration.

Seconded by Commissioner Brunzell.

Vote: Carried 4-0-3

Yes: Whitmer, Brunzell, Brod, Phillips

No: None

Absent: Koch, Dameron, Mazotti

8. ADMINISTRATIVE ITEMS

None.

9. STAFF AND COMMISSIONER COMMENTS AND REPORT

None.

10. ADJOURNMENT

Meeting adjourned at 10:48 a.m.



ALEXANDRIA QUACKENBUSH, Meeting Clerk



Napa County

Board Agenda Letter

1195 THIRD STREET
SUITE 310
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Airport Land Use Commission

Agenda Date: 12/4/2024

File ID#: 24-1989

TO: AIRPORT LAND USE COMMISSION
FROM: DANA MORRISON, AIRPORT LAND USE COMMISSION EXECUTIVE OFFICER
REPORT BY: DANA MORRISON, AIRPORT LAND USE COMMISSION EXECUTIVE OFFICER
SUBJECT: AIRPORT LAND USE COMPATIBILITY PLAN UPDATE AND NEGATIVE DECLARATION ADOPTION HEARING

RECOMMENDATION

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) UPDATE AND NEGATIVE DECLARATION (ND) ADOPTION HEARING

Consider and adopt by Resolution the updated Airport Land Use Compatibility Plan (Attachment A), including changes made in response to public comments, and certify a Negative Declaration (Attachment C) finding that the proposed project would not have any potentially significant environmental impacts.

Staff recommends that the Commission adopt by Resolution (see Attachments G and H) the update to the Airport Land Use Compatibility Plan and adopt a Negative Declaration. The proposed update would more closely align the ALUCP to state guidelines provide by CalTrans Aeronautics Division, since the plan has not been updated since 1999.

Staff Contact: Dana Morrison, (707) 253-4437 or dana.morrison@countyofnapa.org

Consultant Contact: Maranda Thompson, 707 284-8690 or maranda.thompson@meadhunt.com

EXECUTIVE SUMMARY

Consider and adopt the updated Airport Land Use Compatibility Plan (ALUCP), including changes made in response to public comments, and certify a Negative Declaration finding that the proposed project would not have any potentially significant environmental impacts.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Consideration and adoption of a Negative Declaration. As described in the associated Initial Study - Negative Declaration, there is no substantial evidence in the record that the

proposed 2024 ALUCP would result in a significant effect on the environment. Therefore, the County proposes the adoption of a Negative Declaration (ND) The areas affected by the update are not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The Negative Declaration was circulated from June 17, 2024, through July 17, 2024; State Clearing House (SCH) Number 1995123033.

BACKGROUND AND DISCUSSION

A noticed public hearing was held before the ALUC on July 17, 2024; a copy of the parcels that were noticed and mailing labels used for circulation of the notice can be found in Attachment E and F. At the hearing the ALUC received a presentation from Mead & Hunt as well as ALUC staff and took public comment from many interested members of the public or constituent public agencies. At the request of several members of the public, claiming that the hearing notices were not received by affected property owners, the ALUC continued the public hearing to September 18, 2024. The ALUC asked ALUC staff and Mead & Hunt to meet with interested parties and stakeholders to hear, discuss, and, as appropriate, address their concerns. The September 18 hearing had to be cancelled due to a lack of quorum and the item was re-noticed for a public hearing on November 6, 2024.

A hearing was held on November 6, 2024, to review the updated Response to Comments Matrix (see Attachment D) and Addendum (see Attachment B - this Addendum includes the changes detailed in past Addendum 1 and Addendum 2, and includes additional changes noted at the November 6 hearing) detailing the changes to the draft ALUCP. Changes made were based on discussions with stakeholders and additional review by ALUC staff, ALUC counsel and the consulting firm. During the comment period it was again requested by members of the public to continue the hearing. After deliberating and discussing, the ALUC requested for staff to addresses the following topics in anticipation of an adoption hearing on December 4, 2024: (1) prepare a clean copy of the ALUCP update with all proposed change incorporated, (2) clarify the Local Area Formation Commission (LAFCO) Sphere of Influence issue, (3) ensure the Pacific Union College's (PUC) parcel boundaries are accurately reflected in the Angwin Exhibits, and (4) clarify that the level of CEQA review was adequate and that CDFW was appropriately notified and their comments addressed.

ALUC staff worked with Mead & Hunt to address these requests, see detailed below:

- (1) Clean ALUCP: A clean version of the ALUCP with all changes incorporated can be found in Attachment A (ALUCP). This incorporates all of the changes made since the May 2024 public release of the draft ALUCP, including changes that were detailed in Addendum 1 and 2, as well as technical corrections noted at the November 6 hearing. The sections of the ALUCP that were updated are highlighted. Once the ALUCP update is approved Mead & Hunt will make any final edits based on the Dec 4 hearing, remove the highlights and provide a completely clean version of the ALUCP that will serve as the plan moving forwards.
- (2) LAFCO/SOI: A comment was raised at the November 6, 2024, hearing regarding whether LAFCO and Sphere of Influence expansions are subject to the ALUCP. The Executive Officer (EO) of LAFCO, Brendan Freeman, attended the hearing and commented that the LAFCO is not subject to the ALUCP. ALUC staff arranged a meeting with LAFCO EO to discuss the ALUCP update and its relation to LAFCO (this is discussed later in this staff report under the Public Comment section). It was clarified that LAFCO itself is not subject to ALUC compatibility review and its decisions are entirely independent on ALUC review. However, any applicant applying for an SOI expansion or change is

required to obtain ALUC compatibility review. In other words, the decision to request an SOI expansion or change for purposes of land use change or development, not simply a change in service area, would constitute a Major Land Use Action under the ALUCP and would be subject to the provisions applicable to those actions. The day of the November 6 hearing ALUC staff also reached out to the CalTrans Division of Aeronautics to weigh in on this topic unfortunately CalTrans has not been able to respond at this topic has not come up before and they are working with their counsel to review the matter. On November 22, a letter was received from William Ross, representing the American Canyon Fire Protection District, requesting that the ALUC remove expansions of special district SOIs from the list of Major Land Use Actions subject to ALUC review. At this time ALUC staff hesitates to recommend removal the special district SOI language from this section of the ALUCP as this language is commonplace in dozens of other ALUCPs in California and it is unclear if there is a reason for their near unanimity.

Staff would be supportive of making this change, if it is determined by CalTrans that special district SOI changes are not considered Major Land Use Actions. Staff hopes CalTrans will be able to provide direction on this topic before the Public Hearing on December 4 and a final decision can be made to either retain the language as drafted or remove the reference to special districts in 2.5.2(a)(1).

(3) PUC Boundary: Mead and Hunt staff worked with County of Napa GIS staff to ensure that the most current boundary of the Pacific Union College (PUC) is called out on the Angwin Exhibit Maps. ALUC and County staff reviewed the changes and compared to the parcel numbers provided by Kellie Anderson from Rural Angwin. Based on the information provided, and update GIS data, the PUC boundaries have been corrected; if any parcels are still incorrect ALUC staff can work with Mead & Hunt to correct those errors. However, this should not prevent the ALUC from adopting the update as it should be noted that this change is solely a mapping correction and does not impact the land use or computability analysis.

(4) At the November 6, 2024, hearing concerns were raised during the public comment period that the level of CEQA review was inadequate, claiming that the ALUC or the County had previously indicated that an EIR would be prepared and did not provide any justification for downgrading the review to a Negative Declaration. The commenter specifically referred to the Request for Proposals, circulated in 2022, seeking an aviation consulting firm to assist with the update. At that time the level of necessary CEQA review for this project was unknown, and as such ALUC staff assumed, for contract bidding purposes, that an EIR would be required. This was not a commitment to prepare an EIR, but a way of ensuring the contract amount would be sufficient to cover the costs of an EIR if necessary. It was acknowledged by most of the responders to the RFP that EIRs are uncommon for the ALUCP updates, though the firms still included said request in their submittals to ensure they were fully addressing the scope of work specified in the RFP. Once a final firm was selected, and as the full scope of the update was realized it was determined that a Negative Declaration was the correct level of CEQA review. The basis for this conclusion is set forth in the Negative Declaration itself, which includes the analysis required under CEQA Guidelines, Appendix G. Additionally, Negative Declarations are a common level of CEQA review required for these types of projects, especially given that ALUCs are guidance documents and do not directly entitle land uses. Projects which come to the ALUC for compatibility review also need to obtain other land use entitlements (Conditional Use Permits, Building or Grading permits, etc., as applicable) and these are all project types which are subject to CEQA - potential environmental impacts of specific developments are reviewed during this entitlement phase. Finally, a commenter also noted that CDFW's comments were not adequately addressed, nor were they properly

noticed. CDFW was included in the circulation of the IS/ND, and they did submit a comment letter. This comment letter was responded to in the Response to Comment Matrix (see Comment #4) that was provided at the November 6 hearing. Additionally, CDFW was included in the stakeholder email that was sent out in advance of the November 6 hearing, as well the agenda release email that was also sent when the ALUC Agenda Packet was distributed. As a State Agency, CDFW, and any restoration projects they are or will implement within the Napa County Airport Influence Areas, are not subject to the ALUCP, or compatibility review. However, as noted in the RTC Matrix, they are encouraged to follow recommendations set forth in the ALUCP in regards to wildlife hazards, but this is not a requirement. Payment of the applicable CDFW fees will occur upon the filing of the Notice of Determination, once the ALUCP has been officially adopted and the IS/ND has been certified. As such, the CDFW comments have been adequately addressed and CDFW has not provided any further comment on the ALUCP update.

In regards to the Initial Study, no new updates have been made since the November 6, 2024 hearing. A summary of the changes made for the November 6 hearing can be reviewed below. These minor changes do not result in new potentially significant impacts to the environment. As such, these changes do not constitute a “substantial revision” within the meaning of CEQA Guidelines Section 15073.5, and recirculation of the ND was not required. The updated IS/ND specifically addressed the following:

- Acknowledged comments received during the comment period.
- Corrections to the General Plan land use map at Angwin Airport.
- Clarification on the language use in the updated plan that appeared to indicate that the ALUCP would result in a “net increase in allowed units”
- Changes to the compatibility zones (D1/D2 Zones) and General Plan land use changes in the City of American Canyon.

Public Comments:

Public comments received can be reviewed in the RTC Matrix. Staff received 27 comments that were included in the RTC, however, in addition to these RTC comments Staff did respond to various phone calls and email exchanges which were just general inquiries regarding the update.

Since November 6, the only additional comments received (as of the drafting of this staff report) were from Mike Hackett and Kellie Anderson from Rural Angwin wanting to ensure the PUC boundary was correctly called out and to get further clarification on the language which seems to indicate that the ALUCP update is intensifying residential development within Angwin. As detailed before, the ALUCP does not entitle or allow any additional residential development. The ALUCP has analyzed noise, flight hazards, safety and overflight based on the guidance from the 2009 CalTrans Aeronautics Handbook, and based on that data some uses (that were previously not deemed compatible with an airport) have now been determined to be compatible, in some cases outright and in others with specific criteria to be met. It is true that the new plan, compared with the 1999 plan, does deem more residential uses as compatible or conditionally compatible. However, the local jurisdiction has, and has always had, the ability to overrule an ALUC compatibility determination, meaning technically under either the 1999 or 2024 plan parcels within the Angwin AIA could be developed to the maximum potential allowed under the applicable zoning district if overrule occurs- effectively meaning the development potential in Angwin has not changed with this update. The ALUC is a guidance document of

which the goal is to guide develop in areas around Napa County's Airports in a manner consistent with updated aeronautical guidelines. If the intent of Rural Angwin is to ensure limited development of parcels within the Angwin community, it is a Zoning and General Plan issue, and the ALUC is not the mechanism to limit development. The goal of the ALUCP is to inform property owners what uses can be developed on their parcel and what level of compatibility review would be required for said use, and to provide a clear process for applicants going through ALUC review.

One email correspondence not included in the RTC Matrix was an email chain between ALUC staff and the LAFCO Executive Officer (EO). ALUC Staff and Counsel met with the LAFCO EO on Monday, November 18, 2024, to discuss the ALUCP update and its applicability to LAFCO. As detailed earlier in this report and in the email (see Attachment I) LAFCO's concerns were addressed and LAFCO will be adding some clarifying language to their own policy to help Sphere Of Influence applicants be aware of the ALUCP applicability.

Steps Following Adoption of update ALUCP:

Upon adoption of the updated ALUCP local jurisdictions within the Airport Influence Areas of the affected airports (County of Napa, City of Napa and the City of American Canyon) will need to update their own General Plans to ensure they are consistent with the updated ALUCP. State law gives local jurisdictions 180 calendar days to amend their general plan, specific plans, zoning ordinances, and facilities master plans, as necessary, to be consistent with the amended ALUCP. The types of local actions subject to ALUC review depends on whether the local agency has amended its plans accordingly. The draft ALUCP contains suggested approaches for local jurisdictions to ensure their plans and ordinances are consistent with the ALUCP.

If a local jurisdiction does not support the ALUCP update, and believes their current plans are consistent with the State Aeronautics Act, they can seek to overrule the ALUC by a two-thirds vote of its governing body after making findings that the agency's plans are consistent with the intent of state airport land use planning statutes. The local agency must provide both the ALUC and the California Department of Transportation, Division of Aeronautics, with a copy of the local agency's proposed decision and findings at least 45 days in advance of its decision to overrule and must hold a public hearing on the proposed overruling (Public Utilities Code Section 21676(a) and (b)). The ALUC and the Division of Aeronautics may provide comments to the local agency within 30 days of receiving the proposed decision and findings. If comments are submitted, the local agency must include them in the public record of the final decision to overrule the ALUC (Sections 21676, 21676.5 and 21677.)

A general plan does not need to be identical with the ALUCP in order to be consistent with the compatibility plan. To meet the consistency test, a general plan must do two things:

- It must specifically address compatibility planning issues, either directly or through reference to a zoning ordinance or other policy document; and
- It must avoid direct conflicts with compatibility planning criteria.

It must be emphasized, however, that local agencies need not change land use designations to bring them into consistency with the ALUC criteria if the current designations merely reflect existing development. They merely would need to establish policies to ensure that the nonconforming uses would not be expanded in a manner inconsistent with this Compatibility Plan and that any redevelopment of the affected areas would be made consistent with the compatibility criteria.

Recommendation:

Option 1: Adopt the Resolutions for the updated ALUCP for Napa Airport and Angwin Airport and certify the Negative Declaration. Staff recommends that the Commission adopt by Resolutions the update to the Airport Land Use Compatibility Plan (ALUCP) for Angwin and Napa Airports and certify the Negative Declaration. The ALUC is the final decision-making body for the adoption of the ALUCP.

Procedural Requirements:

1. Chair introduces item.
2. Open Public Hearing.
3. Staff reports.
4. Public comments.
5. Close Public Hearing
6. Motion, second, discussion, and vote to adopt Resolution updating the ALUCP and certifying the Negative Declaration.

Attachments:

- A. Airport Land Use Compatibility Plan Update - Final Draft
- B. Addendum No. 3 (includes work from previous Addendum 1 and Addendum 2)
- C. Updated Initial Study Negative Declaration
- D. Response to Comments Matrix - Final
- E. ALUCP Noticing Mail List Addresses and APNS
- F. ALUCP Public Hearing Notice Mailing Labels
- G. Resolution adopting Napa ALUCP update and certifying Negative Declaration
- H. Resolution adopting Angwin ALUCP update and certifying Negative Declaration
- I. LAFCO email correspondence

4



Napa County

Board Agenda Letter

1195 THIRD STREET
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Board of Supervisors

Agenda Date: 8/19/2025

File ID #: 25-1481

TO: Board of Supervisors

FROM: Brian D. Bordona, Director - Planning, Building, and Environmental Services

REPORT BY: Michael Parker - Planning Manager

SUBJECT: General Plan & Zoning Code Update to achieve consistency with the 2024 updated Airport Land Use Compatibility Plan

RECOMMENDATION

Conduct a public hearing to consider the Planning Commission's recommendation from July 16, 2025 to find the proposed General Plan and Zoning Code Update implements the programs and policies of the ALUCP, is within the scope of the activities and impacts identified and analyzed in the ALUCP's Negative Declaration adopted on December 4, 2024 (State Clearinghouse No. 2024060773) and no new environmental effects have been found, and no new mitigation is necessary; adopt a Resolution to amend the Agricultural Preservation and Land Use Element and Community Character Element of the Napa County General Plan; and adopt an Ordinance amending Chapter 18.80 (AC Airport Compatibility Combination District) Sections 18.80.030 (ALUCP Zone E regulations), 18.80.040 (ALUCP Zone D regulations), 18.80.050 (ALUCP Zone C regulations), 18.80.060 (ALUCP Zone B regulations), 18.80.070 (ALUCP Zone A regulations), 18.80.090 (ALUC referral), 18.80.100 (Filing materials), and 18.80.110 (Findings) of Title 18 (Zoning) of the Napa County Code to achieve consistency with the ALUCP adopted on December 4, 2024 by the Airport Land Use Commission (ALUC). (No Fiscal Impact)

BACKGROUND

On December 4, 2024, the ALUC adopted the updated ALUCP for Angwin Airport-Parrett Field and Napa County Airport. The adopted ALUCP can be accessed at the following link:

<https://www.countyofnapa.org/DocumentCenter/View/35937/Napa-Countywide-ALUCP---Complete-Version?bidId=>>

After adoption of revisions to an ALUCP, State law gives local jurisdictions 180 calendar days to amend their general plan, specific plans, zoning ordinances, and facilities master plans, as necessary, to be consistent with the amended ALUCP. Once the General Plan and Zoning Codes are revised and deemed consistent, then only certain more substantive land use actions require ALUC review.

A general plan and zoning code does not need to be identical with the ALUCP to be consistent with it. To meet the consistency test, a General Plan must do two things:

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- 1) it must specifically address compatibility planning issues, either directly or through reference to a zoning ordinance or other policy document; and
- 2) it must avoid direct conflicts with compatibility planning criteria.

Napa County has addressed compatibility planning issues by referencing the updated ALUCP. The Zoning Code Airport Compatibility Combination District (Napa County Code Chapter 18.80) was updated to reflect the new compatibility zones and details those uses which can be deemed Compatible, Conditionally Compatible, and Incompatible for development within the Napa County Airport and Angwin Airport- Parrett Field's Airport Influence Areas (AIAs).

The proposed general plan amendment and zoning code amendments do not change the geographical area where Airport Land Use Compatibility Plan policies apply. When both the General Plan and Zoning Code have been amended and deemed compatible, these actions facilitate transfer of authority for ALUCP compliance determination for general discretionary applications within the Airport Influence Area (AIA) from the Napa County Airport Land Use Commission to Napa County. However, all General Plan, Zoning Ordinance, Subdivision Ordinance, Specific Plan and building regulation amendments and other Major Land Use Actions that affect properties within Airport Compatibility zones will still require separate ALUC review and approval.

Planning Commission Recommendation:

On July 16, 2025, the Planning Commission held a properly noticed public hearing where in a unanimous 5-0 vote, the Commission considered and recommended the Board of Supervisors:

1. Find the proposed General Plan and Zoning Code Update implements the programs and policies of the ALUCP, is within the scope of the activities and impacts identified and analyzed in the ALUCP's Negative Declaration adopted on December 4, 2024 (State Clearinghouse No. 2024060773) and no new environmental effects have been found, and no new mitigation is necessary;
2. Adopt a resolution amending the Agricultural Preservation and Land Use Element and Community Character Element of the Napa County General Plan to achieve consistency with the ALUCP adopted by the Napa County Airport Land Use Commission (ALUC) on December 4, 2024; and
3. Adopt an ordinance amending Chapter 18.80 (AC Airport Compatibility Combination District) Sections 18.80.030 (ALUCP Zone E regulations), 18.80.040 (ALUCP Zone D regulations), 18.80.050 (ALUCP Zone C regulations), 18.80.060 (ALUCP Zone B regulations), 18.80.070 (ALUCP Zone A regulations), 18.80.090 (ALUC referral), 18.80.100 (Filing materials), and 18.80.110 (Findings) of Title 18 (Zoning) of the Napa County Code to achieve consistency with the ALUCP adopted on December 4, 2024 by the ALUC.

Airport Land Use Commission Consistency Determination:

On August 6, 2025, the Airport Land Use Commission conducted an Airport Land Use Compatibility Review and Consistency Determination for the proposed Napa County General Plan and Zoning Code Updates, as required pursuant to the State Aeronautic Act and Public Utilities Code (PUC) Section 21676.

In a unanimous 6-0 vote, the ALUC found the proposed updates to the Napa County General Plan and Zoning Code consistent with the 2024 ALUCP.

Noticing:

Pursuant to Government Code Section 65352.3, prior to the adoption or any amendment of a county's general plan, the county shall conduct consultations with California Native American tribes that are on the contact list maintained by the Native American Heritage Commission for the purpose of preserving or mitigating impacts to places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code that are located within the city or county's jurisdiction.

In compliance with these codes, notice of the proposed general plan and zoning code changes were sent to California Native American Tribes on May 20, 2025. No comments or requests for consultation were received.

Public Comment:

As of the drafting of this Staff Report, no comments have been received.

Requested Action:

Board of Supervisors

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Today's requested action is that the Board of Supervisors:

1. Find the proposed General Plan and Zoning Code Update implements the programs and policies of the ALUCP, is within the scope of the activities and impacts identified and analyzed in the ALUCP's Negative Declaration adopted on December 4, 2024 (State Clearinghouse No. 2024060773) and no new environmental effects have been found, and no new mitigation is necessary;
2. Adopt a resolution amending the Agricultural Preservation and Land Use Element and Community Character Element of the Napa County General Plan to achieve consistency with the ALUCP adopted by the Napa County Airport Land Use Commission (ALUC) on December 4, 2024; and
3. Adopt an ordinance amending Chapter 18.80 (AC Airport Compatibility Combination District) Sections 18.80.030 (ALUCP Zone E regulations), 18.80.040 (ALUCP Zone D regulations), 18.80.050 (ALUCP Zone C regulations), 18.80.060 (ALUCP Zone B regulations), 18.80.070 (ALUCP Zone A regulations), 18.80.090 (ALUC referral), 18.80.100 (Filing materials), and 18.80.110 (Findings) of Title 18 (Zoning) of the Napa County Code to achieve consistency with the ALUCP adopted on December 4, 2024 by the ALUC.

Decision Making Options:

Option 1: That the Board adopt both the attached Resolution Amending the General Plan and the attached Ordinance amending Chapter 18.80 of the County Code (Staff Recommendation).

Disposition - This option would make the Napa County General Plan and Chapter 18.80 of County Code consistent with the ALUCP adopted by the ALUC on December 4, 2024. The proposed General Plan Amendment and proposed Ordinance amendment implements policies that were previously evaluated and are within the scope of the Negative Declaration prepared for the ALUCP (State Clearinghouse No. 2024060773) adopted on December 4, 2024. No new mitigation measures and no new environmental effects would occur and none of the conditions require preparation of a subsequent Negative Declaration or further environmental review.

Action Required - Follow the proposed actions listed in the "Requested Action" section above.

Option 2: Revise the Request

Disposition - This option allows the Board of Supervisors to modify aspects of the proposed General Plan Amendment and proposed Ordinance amending Chapter 18.80.

Action Required - Follow proposed actions listed in the "Requested Action" section above and recommend amendments to the General Plan and Ordinance. This option may result in the public hearing being continued to a future date if significant revision is required, and may require re-review by both the Planning Commission and the ALUC.

Option 3: Recommendation to Deny the Proposed General Plan Amendment and Ordinance Update.

Disposition - In the event the Board does not support the General Plan Amendment and Ordinance Update, the Board would vote to recommend denial. The Board should articulate why it does not recommend amending the General Plan and update to Chapter 18.80 of County Code. A denial recommendation would result in the Napa County's Agricultural Preservation and Land Use Element and Community Character Element of the County's General Plan remaining status quo and the General Plan being inconsistent with and out of compliance with the ALUCP. The County would therefore be out of compliance with California Government Code Section 65302.3, which requires counties to have their general plans, specific plans, and land use regulations be consistent with

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the Airport Land Use Compatibility Plans.

Action Required - Board motion, second, and vote to recommend denial of the General Plan Amendment and Ordinance Update.

Option 4: Continuance Option

The Board may continue the item to a future hearing date at its own discretion.

Procedural Requirements:

1. Chair introduces item.
2. Open Public Hearing.
3. Staff report.
4. Public comments.
5. Close Public Hearing.
6. Motion, second, discussion, and vote to approve the Request.

FISCAL IMPACT

Is there a Fiscal Impact?

No

Is it Mandatory or Discretionary?

Mandatory

Consequences if not approved:

On December 4, 2024, the ALUC adopted the updated ALUCP for Angwin Airport-Parrett Field and Napa County Airport. After adoption of an ALUCP revision, State law gives local jurisdictions 180 calendar days to amend their general plan, specific plans, zoning ordinances, and facilities master plans, as necessary, to be consistent with the amended ALUCP. If not approved, the County would be out of compliance with State law.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed General Plan Amendment and proposed Ordinance implements policies that were previously evaluated and are within the scope of the Negative Declaration prepared for the ALUCP (State Clearinghouse No. 2024060773) adopted on December 4, 2024. No new mitigation measures and no new environmental effects would occur and none of the conditions requiring preparation of a subsequent Negative Declaration or further environmental review under CEQA Guidelines Section 15162 apply. This project is not on any list of hazardous waste sites enumerated under Government Code Section 65962.5.



Meeting Minutes

Napa County Board of Supervisors

Joelle Gallagher, District 1
 Liz Alessio, District 2
 Anne Cottrell, District 3
 Amber Manfree, District 4
 Belia Ramos, District 5

This is a simultaneous meeting of the Board of Supervisors of Napa County, Napa County Public Improvement Corporation, Silverado Community Services District, Monticello Public Cemetery District, In-Home Supportive Services Public Authority of Napa County, Lake Berryessa Resort Improvement District, Napa Berryessa Resort Improvement District, Napa County Housing Authority, and the Napa County Groundwater Sustainability Agency.

www.countyofnapa.org

Tuesday, August 19, 2025

9:00 AM

**Board of Supervisors Chambers
 1195 Third Street, Third Floor**

1. CALL TO ORDER; ROLL CALL

Present: Vice-Chair Amber Manfree, Supervisors Liz Alessio, Joelle Gallagher, and Belia Ramos. Chair Anne Cottrell was excused. The meeting was called to order by Vice-Chair Amber Manfree.

2. PLEDGE OF ALLEGIANCE

Director of Planning, Building, and Environmental Services Brian D. Bordona led the assembly in the Pledge of Allegiance.

3. PET OF THE WEEK

A. Presentation of the Pet of the Week. (No Fiscal Impact)

[25-235](#)

Animal Shelter Supervisor Luis Ambriz presented the Pet of the Week (Miss Piggy).

4. APPROVAL OF PROCLAMATIONS AND COMMENDATIONS

None

5. CONSENT CALENDAR

Motion Text:	Approve the Consent Calendar as amended.
Voting Yes:	Ramos, Gallagher, Alessio and Manfree
Voting No:	None
Excused:	Cottrell
Recusals:	None
Result:	Passed

Auditor-Controller

- A. Adopt a Resolution to authorize the issuance of the Fiscal Year 2024-25 promissory note for delinquent secured taxes and the continuance of the Teeter Plan for Fiscal Year 2025-26. (Fiscal Impact: Increased Revenue; Various Funds; Budgeted; Mandatory) [25-1463](#)
- Enactment No: R-202S-83
- B. Accept and file a report summarizing the countywide review of 2024 overtime compensation. (No Fiscal Impact) [25-1478](#)

Clerk of the Board

- C. Approval of minutes from the August 5, 2025 regular meeting. (No Fiscal Impact) [25-95](#)
- D. Appoint James (Bud) E. Gardner to the Monticello Public Cemetery District Advisory Committee with term of office to commence immediately and expire on December 31, 2029. (No Fiscal Impact) [25-1464](#)

County Executive Office

- E. Approve and authorize out of country travel for Chief Executive Officer Ryan J. Alsop; Board Chair Anne Cottrell; Board Vice-Chair Amber Manf'ee; and Agricultural Commissioner Sealer of Weights and Measures Tracy Cleveland to attend the Great Wine Capitals Annual 2025 Conference in Bordeaux, France from November 1-7, 2025 for a cost not to exceed \$25,000. (Fiscal Impact: \$25,000 Expense; General Fund; Budgeted; Discretionary) [2S-1430](#)
- Approve and authorize Agreement No. 260110B with Napa County Local Agency Formation Commission to provide support services at cost. (Fiscal Impact: \$40,000 Revenue; General Fund and ITS Fund; Budgeted; Discretionary) [2S-1434](#)
- Enactment No: A-260110B

County Fire Department

- F. Approve a waiver of competitive bidding requirement and provide a sole source award to Golden State Fire Apparatus to purchase two Type II Engines, due to technical compatibility requirements. (Fiscal Impact: \$1,795,000 Expense; Fire Fund; Budgeted; Discretionary) [2S-1428](#)
- G. Approve and authorize Memorandum of Agreement No. 260105B with the Napa County Airport and Napa County Fire Department for the lease of an unused hangar at 2500 Airport Road to use as a temporary fleet maintenance facility. (Fiscal Impact: \$129,740 Expense; Fire Fund; Budgeted; Discretionary) [25-1446](#)
- Enactment No: A-26010SB

Health and Human Services Agency

- H. Approve and authorize Agreement No. 260055B with On The Move, Inc., for the term Fiscal Year 2025-2026, and each subsequent automatic renewal, for a contract maximum of \$50,000 per fiscal year to provide On-the-Job Training opportunities to qualified participants enrolled in the County's Health and Human Services Agency Self Sufficiency Services work experience program. (Fiscal Impact \$50,000 Expense, Health and Human Services Agency Fund; Budgeted; Discretionary) [25-1285](#)
- Enactment No: A-260055B
- I. Approve and authorize Agreement No. 260075B with Abode Services for the term upon approval through June 30, 2027 for a contract maximum of \$573,373 per fiscal year to provide clients enrolled in Mental Health Plan and Drug Medi-Cal Organized Delivery System programs with housing support services to help sustain treatment, recovery, and wellness. (Fiscal Impact: \$573,373 Expense; Health and Human Services Agency Fund; Budgeted; Discretionary) [25-1322](#)
- Enactment No: A-260075B
- J. Approve and authorize Agreement No. 260077B with Department of Health Care Services for the term July 1, 2025 through December 31, 2026 for the provision of a zero-dollar Mental Health Plan agreement that allows the County to bill Medi-Cal for specialty mental health services. (No Fiscal Impact) [25-1362](#)
- Enactment No: A-260077B

Housing & Community Services

- K. Approve and authorize Amendment No. 11 to Agreement No. 170374B with HomeBase, with no increase to the contract maximum for the term July 1, 2025 through June 30, 2026, and each auto renewal thereafter, for the provision of consulting services and technical assistance in the development of grant applications and homeless services system administration. (Fiscal Impact: \$194,000 Expense; Housing & Community Services Fund; Budgeted; Discretionary) [25-111s](#)
- Enactment No: A-170374B Amend. 11

Human Resources - Division of CEO's Office

- L. Adopt a Resolution to amend the Departmental Allocation List for the Probation Department, effective August 19, 2025, and approve a Budget Amendment. (Fiscal Impact: \$225,000 Expense; General Fund - Federal Grant; Not Budgeted; Discretionary) [25-1416](#)
- Enactment No: R-2025-84

Information Technology Services – Division of CEO's Office

- M. Approve sole source award, and approve and authorize Agreement No. [25-1347](#)
260083B with AMS.NET for the purchase of telephone system software
for a five-year term and an annual cost of \$7,992. (Fiscal Impact: \$7,992
Expense; Information Technology Services Fund; Budgeted;
Discretionary)

Enactment No: A-260083B

Napa County Housing Authority

- N. Approve and authorize covenants to participate in the Low-Income [25-1442](#)
Weatherization Program. (No Fiscal Impact; Discretionary)

Probation

- O. Approve and authorize Agreement No 260054B with the City of Napa to [25-1224](#)
allow Probation sworn personnel to use its shooting range. (Fiscal
Impact: \$48,000 Expense; General Fund; Budgeted; Discretionary)

Enactment No: A-260054B

Public Works

- P. Approve and authorize creation of Capital Improvement Project 25051, [25-1240](#)
“Hangar A Row Roof Construction Project” PW26-07; award
Construction Contract to Zivko Corporation, Inc. dba Metal Building
Company of Oakland, CA for their low base bid and bid alternate of
\$425,816; and approve an associated Budget Amendment. (Fiscal
impact: \$577,942 Expense; Airport Fund; Not Budgeted; Discretionary)
[4/5 vote required]

- Q. Authorization to maintain existing rates that were previously made [25-1375](#)
effective October 1, 2024, for the residential and commercial operational
cost associated with the collection of solid waste, recyclables, green
waste, and food waste applicable to the Unincorporated Area of Garbage
Zone One, a service which is provided by Napa County Recycling and
Waste Services, LLC. (No Fiscal Impact)

- R. Adopt a Resolution approving Measure U Master Agreement No. [25-1385](#)
260112B between the County of Napa and the Napa Valley
Transportation Authority - Tax Agency. (Fiscal Impact: Approximately
\$10 million/year Revenue; Measure U Special Revenue Fund; Budgeted;
Discretionary)

Enactment No: R-2025-85; A-260112B

- T. Approve and authorize Agreement No. 250450B with Amizetta Winery and Agreement No. 250451B with Quarry Vineyards, LP; authorize contract change orders to construction contract 250460B with Team Ghilotti, Inc.; and approve a Budget Amendment for the “Bale, Big Ranch, Lodi, Silverado Trail, and West Zinfandel Paving Project,” RDS 25-06. (Fiscal Impact \$2,661,434 Expense; Measure U Non-Operating Special Revenue Fund, Capital Improvement Projects Fund, and Winery Contributions; Not Budgeted; Discretionary)
[4/5 vote required] [25-1424](#)
- Enactment No: A-250450B; A-250451B**
- U. Award of Construction Contract to American River Construction, Inc. of Folsom, CA in the amount of \$2,820,000 for the “CSU Children’s Services Expansion,” PW 24-15; and approve a Budget Amendment. (Fiscal Impact: \$3,807,356 Expense; Health and Human Services Agency Fund; Not Budgeted; Discretionary)
[4/5 vote required] [25-1429](#)
- V. Approve and authorize Amendment No. 1 to Agreement No. 250309B with Mead & Hunt, Inc. increasing the maximum compensation from \$71,432 to \$80,700 for project design services related to Project 25025 “Runway 6-24 PCC Joint Rehabilitation Project”; and approve an associated Budget Amendment to fund the added design costs and an additional \$10,000 for administration costs. (Fiscal Impact \$19,268 Expense; Airport Fund; Not Budgeted; Discretionary)
[4/5 vote required] [25-1433](#)
- Enactment No: A-250309B Amend. 1**
- W. Approval of Plans and Specifications for the “Cuttings Wharf, Sullivan and Admin Parking Lot Paving Project”, PW 25-46; and authorization to advertise for sealed bids and opening of the bids at a time, date, and location to be published by the Director of Public Works pursuant to Section 20150.8 of the Public Contract Code. (No Fiscal Impact) [25-1435](#)
- X. Approve and authorize creation of Capital Improvement Project 25049 “Pueblo Area Ditch Project,” RDS 25-36 and approve a Budget Amendment. (Fiscal Impact: \$55,000 Expense; Capital Improvement Projects Fund; Not Budgeted; Discretionary)
[4/5 vote required] [25-1439](#)
- Y. Approve a report of emergency Public Works actions on two projects as authorized by Resolution No. 2015-37, determine that the emergency does not permit the delay associated with competitive bidding procedures, and that the emergency actions are necessary to respond to the emergency pursuant to Public Contract Code Section 22050(c)(1) and affirm the need to continue this action. (No Fiscal Impact)
[4/5 vote required] [25-1440](#)

- Z. Approve a report of emergency Public Works actions to establish the Mt. St. Helena Communications Tower emergency generator replacement project as authorized by Resolution No. 2015-37; determine that based on the emergency does not permit the delay associated with competitive bidding procedures, and that the emergency actions are necessary to respond to the emergency pursuant to Public Contract Code section 22050; and approve and authorize the emergency construction contract with Peterson Power Systems, Inc. of Santa Rosa, CA. (Fiscal Impact: \$145,313 Expense; Capital Projects Fund; Budgeted; Discretionary) [4/5 vote required] [25-1445](#)
- AA. Approve a Budget Amendment for the Wild Horse Valley Road, Berryessa Knoxville Road and Hardin Road Maintenance Overlay Projects. (Fiscal Impact: \$1,425,000 Expense; PG&E Settlement, Garbage Zone 1 Funds, UVDS Franchise Fee; Not Budgeted; Discretionary) [4/5 vote required] [25-1454](#)
- AB. Authorize contract change orders to Agreement No. 250427B with Coral Construction Company for the “2025 Annual Guardrail Repair, RDS 25-04” project. (Fiscal Impact: \$37,213 Expense; SB-1 Non-Operating Special Revenue Fund; Budgeted; Discretionary) [4/5 vote required] [25-1495](#)

Sheriff

- AC. Approve and authorize declared Capital Asset Nos. 101785, 101786, 101787, shower trailers, to be surplus, removed from the capital asset list and sold at public auction. (Fiscal Impact: Increased Revenue; General Fund; Budgeted; Discretionary) [4/5 vote required] [25-1114](#)

Enactment No: A-170365B Amend. 4

Silverado Community Services District

- AD. Approve and authorize Amendment No. 3 to Agreement No. 230085B (SCSD) with Sanchez Brothers Landscape, Inc. for a term date through June 30, 2027, with no change to the scope or maximum compensation. (No Fiscal Impact) [25-1367](#)

Enactment No: A-230085B (SCSD) Amend. 3

6. PUBLIC COMMENT

One (1) person spoke during public comment.

7. BOARD OF SUPERVISORS REPORTS AND ANNOUNCEMENTS

Supervisor Joelle Gallagher reported on attending a peace vigil last week at Fuller Park sponsored by community members and several different faith leaders with more occurring in the future. Supervisor Gallagher mentioned at today's Napa City Council meeting at 3:30 p.m. a draft plan for the phased Riverline Project, a future trail that will coincide with Flood Project's River Trail, will be presented. Lastly, Supervisor Gallagher reported this Thursday will be the second annual Opioid Awareness and Memorial event at the Veterans Memorial Park at 5:30 p.m.

Supervisor Liz Alessio reported on attending the following: the annual National Night Out event; the Enchanted Hills 75th anniversary; and a Behavioral Health Board meeting.

Vice-Chair Amber Manfree acknowledged the National Night Out event and the Napa Town and Country Fair and its 4-H exhibits. Vice-Chair Manfree reported Chair Anne Cottrell held a Berryessa Highlands town hall meeting with the Sheriff's department. Lastly, Vice-Chair Manfree reported there will be an unveiling of a mosaic created out of broken items from the 2014 earthquake and placed on a train boxcar by local artist Christina Young in the Rail Arts District off of Action Avenue this Sunday at 1:00 p.m.

County Executive Officer Ryan J. Alsop responded to comments from Supervisor Liz Alessio and confirmed a staff referral.

8. DISCUSSION OF ITEMS PULLED FROM CONSENT CALENDARS

- 5R

Director of Public Works Steven Lederer made presentation.

Discussion held.

Direction provided to staff.

Supervisor Belia Ramos made a referral to return a presentation of the multi-part refuse/recycling process.

Motion Text:	Approve the requested action.
Voting Yes:	Gallagher, Alessio, Ramos and Manfree
Voting No:	None
Excused:	Cottrell
Recusals:	None
Result:	Passed

9. PUBLIC HEARINGS

Human Resources – Division of CEO's Office

- A. Introduction and intention to adopt an ordinance amending Napa County's contract with the Board of Administration of the California Public Employees' Retirement System (CalPERS) for unrepresented employees. (No Fiscal Impact)

[25-1394](#)

Vice-Chair Amber Manfree opened the public hearing.

Director of Human Resources Christine Briceño made presentation.

Vice-Chair Amber Manfree closed the public hearing.

Motion Text:	Approve the intent to adopt the ordinance.
Voting Yes:	Gallagher, Ramos, Alessio and Manfree
Voting No:	None
Excused:	Cottrell
Recusals:	None
Result:	Passed

In-Home Supportive Services Public Authority of Napa County

- B. Adopt a Resolution amending the In-Home Supportive Services Public Authority Conflict of Interest Code. (No Fiscal Impact; Discretionary)

[25-1221](#)

Vice-Chair Amber Manfree opened the public hearing.

Deputy County Counsel Doug Parker made presentation.

Vice-Chair Amber Manfree closed the public hearing.

Motion Text:	Adopt the Resolution.
Voting Yes:	Ramos, Gallagher, Alessio and Manfree
Voting No:	None
Excused:	Cottrell
Recusals:	None
Result:	Passed
Enactment No:	R-2025-02 (IHSS)

Public Works

- C. Adopt a Resolution to abandon an approximate 2.5-mile portion of Old Howell Mountain Road, while retaining a right of way for a public trail; and approve and authorize Management Agreement No. 8700 with Napa County Regional Park and Open Space District to operate the retained public trail easement. (No Fiscal Impact)

[25-829](#)

STAFF REQUESTS A CONTINUANCE TO SEPTEMBER 23, 2025
AT 9:00 AM.

Vice-Chair Amber Manfree opened the public bearing.

Director of Public Works Steven Lederer made presentation.

Motion Text:	Approve the requested action.
Voting Yes:	Ramos, Gallagher, Alessio and Manfree
Voting No:	None
Excused:	Cottrell
Recusals:	None
Result:	Passed

County Executive Office

- D. Convene a community forum pursuant to the state Transparent Review of Unjust Transfers and Holds Act (TRUTH Act), which calls for counties to hold annual public forums explaining how County law enforcement worked with Immigration and Customs Enforcement representatives. (No Fiscal Impact)

[25-1264](#)

Vice-Chair Amber Manfree opened the public hearing.

Assistant Director of Corrections Alexander Alarcon made presentation.

Deputy County Counsel Corey Utsurogi made presentation.

Napa County Sheriff Oscar Ortiz also made a presentation.

Vice-Chair Amber Manfree closed the public bearing.

Discussion held.

Direction provided to staff.

Planning, Building and Environmental Services (PBES)

- E. Conduct a public hearing to consider the Planning Commission's recommendation from July 16, 2025 to find the proposed General Plan and Zoning Code Update implements the programs and policies of the ALUCP, is within the scope of the activities and impacts identified and analyzed in the ALUCP's Negative Declaration adopted on December 4, 2024 (State Clearinghouse No. 2024060773) and no new environmental effects have been found, and no new mitigation is necessary; adopt a Resolution to amend the Agricultural Preservation and Land Use Element and Community Character Element of the Napa County General Plan; and adopt an Ordinance amending Chapter 18.80 (AC Airport Compatibility Combination District) Sections 18.80.030 (ALUCP Zone E regulations), 18.80.040 (ALUCP Zone D regulations), 18.80.050 (ALUCP Zone C regulations), 18.80.060 (ALUCP Zone B regulations), 18.80.070 (ALUCP Zone A regulations), 18.80.090 (ALUC referral), 18.80.100 (Filing materials), and 18.80.110 (Findings) of Title 18 (Zoning) of the Napa County Code to achieve consistency with the ALUCP adopted on December 4, 2024 by the Airport Land Use Commission (ALUC). (No Fiscal Impact)

25-1481

Vice-Chair Amber Manfree opened the public hearing.

Planning, Building, and Environmental Services Planning Manager Michael Parker made presentation.

Vice-Chair Amber Manfree closed the public hearing.

Motion Text:	Approve the requested actions.
Voting Yes:	Ramos, Gallagher, Alessio and Manfree
Voting No:	None
Excused:	Cottrell
Recusals:	None
Result:	Passed
Enactment No:	R-2025-86; O-1511

10. ADMINISTRATIVE ITEMS

Planning, Building and Environmental Services (PBES)

- A. Adopt a Resolution to amend the Planning Commission Bylaws. (No Fiscal Impact)

[25-1382](#)

Planning, Building, and Environmental Services Planning Manager Michael Parker made presentation.

One (1) person spoke during public comment.

Discussion held.

Direction provided to staff.

Motion Text:	Approve the requested action as amended.
Voting Yes:	Alessio, Ramos, Gallagher and Manfree
Voting No:	None
Excused:	Cottrell
Recusals:	None
Result:	Passed
Enactment No:	R-2025-87

County Executive Office

- B. Approve transmittal of the proposed response to the 2024-25 Grand Jury Report titled, "Behind the Curtain: Napa County Use Permit Process," to the Presiding Judge as prescribed by Section 933 of the Penal Code. (No Fiscal Impact)

[25-1420](#)

Planning, Building, and Environmental Services Planning Manager Michael Parker made presentation.

Two (2) people spoke during public comment.

Discussion held.

Motion Text:	Approve the requested actions.
Voting Yes:	Alessio, Ramos, Gallagher and Manfree
Voting No:	None
Excused:	Cottrell
Recusals:	None
Result:	Passed

11. CLOSED SESSION

One (1) person spoke during public comment.

- A. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6) Agency Designated Representatives: Christine Briceño, Chief Human Resources Officer regarding Deputy Sheriffs' Association - Law Enforcement Unit and Deputy Sheriffs' Association - Law Enforcement Supervisory Unit Napa

[25-1459](#)

Direction provided direction to labor negotiator.

- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

[25-1504](#)

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): Claim of Circle Oaks Homes Assoc. received July 24, 2025; Claim of Darrel W. Harris received July 17, 2025; Claim of Thomas Falcon received July 14, 2025; and Claim of Christian W. Brix received July 25, 2025 (total 4 claims).

The Board provided direction to counsel.

12. ADJOURNMENT

ADJOURN TO THE BOARD OF SUPERVISORS REGULAR MEETING, TUESDAY, SEPTEMBER 9, 2025 AT 9:00 A.M.

Neha Hoskins (By e-signature)

NEHA HOSKINS, Clerk of the Board

5

**CITY OF AMERICAN CANYON
REGULAR CITY COUNCIL MEETING**

ACTION MINUTES
November 18, 2025

4:30 P.M. – CLOSED SESSION

CALL TO ORDER - CLOSED SESSION

The City Council meeting was called to order at 4:31 p.m.

ROLL CALL - CLOSED SESSION

Present: Councilmember Brando Cruz, Councilmember Melissa Lamattina,
Councilmember David Oro, Vice Mayor Mark Joseph, Mayor Pierre Washington

Absent: None

Excused: None

PUBLIC COMMENTS - CLOSED SESSION ITEMS

Mayor Washington opened public comments. Written comments: none. Oral comments: none.
The public comment period was closed.

MEETING RECESS - COUNCIL TO CONVENE IN CLOSED SESSION

4:30 P.M. CLOSED SESSION ITEMS

1. Conference with Legal Counsel - Existing Litigation. Authorized pursuant to Government Code Section 54956.9(d)(1):

- a) City of American Canyon v. City of Vallejo, et al. (Sacramento Superior Court Case No. 34-2022-00327471).
- b) City of Vallejo v. City of American Canyon et al. (Third District Court of Appeal Case No. C102070; formerly Sacramento County Superior Court Case No. 23WM000055).
- c) City of Vallejo v. City of American Canyon et al. (Sacramento County Superior Court Case No. 24WM000078).
- d) City of Vallejo v. City of American Canyon et al. (Marin County Superior Court Case No. CV0003752).
- e) American Canyon 1, LLC and Napa Valley Ruins & Gardens, LLC v. City of American Canyon et al. (Napa County Superior Court Case No. 25CV002277)

2. Conference with Legal Counsel – Anticipated Litigation. Authorized pursuant to Government Code Section 54956.9 (d)(2). Two (2) Matters.

6:30 P.M. OPEN SESSION - REGULAR MEETING

CALL TO ORDER - OPEN SESSION

The City Council meeting was called to order at 6:36 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - OPEN SESSION

Present: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Councilmember David Oro, Vice Mayor Mark Joseph, Mayor Pierre Washington

Absent: None

Excused: None

REPORT ON CLOSED SESSION/CONFIRMATION OF REPORTABLE ACTION

A report on Closed Session and confirmation of reportable action was given by City Attorney Teresa Highsmith.

PROCLAMATIONS AND PRESENTATIONS

3. Polco Best in Governance Award

Council received a Polco Best in Governance Award presentation from City Manager Jason Holley. It was received by Valerie Zizak-Morais, Chamber of Commerce; NVUSD Board members Eve Ryser, President, Lisa W. Chu, Ph.D. – Vice President, Rosanna Mucetti, ED.D. – NVUSD Superintendent; and Arts Foundation Board members.

PUBLIC COMMENTS - ITEMS NOT ON CLOSED SESSION OR OPEN SESSION AGENDA

Mayor Washington opened public comments. Written comments: none. Oral comments: Jason Kishineff was called to speak; Hugh Marquez was called to speak; Milan Alas was called to speak; Mialani Boutain was called to speak; Valerie Zizak-Morais was called to speak. The public comment period was closed.

AGENDA CHANGES

There were no changes to the agenda.

CONSENT CALENDAR

Action: Motion to adopt CONSENT CALENDAR made by Councilmember Brando Cruz, seconded by Councilmember Melissa Lamattina, and CARRIED by roll call vote.

Ayes: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Councilmember David Oro, Vice Mayor Mark Joseph, Mayor Pierre Washington

Nays: None

Abstain: None

Absent: None

Excused: None

4. Minutes of November 4, 2025

Action: Approved the minutes of the Regular City Council meeting held on November 4, 2025.

5. Closed Session Report - October 21, 2025

Action: Approved the Closed Session Report from the Regular City Council Meeting of October 21, 2025

6. Closed Session Report - November 4, 2025

Action: Approved the Closed Session Report from the Regular City Council Meeting of November 4, 2025.

7. Northampton and Silver Oak Park Restroom Projects (PR23-0400 and PR23-0500)

Action: Adopted Resolution 2025-90 1) Awarding a construction contract (Agreement 2025-A212) to Benchmark Civil Construction in the amount of \$257,032; and 2) Authorizing the Public Works Director to execute contract change orders up to the approved project budgets, in conjunction with the Northampton and Silver Oak Park Restroom Projects (PR23-0400 and PR23-0500).

PUBLIC HEARINGS

8. American Canyon Building and Construction Codes Update

Council received an American Canyon Building and Construction Codes Update staff report from Community Development Director Brent Cooper. Mayor Washington opened the public hearing and public comments. Written comments: none. Oral comments: none. The public comment period was closed.

Action: Motion to adopt Waive first reading, read by title only, and adopt Ordinance 2025-05 amending American Canyon Municipal Code Title 16 to repeal and replace the 2022 California Building Standards Code with the 2025 edition with local amendments; and repeal and replace the 2021 International Property Maintenance Code with the 2024 edition and related model codes with appendices and amendments as identified through express findings of local necessity. made by Councilmember David Oro, seconded by Councilmember Brando Cruz, and CARRIED by roll call vote.

Ayes: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Councilmember David Oro, Vice Mayor Mark Joseph, Mayor Pierre Washington

Nays: None

Abstain: None
Absent: None
Excused: None

BUSINESS

9. Veterans Park Playground Replacement Project Contract Award

Council received a Veterans Park Playground Replacement Project staff report and presentation from Public Works Director Erica Ahmann Smithies and Deputy City Manager Alexandra Ikeda. Mayor Washington opened public comments. Written comments: none. Oral comments: Beth Marcus was called to speak. The public comment period was closed.

Action: Motion to adopt Resolution 2025-91 taking the following action 1) reallocating funds by reducing the Northampton Park Shade Structure Project (PR23-0400) budget by \$110,000 and increasing the Veterans Park Playground Replacement Project (PR25-0400) budget from \$515,000 to \$625,000 in the Parks Impact Fees Fund (Fund 310); 2) awarding a contract (Agreement 2025-A213) to Miracle Play Systems, Inc. in the amount of \$499,974 for the Veterans Park Playground Replacement Project (PR25-0400) under Sourcewell Contract No. 010521-LTS; and 3) authorizing the Public Works Director to execute contract change orders up to the approved project budget. made by Councilmember Brando Cruz, seconded by Vice Mayor Mark Joseph, and CARRIED by roll call vote.

Ayes: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Councilmember David Oro, Vice Mayor Mark Joseph, Mayor Pierre Washington

Nays: None
Abstain: None
Absent: None
Excused: None

10. Ratifying 2040 General Plan (Nov. 2025)

Council received a Ratifying 2040 General Plan (Nov. 2025) staff report and presentation from Community Development Director Brent Cooper. Mayor Washington opened public comments. Written comments: none. Oral comments: none. The public comment period was closed.

Action: Motion to adopt Resolution 2025-92 ratifying the 2040 General Plan (dated November 2025). made by Vice Mayor Mark Joseph, seconded by Councilmember Melissa Lamattina, and CARRIED by roll call vote.

Ayes: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Councilmember David Oro, Vice Mayor Mark Joseph, Mayor Pierre Washington

Nays: None
Abstain: None
Absent: None

Excused: None

11. Draft Artificial Intelligence (AI) and Data Policy

Council received a Draft Artificial Intelligence (AI) and Data Policy staff report and presentation from Deputy City Manager Alexandra Ikeda. Mayor Washington opened public comments. Written comments: none. Oral comments: none. The public comment period was closed.

MANAGEMENT AND STAFF ORAL REPORTS

Council received oral updates from Deputy City Manager Alexandra Ikeda.

MAYOR/COUNCIL COMMENTS AND COMMITTEE REPORTS

The mayor and council members provided oral reports and announced items of community interest.

12. City Council Committee Report - Mayor Pierre Washington

13. City Council Committee Report - Vice Mayor Mark Joseph

FUTURE AGENDA ITEMS

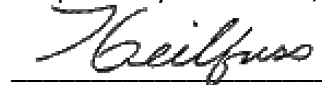
14. Future Agenda Items of Note

ADJOURNMENT

The meeting was adjourned at 8:03 p.m.

CERTIFICATION

Respectfully Submitted,



Taresa Geilfuss, City Clerk

6

CITY COUNCIL VERSION (REV 4.17.26)

American Canyon Agreement No. ____
Napa County Agreement No. 260377B

Urban Limit Line and Regional Housing Needs Allocation Agreement

This Urban Limit Line and Regional Housing Needs Allocation Agreement ("Agreement") is entered into and effective as of _____, 2026 (the "effective date") by and between the County of Napa, a political subdivision of the state of California ("County") and the City of American Canyon, a municipal corporation ("City") (collectively, "Parties").

RECITALS

- A. The Parties recognize the importance of agricultural preservation and open space in Napa County and desire to preserve agricultural lands in Napa County so as to maintain a viable agriculture-based economy, preserve open space, prevent urban sprawl, and direct growth and development into cities and to implement the planned development of the City.
- B. The Parties acknowledge the intent of County Measures P and J to concentrate urban tourist and retail development in existing cities, and the City General Plan policy of creating an open space boundary around City development.
- C. The Parties have a successful history of achieving mutual goals and shared interests including that certain "2008 Agreement Between the County of Napa and the City of American Canyon (County Agreement No. 7070/City Agreement No. 2008-93)" ("2008 Agreement"), which among other things, sets forth a mutually agreed upon urban growth boundary for the City, and that certain "2003 Agreement Between the County of Napa and the City of American Canyon (County Agreement No. 6151/City Agreement No. 2003-78)" ("2003 Agreement"), which, among other things, transferred certain housing obligations from the County to the City in exchange for the County's support of amendments to the City's sphere of influence.
- D. In order to meet the County's Regional Housing Needs Allocation ("RHNA") as determined by the Association of Bay Area Governments ("ABAG") for future Housing Element revisions and in order to achieve certification of its housing element from the California Department of Housing and Community Development ("HCD"), County desires to transfer a portion of its RHNA to the City, including housing for acutely low, extremely low, very low, low, moderate, and above moderate income households.

CITY COUNCIL VERSION (REV 4.17.26)

E. City is willing to assist County in meeting its RHNA obligations in exchange for the County's support of pending applications before the Napa County Local Agency Formation Commission ("LAFCO") and in recognition that developable land and available sewer and water service are limited in the unincorporated area of Napa County, and that annexations may remove limited developable land from the unincorporated area.

F. LAFCO has received a landowner application dated March 12, 2026 for the "Hess-Laird Affected Territory ", consisting of approximately 281 acres and collectively comprising APNs 057-090-065 & -066 as described and depicted in Exhibit B attached hereto and incorporated herein by reference ("HLAT"). The application proposes to amend City's and the American Canyon Fire Protection District's ("District") Spheres of Influence to include the HLAT and to annex the HLAT into the jurisdictional boundaries of the City and the District (collectively, the "HLAT Reorganization").

G. The properties comprising the HLAT are outside the City's Urban Limit Line (ULL).

H. Parties desire to expand the City's ULL to include the properties comprising the HLAT.

I. The Parties acknowledge the obligations under this Agreement shall not in any way affect either party's existing, certified 6th Housing Element Revision or housing obligations.

J. The Parties acknowledge their mutual long-standing desire to improve the regional-serving transportation network in southern Napa County by extending Newell Drive north and South Kelly Road south to create a continuous parallel route to State Highway 29 as described in the respective General Plans.

K. The Parties support for the HLAT Reorganization and expansion of City's ULL will create new opportunities to improve the regional-serving transportation network in southern Napa County.

L. This Agreement sets forth the Parties' agreement concerning the HLAT Reorganization.

CITY COUNCIL VERSION (REV 4.17.26)

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. **Urban Limit Line.** "Urban Limit Line" ("ULL") shall mean the City's existing urban growth boundary adopted by its City Council in 2008 by Resolution 2008-106 and referenced in Exhibit D of the 2008 Agreement and shown in Exhibit "A" attached hereto and incorporated herein by reference.

2. **Expansion of ULL.** To facilitate the HLAT Reorganization, City may expand its ULL to include the properties that comprise the HLAT as more fully depicted in Exhibit "B" attached hereto and incorporated herein by reference in accordance with the terms and conditions set forth herein. The Parties acknowledge and agree that nothing in this Agreement shall be construed as County's support for, or to require the County's support for, any future expansion of the City ULL other than the expansion required for the HLAT Reorganization.

3. **Support for LAFCO Application.** Parties shall support the HLAT Reorganization. The Parties acknowledge and agree that nothing in this Agreement shall be construed as County's support for, or to require the County's support for, any future annexations of parcels to the City or any future amendments to the City's sphere of influence other than the HLAT Reorganization.

4. **Property Tax Sharing.** Concurrently herewith, Parties shall enter into a separate property tax sharing agreement pursuant to Revenue and Taxation Code Section 99 that allocates property tax revenue generated by the properties comprising the HLAT after they are annexed to City and the District between the County, City and District ("Tax Sharing Agreement"). The Tax Sharing Agreement shall become operative upon the recordation of the LAFCO Executive Officer's Certificate of Completion for the HLAT Reorganization unless such Certificate is the subject of a legal challenge, in which case the Tax Sharing Agreement shall become operative upon a final court decision determining the Certificate is valid.

5. **County RHNA Assignment to City.** As consideration for County's consent to expansion of the ULL and annexation of the HLAT, starting with the Seventh Revision of the Parties' Housing Elements, as required by Government Code Section 65888, and for each subsequent required Housing Element revision thereafter, Parties shall jointly apply to ABAG or any subregion of which the Parties are a member, as applicable, upon ABAG or the subregion's adoption of a final RHNA, to reduce the County's RHNA allocation, and increase the City's RHNA allocation, by the applicable percentage listed in the table below across all income categories, as provided for and in conformance with the requirements of Government Code section 65584.07, or successor statute.

CITY COUNCIL VERSION (REV 4.17.26)

Housing Element Revision	Approximate Timeframe	County RHNA Assigned to City (%)
7th	2031-2039	15%
8th	2039-2047	15%
9th	2047-2055	10%
Future	2055-beyond	10%

The City and County shall take all steps reasonably necessary to comply with Government Code section 65584.07 and any other transfer statutes, as applicable, to implement this Agreement, including but not limited to, providing the appropriate documentation to ABAG, any subregion, or any other agency, as required. The Parties agree to work together to obtain ABAG or subregion approval and any other approval where required to effectuate this Agreement. City further agrees that it will utilize the revised RHNA that includes the transfer of RHNA contemplated by this Agreement in preparing the City's Housing Element for the Seventh Housing Element revision and each Housing Element revision thereafter.

While this Agreement shall become effective as of the Effective Date, the City's obligation to be assigned future County RHNA obligations shall not become operative unless and until the recordation of the LAFCO Executive Officer's Certificate of Completion for the HLAT Reorganization unless such Certificate is the subject of a legal challenge, in which case the transfer of RHNA obligations shall become operative upon a final court decision determining the Certificate is valid. If the transfer of RHNA obligations from the County to the City is not approved by ABAG or is adjudicated invalid by a final decision of a court of competent jurisdiction, then the remainder of this Agreement, the property tax sharing agreement pursuant to Revenue and Taxation Code Section 99 Tax Sharing Agreement, and the HLAT Reorganization shall remain in place.

6. **No Change to RHNA for Sixth Housing Element Revision.** This Agreement does not affect or change either party's current certified General Plan Housing Element or RHNA for the Sixth Housing Element Revision.

7. **Southern Napa County Regional Transportation Network.** This Agreement, along with the Tax Sharing Agreement, and LAFCO approvals are intended to facilitate urban development, including the provision of new regional-serving transportation networks – namely the extension of Newell Drive and South Kelly Road. Although the

CITY COUNCIL VERSION (REV 4.17.26)

preliminary alignment of the future transportation network is depicted in Exhibit "C" as being entirely within the expanded City ULL, nothing in this Agreement shall be constructed to prevent portions of the final alignment from being outside the ULL if the Parties determine that to be in the best interest of the public. To the fullest extent permitted by law, City shall condition future development within the expanded City ULL to provide right-of-way for the extensions on Newell Drive and South Kelly Road.

8. **Additional Terms and Conditions:**

a. **Hold Harmless by County.** To the fullest extent permitted by law, County agrees to defend, indemnify and hold harmless City, its elected officials, officers, employees and agents and successors and assigns of each of them (collectively, "County Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands, proceedings and judgments including, without limitation, reasonable attorneys' fees arising from or in any way connected with any claims against the City for damages or violation of any law resulting from any act, omission, or other action taken by the County in performance of its duties under this Agreement.

b. **Hold Harmless by City.** To the fullest extent permitted by law, City agrees to defend, indemnify and hold harmless County, its elected officials, officers, employees and agents and successors and assigns of each of them (collectively, "City Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands, proceedings and judgments including, without limitation, reasonable attorneys' fees arising from or in any way connected with any claims against the County for damages or violation of any law resulting from any act, omission, or other action taken by the City in performance of its duties under this Agreement or to implement the HLAT Reorganization, including any actions taken by City to expand the ULL.

c. **Ongoing Duties and Responsibilities.** In addition to the Parties' duties and responsibilities as described above, the Parties acknowledge and agree to perform the following on an ongoing basis during the term of this Agreement:

i. **Coordination with LAFCO.** Parties will coordinate as needed with LAFCO to address matters contained in this Agreement relating to matters within LAFCO's jurisdiction.

ii. **Coordination with ABAG, any Subregion, and HCD.** Parties will coordinate as needed with ABAG or any subregion of which the Parties are members,

CITY COUNCIL VERSION (REV 4.17.26)

as applicable, and HCD to address matters in this Agreement relating to the assignment of County's RHNA to the City, HCD's certification of the parties' Housing Elements, and related matters.

d. **Warranty of Legal Authority.**

i. City warrants and covenants that it has the present legal authority to enter into this Agreement and to perform the acts required of it hereunder, including expansion of the ULL to include the HLAT. If City is found to lack the authority to perform the acts required of it hereunder or is prevented from performing the acts by a court of competent jurisdiction, this Agreement shall be void.

ii. County warrants and covenants that it has the present legal authority to enter into this Agreement and to perform the acts required of it hereunder. If County is found to lack the authority to perform the acts required of it hereunder or is prevented from performing the acts by a court of competent jurisdiction, this Agreement shall be void.

e. **Assignment/Delegation.** Neither party hereto shall assign, or transfer any benefit or obligations of this Agreement without the prior written consent of the other, and no assignment shall be of any force or effect whatsoever unless and until the other party shall have so consented.

f. **Severability.** In the event any provision of this Agreement is held to be invalid or unenforceable by a court of competent jurisdiction, the valid or enforceable portion thereof and the remaining provisions of this Agreement will remain in full force and effect except to the extent removal of the invalid portion would materially and adversely impact one or more parties' consideration for entering into this Agreement. The Parties agree that if this Agreement or the ULL expansion to include the HLAT is adjudicated void by a final decision of a court of competent jurisdiction, the HLAT Reorganization shall not be invalidated; unless a final decision of a court of competent jurisdiction rules otherwise.

g. **Waiver.** Any waiver (express or implied) by either party of any breach of this Agreement shall not constitute a waiver of any other or subsequent breach.

h. **Reserved.**

i. **Notices.** Whenever notice is to be given, it shall be in writing and delivered by personal, overnight express or courier service, with a written receipt, or

CITY COUNCIL VERSION (REV 4.17.26)

sent by registered or certified mail in a sealed envelope, postage prepaid, return receipt requested and addressed as follows:

City of American Canyon:

City Manager:
4381 Broadway Street, Suite 201
American Canyon, California 94503

With Copy to:
City Attorney
Colantuono Highsmith & Whatley P.C.
790 E. Colorado Blvd., Suite 850
Pasadena, CA 91101

County of Napa:

Chief Executive Officer
Napa County
1195 Third Street, Suite 310
Napa, CA 94559

With Copy to:
Napa County Counsel
County of Napa
1195 Third Street, Suite 301
Napa, CA 94559

Changes may be made to addresses where notices are to be delivered by giving notice pursuant to this provision.

j. **Entire Agreement.** This Agreement, including any documents expressly incorporated by reference whether or not attached thereto, constitutes the entire agreement between the parties relating to HLAT Reorganization and supersedes all previous agreements, promises, representations, understandings, and negotiations, whether written or oral, among the parties with respect to the HLAT Reorganization. This Agreement supersedes Sections III.A and III.G of the 2008 Agreement only to the extent such provisions would prohibit City's expansion of the ULL to include the HLAT and the HLAT Reorganization. Except as provided in the preceding sentence, the 2008 Agreement shall remain in full force and effect. This Agreement may be executed in counterparts, each of which shall constitute an original.

CITY COUNCIL VERSION (REV 4.17.26)

k. **Amendment.** This Agreement may only be amended in writing by an amendment authorized by the City Council and County Board of Supervisors.

l. **Recitals Adopted.** The parties hereby agree to and adopt the Agreement recitals as portions of the Agreement.

m. **Termination.** If LAFCO does not approve the HLAT Reorganization within two (2) years of the Effective Date, the County may terminate this Agreement with thirty (30) days prior written notice to the other party effective on the date set forth in the notice. The City reserves the right to terminate its application for the HLAT Reorganization in the event of a third party challenge of any type to the HLAT Reorganization, and thereby terminate this Agreement. The Parties may also terminate this Agreement by mutual consent.

n. **Joint Defense in Event of Third Party Challenges to the Agreement.** Subject to Section 8 (a) and (b) above, in the event of a third party challenge of any type to this Agreement, the parties agree to jointly defend the validity and implementation of the Agreement.

o. **Extension of Dates by Mutual Agreement.** The dates provided for the performance of any of the terms of this Agreement may be changed and/or extended by mutual written agreement of the parties.

[Signatures on following page.]

CITY COUNCIL VERSION (REV 4.17.26)

IN WITNESS WHEREOF, this Agreement was executed by the parties hereto as of the effective date written above.

COUNTY OF NAPA

By: _____.

Amber Manfree, Chair of Board of Supervisors

Approved as to Form:

By:  Sabrina Wolfson for
Sheryl L. Bratton, County Counsel

Attest:

By: _____

Neha Hoskins, Napa Clerk of the Board of Supervisors

CITY OF AMERICAN CANYON

Pierre Washington, Mayor

By: _____

Approved as to Form:

Teresa L. Highsmith, City Attorney

By: _____

Attest: Teresa Geilfuss, American Canyon City Clerk

By: _____.

CITY COUNCIL VERSION (REV 4.17.26)

Ex. A – Legal Description of Existing ULL

EXHIBIT D (From 2008 Agreement)

Legal Description - Proposed Urban Limit Line for American Canyon, CA

AREA #1:

A portion of Township 4 North, Range 3, 4, and 5 West, Mount Diablo Base and Meridian (and also being shown on the attached plat entitled "Plat of Description - Proposed American Canyon, CA. Urban Limit Line" attached hereto, for illustrative purposes only, as EXHIBIT "D-1"), more particularly described as follows:

BEGINNING at a t-bar and tag stamped "R.C.E. 6250", marking the westernmost corner of Parcel B-1, as shown on the map entitled "Survey and Division of the Madigan Ranch in Napa County and Solano County, California", filed December 17, 1971 in Book 3 of Parcel Maps at Page 67-68 in the office of the County Recorder of Napa County, California, all further references to filing or recording being made to said Napa County Recorder unless otherwise stated for purposes of this description; said Point of Beginning being a point on the Napa - Solano County line; thence westerly along said Napa - Solano County line 9460± feet to the southwest corner of Parcel A as shown on the map entitled "Final Map of Napa Meadows Unit 8" filed July 27, 2000 in Book 22 of Record Maps at Page 10-15 in the office of the County Recorder of Napa County, California; thence northerly along the extended westerly line of Parcels A, C & B as shown on said "Final Map of Napa Meadows Unit 8" 1900± feet to the southeast corner of the lands known as "Napa Meadows Unit 7" as shown on the map entitled "Final Map of Napa Meadows Unit 7" filed October 26, 2000 in Book 22 of Record Maps at Page 27-33 in the office of the County Recorder of Napa County, California; thence westerly and northwesterly along the southerly and extended westerly lines of said "Napa Meadows Unit 7" to a t-bar and tag stamped "R.C.E. 6250" at the easterly terminus of a line labeled "N87°45'00"W 187.83'" marking a point on the easterly line of the lands of Pauline Burastero, et al, as shown on the map entitled "Record of Survey of the lands of American Canyon Sanitary Land Fill Co., Inc., and the lands of Pauline Burastero, et al" filed May 31, 1974 in Book 18 of Surveys at Page 71; thence westerly, northerly and westerly along the lines of said lands of Pauline Burastero, et al 9700± feet to a ¾" iron pipe stamped "R.C.E. 3389" marking the northwest corner thereof, said point being also the southwest corner of the 58.49 acre parcel of land described in the Judgment and Final Order of Condemnation filed February 15, 2006 and recorded as Document No. 2006-0005485; thence northerly and easterly along the lines of said 58.49 acre parcel of land 2016± feet to a ¾" iron pipe stamped "R.C.E. 11649" marking the southwest corner of Parcel 1 as shown on the map entitled "Parcel Map of the lands of Louis O. Wurz Jr., et al and Covenant Presbyterian Church of Napa" filed December 1, 1986 in Book 15 of Parcel Maps at Page 20; thence northerly along the westerly line of said Parcel 1, 2280± feet to the northwest corner thereof, said northwest corner being also the southwest corner of Parcel One as shown on the map entitled "Parcel Map of the Lands of Napa Mill Development Company..." filed October 12, 2006 in Book 25 of Parcel Maps at Page 29-32; thence northerly along the West line of said Parcel One 575± feet to the southerly right of way line of Green Island Road; thence westerly along said southerly right of way line of Green Island Road 1510± feet to the intersection with the extended westerly line of the lands of All Technical Engineering & Construction, Inc., as shown on the map entitled "Record of Survey of the lands of All Technical Engineering & Construction, Inc.", filed October 6, 1978 in Book 20 of Surveys at Page 88; thence northerly along the extended westerly line of said lands of All Technical Engineering & Construction, Inc. 1820± feet to the southerly line of the lands described in the Grant Deed filed October 11, 2005 and recorded as Document No. 2005-0041461; thence northwesterly and northeasterly along said lands 2010± feet to the northwest corner thereof; thence northeasterly along the northerly line of said lands 282± feet to the northeast corner thereof; thence southerly along the easterly line of said lands 545± feet to the northwest corner of the lands described in the Grant Deed filed September 7, 2006 and recorded as Document No. 2006-0031319; thence northeasterly along the northerly line of said lands 4510± feet to the northeastern corner thereof; said

corner being a point on the southwesterly right of way line of the Napa Valley Branch of the Southern Pacific Railroad right of way; thence southeasterly along said southwesterly right of way line 1510± feet to the intersection with the extended southerly line of the lands of S.N.W.M.A. as shown on the map entitled "Record of Survey of South Napa Waste Management Authority..." filed February 25, 1997 in Book 31 of Surveys at Page 8-10; thence northeasterly along said southerly line 1250± feet to the southerly right of way line of Kelly Road South, as shown on the same map entitled "Record of Survey of South Napa Waste Management Authority..."; thence northeasterly along said southerly right of way line 850± feet to the westerly right of way line of State Highway 29; thence southerly along said westerly right of way line 350± feet to the northeast corner of the lands described in the Grant Deed filed August 16, 2007 and recorded as Document No. 2006-0028706; thence westerly along the northerly line of said lands 225± feet to the northwestern corner thereof; said northwestern corner being also the northeastern corner of the lands described in the Grant Deed filed November 13, 1961 and recorded in Book 640 at Page 583; thence westerly along the northerly line of said lands 208± feet to the northwestern corner thereof; thence southerly 208± feet to the southwesterly corner thereof; thence easterly 208± feet to the southeasterly corner thereof, said southeasterly corner being also a point on the westerly line of the aforementioned lands described in the Grant Deed filed August 16, 2007 and recorded as Document No. 2006-0028706; thence southerly along said westerly line 468± feet to the southwestern corner thereof; thence easterly along the extended southerly line of said lands 380± feet to a point on the easterly right of way line of State Highway 29, said easterly right of way line of State Highway 29 being also the westerly line of Parcel C as shown on the map entitled "Parcel Map of the lands of Security Owners Corporation..." filed August 24, 1995 in Book 21 of Parcel Maps at Page 50-51; thence southerly along said westerly line of Parcel C 3460± feet to the southwestern corner thereof; thence easterly along the southerly line of said Parcel C 2500± feet to the southeastern corner thereof, said southeastern corner being also a point on the westerly line of Parcel One as described in the Corporation Grant Deed filed December 31, 1997 and recorded as Document No. 1997-031470; thence northerly along said westerly line 375± feet to the northwestern corner thereof; thence easterly along the northerly line of said Parcel One 1678± feet to the northeastern corner thereof; thence southerly along the extended easterly line of said Parcel One 3580± feet to the a point on the northerly line of the lands of John D. & Lorraine D. Cantoni as shown on the map entitled "Record of Survey of the lands of John D. & Lorraine D. Cantoni" filed April 23, 1980 in Book 21 of Surveys at Page 69; thence leaving said northerly line 2200± feet to a nail and tag stamped "R.C.E. 15390" in a corner post at the northerly terminus of a line labeled "N40°13'46"E 2463.39'" on said map; thence southwesterly along the last mentioned line 1300± feet to the point of intersection with the northerly extension of the line labeled "N9°56'50"W 1007.63'" shown on the map entitled "Record of Survey of the lands of Amcan Land Holdings Inc..." filed February 18, 1999 in Book 32 of Surveys at Page 34; thence southerly along said extended line labeled "N9°56'50"W 1007.63'" 3460± feet to the southerly terminus thereof, said line terminus being also a point on the easterly line of Parcel One as described in the Grant Deed filed January 25, 2007 and recorded as Document No. 2007-0002762; thence southeasterly along said easterly line 2600± feet to a point on the southerly line of said Parcel One, said point being also the northwest corner of the lands of Palm, marked by a ½" rebar and tag stamped "L.S. 4510" as shown on the map entitled "Parcel Map of the lands of a portion of the lands of Mary C. Avilla" filed December 10, 1986 in Book 15 of Parcel Maps at Page 23-24; thence southerly along the extended westerly line of said lands of Palm 350± feet to the southerly right of way line of American Canyon Road; thence westerly along said southerly right of way line of American Canyon Road 170± feet to a t-bar and tag stamped "R.C.E. 6250", marking the northeastern corner of Parcel B, as shown on the map entitled "Survey and Division of the Madigan Ranch in Napa County and Solano County, California", filed December 17, 1971 in Book 3 of Parcel Maps at Page 67-68; thence southwesterly, northeasterly, southerly and southwesterly along the eastern line of said Parcel B 5100± feet to a t-bar and tag stamped "R.C.E. 6250", marking the westernmost corner of Parcel B-1 as shown on said map entitled "Survey and Division of the Madigan Ranch in Napa County and Solano County, California", said point being the TRUE POINT OF BEGINNING.

AREA #2 :

BEING that 62.779 acre parcel designated "American Canyon County Water District" as shown on the map entitled "Record of Survey of the lands of American Canyon Sanitary Land Fill Co., Inc., and the lands of Pauline Burastero, et al" filed May 31, 1974 in Book 18 of Surveys at Page 71 in the office of the County Recorder at Napa County, California.

AREA #4 :

A portion of the lands of Pauline Burastero, et al as the same is shown on the map entitled "Record of Survey of the lands of American Canyon Land Fill Co. ...and of the lands of Pauline Burastero, et al" filed May 31, 1974 in Book 18 of Surveys at Page 71 in the office of the Recorder of Napa County, California, more particularly described as follows:

BEGINNING at a ¼" iron pipe tagged "R.C.E. 3389" marking the northeast corner of the lands of Pauline Burastero, et al as shown on the map entitled "Record of Survey of the lands of American Canyon Land Fill Co. ...and of the lands of Pauline Burastero, et al" filed May 31, 1974 in Book 18 of Surveys at Page 71 in the office of the Recorder of Napa County, California; thence along the northerly line of said lands of Burastero N 89°14'40" W 1318.94 feet to an angle point on said northerly line; thence leaving said northerly line S 3°46'32" E 790.22 feet to a point on the northerly right of way line of Eucalyptus Drive; thence along said northerly right of way line of Eucalyptus Drive S 89°46'10" E 1365.83 feet to the intersection of the northerly right of way line of Eucalyptus Drive with the easterly line of said lands of Burastero; thence along the easterly line of the lands of Burastero N 7°16'00" W 782.90 feet to the POINT OF BEGINNING.

CITY COUNCIL VERSION (REV 4.17.26)

Ex. B – Legal Description and Plat Map of HLAT

HESS WINERY AND LAIRD PROPERTY ANNEXATION
TO THE CITY OF AMERICAN CANYON AND THE
AMERICAN CANYON FIRE PROTECTION DISTRICT

GRAPHIC DESCRIPTION

All that certain real property situate in a portion of Sections 12 and 13, Township 4 North, Range 4 West, Mount Diablo Baseline and Meridian, in the County of Napa, State of California, described as follows:

Being a portion of Parcels B and C as said Parcels are shown and so designated on Parcel Map No. 4827, recorded August 24, 1995, filed in book 21 of Parcel Maps, at page 50, in the office of the County Record of Napa County, more particularly described as follows:

Beginning at an angle point on the Eastern boundary line of the existing District boundary, said point being the Southeast corner of said Parcel C;

Thence, along said District boundary, (1) North 89°30'19" West 2220.39 feet;

Thence, leaving said District boundary along the Southern line of said Parcel C, (2) North 00°36'40" East 47.77 feet;

Thence, continuing along said Southern line of Parcel C, (3) North 89°23'20" West 261.35 feet.

Thence, further continuing along said Southern line of Parcel C, (4) North 46°02'51" West 40.22 feet to a point on said Eastern District boundary;

Thence, along said Eastern District boundary the following seven courses:

1. (5) North 02°42'22" West 359.52 feet;
2. (6) North 05°23'19" West 444.68 feet;
3. (7) North 00°29'28" East 2,922.03 feet;
4. (8) South 89°23'20" East 5.04 feet;
5. (9) North 00°36'40" East 545.83 feet;
6. (10) North 18°21'54" East 136.14 feet;
7. (11) North 57°34'07" East 70.28 feet;

Thence, leaving said District boundary and continuing along the easterly line of that certain right of way and easement for County Road, Highway purposes, and Utility purposes recorded August 11, 1995, under Series Number 1995 017420 of Official Records of Napa County, the following four courses:

1. (12) North 78°56'03" East 108.86 feet;
2. (13) Northwesternly along the arc of a non-tangent 330.00 foot radius curve to the left, from which the center of said curve bears North 02°33'47" West, through a central angle of 87°33'55", an arc distance of 504.34 feet;
3. (14) North 00°07'42" West 272.84 feet;
4. (15) Along the arc of a tangent 555.00 foot radius curve to the right, through a central angle of 32°23'12", an arc distance of 313.72 feet to a point on said District Boundary.

Thence, along said District boundary, (16) North 32°17'35" East 313.02 feet;

Thence, leaving said District boundary, (17) South 89°41'36" East 720.74 feet to the Northeast corner of said Parcel B;

Thence, along the Eastern line of said Parcel B, (18) South 00°32'08" West 1,600.00 feet to a point on the Northern line of said Parcel C;

Thence, along said Northern line, (19) South 89°41'36" East 1089.01 feet to the Northeast corner of said Parcel C;

Thence, along the Eastern line of said Parcel C, (20) South 00°32'08" East 4110.82 feet to the **Point of Beginning**.

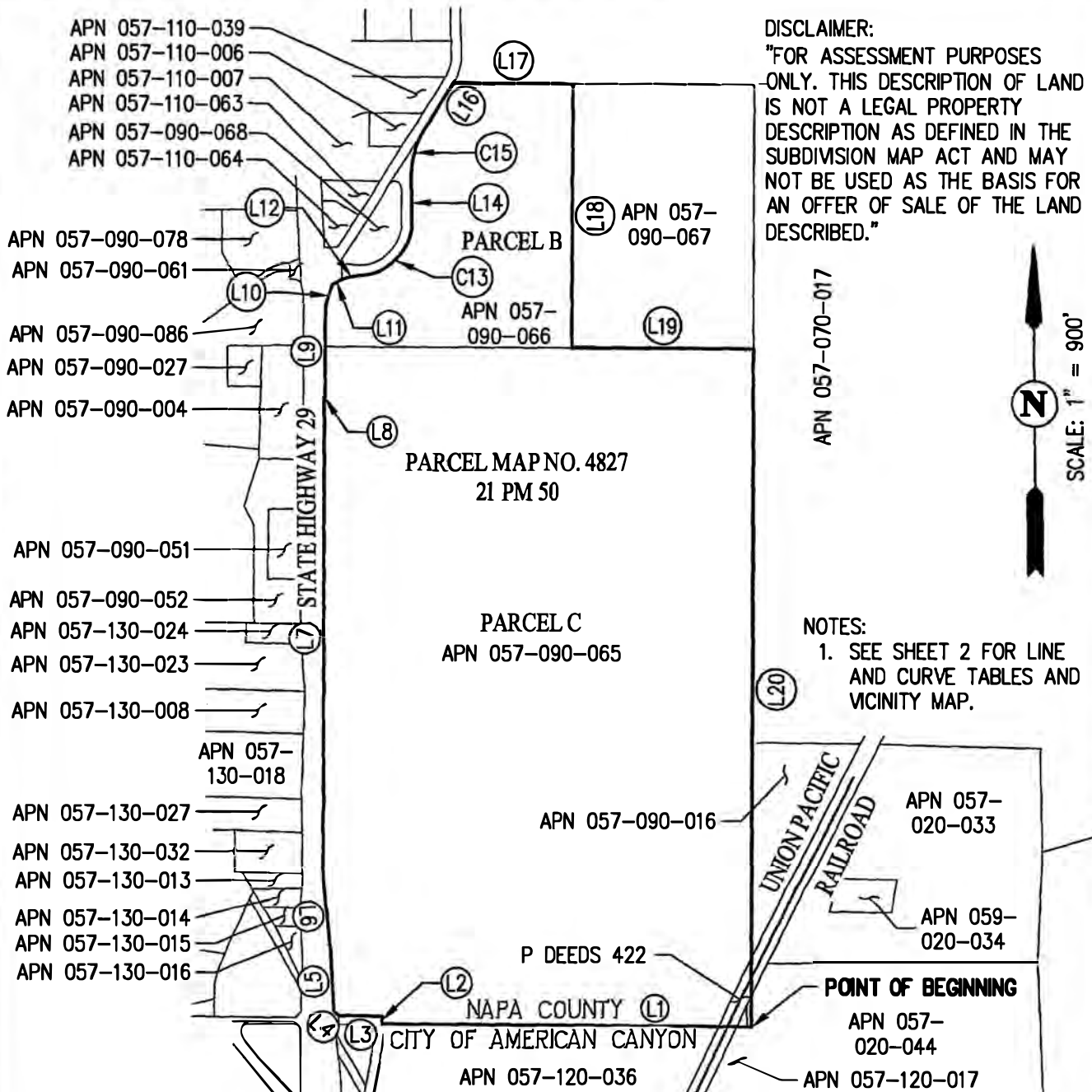
Excepting therefrom any portion of said lands lying within the 100' wide strip of land to the California Pacific Railroad Company as described in that grant deed filed in book P of Deeds, at page 422, Napa County records.

Containing 281.67 acres of land, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer of sale of the land described.

DISCLAIMER:

"FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER OF SALE OF THE LAND DESCRIBED."

**EXHIBIT B****PLAT TO ACCOMPANY LEGAL DESCRIPTION**

ANNEXATION TO THE CITY OF AMERICAN CANYON
AND THE AMERICAN CANYON FIRE PROTECTION DISTRICT
AMERICAN CANYON, NAPA COUNTY, CALIFORNIA

MARCH 27, 2025

SHEET 1 OF 2

PRELIMINARY

CIVIL ENGINEERS

SAN RAMON ■ (925) 866-0322

ROSEVILLE ■ (916) 788-4456

WWW.CBANDG.COM

■ SURVEYORS ■ PLANNERS

LINE TABLE		
NO	BEARING	LENGTH
L1	N89°30'19"W	2220.39'
L2	N00°36'40"E	47.77'
L3	N89°23'20"W	261.35'
L4	N46°02'51"W	40.22'
L5	N02°42'22"W	359.52'
L6	N05°23'19"W	444.68'
L7	N00°29'28"E	2922.03'
L8	S89°23'20"E	5.04'
L9	N00°36'40"E	545.83'
L10	N18°21'54"E	136.14'
L11	N57°34'07"E	70.28'
L12	N78°56'03"E	108.86'
L14	S00°07'42"E	272.84'
L16	N32°17'35"E	313.02'
L17	S89°41'36"E	720.74'
L18	S00°32'08"W	1600.00'
L19	S89°41'36"E	1089.01'
L20	S00°32'08"W	4110.82'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C13	330.00'	87°33'55"	504.34'
C15	555.00'	32°23'12"	313.72'

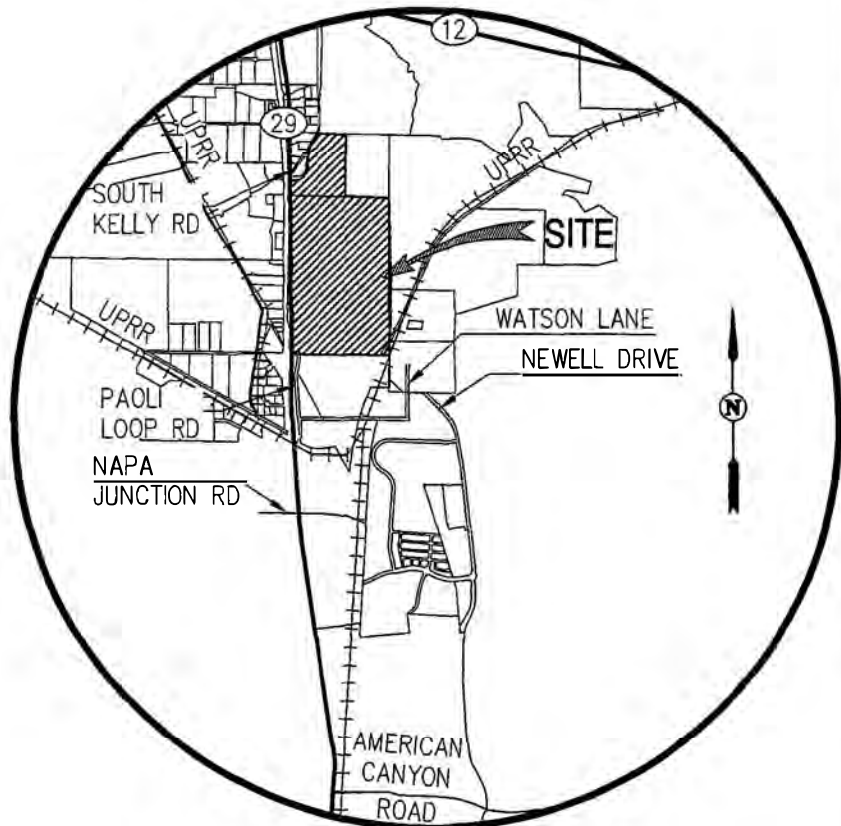


EXHIBIT B

PLAT TO ACCOMPANY LEGAL DESCRIPTION

ANNEXATION TO THE CITY OF AMERICAN CANYON
AND THE AMERICAN CANYON FIRE PROTECTION DISTRICT
AMERICAN CANYON, NAPA COUNTY, CALIFORNIA

MARCH 27, 2025

SHEET 2 OF 2



CIVIL ENGINEERS • SURVEYORS • PLANNERS

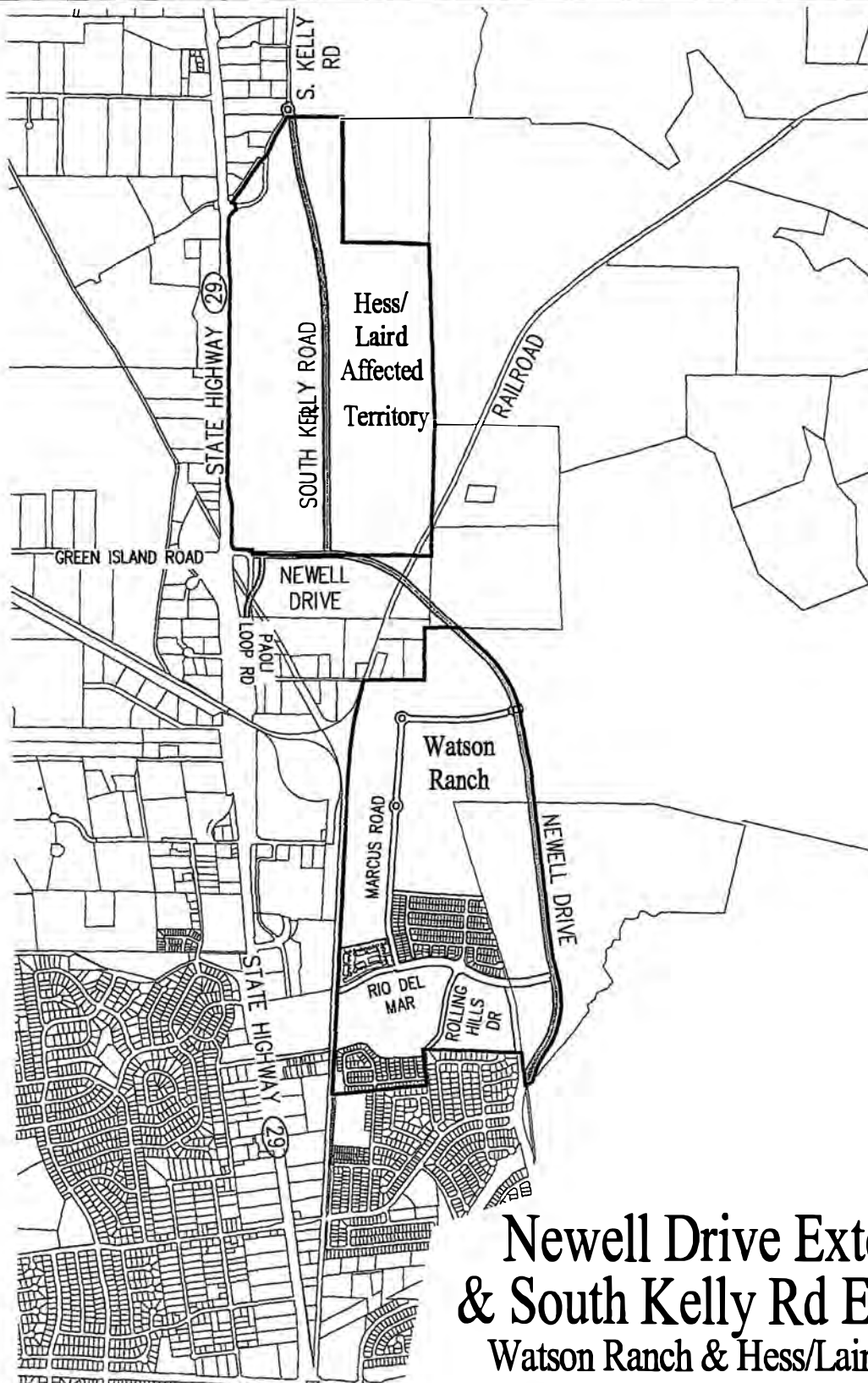
SAN RAMON • (925) 866-0322

ROSEVILLE • (916) 788-4456

WWW.CBANDG.COM

CITY COUNCIL VERSION (REV 4.17.26)

Exhibit C – Preliminary Alignment of Newell Drive and South Kelly Road



Newell Drive Extension & South Kelly Rd Extension Watson Ranch & Hess/Laird Property

CITY OF AMERICAN CANYON NAPA COUNTY CALIFORNIA

DATE: MARCH 2023 SCALE: 1" = 2,000'



SAN RAMON (925) 866-0322
SACRAMENTO (916) 375-1877
WWW.CBANDG.COM

CIVIL ENGINEERS • SURVEYORS • PLANNERS



Napa County

Board Agenda Letter

1195 THIRD STREET
SUITE 310
NAPA, CA 94559
www.countyofnapa.org
Main: (707) 253-4580

Board of Supervisors

Agenda Date: 11/12/2024

File ID #: 24-1819

TO: Board of Supervisors

FROM: Brian D. Bordona, Director Planning, Building and Environmental Services

REPORT BY: Sean Trippi, Supervising Planner

SUBJECT: Hess Collection - Laird General Plan Amendment and Rezoning

RECOMMENDATION

PUBLIC HEARING - Hess-Collection-Laird General Plan Amendment (P21-00055) and Rezone (P24-0221)

Conduct a public hearing to consider the project, adopt an addendum to the 2008 General Plan Environmental Impact Report (EIR); adopt the proposed Resolution; and adopt the proposed Ordinance. (No Fiscal Impact)

BACKGROUND

The action today is requesting the board act on the recommendation of the Planning Commission. On October 2, 2024, following a duly noticed public hearing, the Planning Commission recommended that the Board of Supervisors.

1. An applicant-initiated General Plan Map Amendment to change the property's land use designation from Agriculture, Watershed and Open Space (AWOS) to Industrial (I); and
2. A change to the property's zoning district from Agricultural Watershed: Airport Compatibility (AW:AC) to Industrial Park: Airport Compatibility (IP:AC).

No development of the project site is proposed currently. The project consists only of a request to amend the General Plan to change the land use designation of the two properties comprising the project site from Agriculture, Watershed and Open Space (AWOS) to Industrial (I), and rezone the project site from Agricultural Watershed: Airport Compatibility (AW:AC) to Industrial Park: Airport Compatibility (IP:AC). Any subsequent

Board of Supervisors

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development of the project site would be subject to development regulations in affect at the time of a development application submittal including an assessment of potential environmental effects pursuant to the California Environmental Quality Act (CEQA). Since no development is currently proposed, discussion of environmental impacts of any future projects would be speculative.

Measure P does not apply to this parcel because the parcel was designated Industrial (I) and not AWOS on September 28, 2007, the date on which parcels with an existing AWOS designation triggers Measure P requirements (see Discussion section below for additional details).

On March 24, 2021, Hess Collection-Laird filed General Plan Amendment (GPA) request P21-00055 to redesignate two properties from AWOS to I. The Board of Supervisors determined that all procedures for initiating the GPA per Board Resolution 05-173 were met and approved initiation of the GPA at a hearing held June 22, 2021, by unanimous (5-0) vote (see Attachment G of the October 2, 2024, Planning Commission Staff Report.)

On October 2, 2024, following a duly noticed public hearing, the Planning Commission heard the proposed Project and made a unanimous (4-0) recommendation to the Board of Supervisors to approve the proposed Project and adopt the environmental determination under CEQA. See the October 3, 2024, Memorandum and Resolution No. 2024-002-PC (Attachment A).

Staff recommends that the Board follow the recommendation of the Planning Commission and adopt the Addendum and approve the request. The ordinance may be introduced, read, and passed at this meeting.

Discussion:

A detailed discussion and analysis of the Project is included in the October 2, 2024, Planning Commission staff report. The staff report and attachments are available on the County's website.

<https://napa.legistar.com/DepartmentDetail.aspx?ID=44340&GUID=2892FA3A-A97D-4C93-8D9B-8184C3386550&R=9cebfbd-9593-43a1-927a-fb745f4606df>

A summary of key topics discussed at the Planning Commission Hearing, are included below.

General Plan Amendment:

In 2021 Hess Collection filed General Plan Amendment request P21-00055. At a Board of Supervisors hearing held June 22, 2021, the Board determined that the criteria and processing requirements of Resolution No. 05-

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173 were met and directed staff to process the general plan amendment. At the time the General Plan Amendment was initiated by the Board the proposal included a conceptual development plan. However, as noted above, no development is proposed as part of the final, revised application. (See Planning Commission Staff Report - Attachment G)

Measure J and Measure P - Policy AG/LU-110 and Policy AG/LU-111:

As discussed in the Planning Commission Staff Report (PC Staff Report), and at the hearing, the proposed general plan amendment is not subject to Measure P. Measure J (adopted in 1990) and now Measure P (adopted in 2008) requires voter approval of any general plan amendment converting lands designated as Agriculture, Watershed and Open Space (AWOS) or Agricultural Resource (AR) on the Napa County General Plan Land Use Map adopted by the Board of Supervisors on September 8, 1975, as amended through September 28, 2007. This project site was designated Industrial (I) at the time Measure J was adopted in 1990 and was not changed to AWOS until June 3, 2008, after the 2007 trigger date for Measure P, as part of the 2008 General Plan update. See Figure AG/LU-3.5 'AR and AWOS Lands Not Subject to Measure J' on page AG/LU-71 and South County Industrial Areas on page AG/LU-52, included in PC Staff Report - Attachment J. Therefore, because the project site parcel was not designated AWOS on or before September 28, 2007, the project site may be considered for re-designation without triggering Measure P requirements.

Airport Land Use Commission:

Pursuant to State Aeronautics Law (Public Utilities Code 21676), the proposed amendments to the General Plan must be reviewed by Napa County's Airport Land Use Commission (ALUC) prior to consideration by the Board of Supervisors because the proposal involves changes to land use regulations within the influence areas of the Napa County Airport. A public hearing before the ALUC was held on October 2, 2024, to determine if the proposed amendments to the General Plan are consistent with the Airport Land Use Compatibility Plan (ALUCP). By a unanimous (4-0) vote, the ALUC determined that the proposed General Plan Amendment is consistent with the ALUCP.

Decision Making Options:

The following options are provided for the Board's consideration regarding possible action on the Project:

1. Approve the Project as recommended by the Planning Commission (Staff's Recommendation).
2. Deny the General Plan Amendment or Rezone of the parcel.

Staff Recommendation: Staff is recommending the Board of Supervisors act on the recommendation of the Planning Commission. This option would amend the General Plan to change the property's land use designation and rezone the property's zoning district. The General Plan consistency analysis (PC Staff Report Attachment D) demonstrates that the proposed changes in the general plan designation and zoning districts are generally

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consistent with the overall goals and policies set forth for the County. The Addendum demonstrates that the proposed request would not have any significant impacts on the environment.

Action Required:

1. Adopt the Addendum;
2. Adopt a Resolution to amend the General Plan to change the property's land use designation from AWOS to I (P21-00055); and
3. Adopt an ordinance to rezone the property from the AW:AC zoning district to the IP:AC zoning district (P24-00221).

Procedural Requirements:

1. Chair introduces item and invites disclosures regarding any ex-parte communications or new Levine Act disclosures, if any.
2. Open Public Hearing.
3. Staff reports.
4. Public comments.
5. Close Public Hearing.
6. Motion, second, discussion, and vote to approve the Project.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	PBES, Planning. Applicant required to pay for all County staff and material costs.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Processing of subsequent development application(s) to be incorporated into PBES work program as occurs with all private development applications.
Is the general fund affected?	No
Future fiscal impact:	No impact anticipated. Applicant required to pay for all County staff and material costs
Consequences if not approved:	General Plan Amendment and Rezone will not occur.
Additional Information	No development is proposed at this time. Future development will be subject to discretionary review.

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ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of an Addendum to the 2008 General Plan Environmental Impact Report. According to the proposed Addendum, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5

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Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.napacounty.gov
Main: (707) 253-4417

Brian D. Bordona
Director

Napa County Airport Land Use Consistency Determination

August 11, 2026

Hess-Laird (Hess Collection Winery)
Attn: Timothy Persson
4411 Redwood Road
Napa, CA 94558

Dear Mr. Persson,

The project considered by the Airport Land Use Commission (ALUC) Executive Officer consisted of pre-zoning the Affected Territory as a "special study zone" ("SSZ") within the Special Study Zone District as described in American Canyon Municipal Code Chapter 19.50, consistent with the 2040 General Plan Update.

The properties are located generally east of Highway 29, north of Paoli Loop Road and south of South Kelly Road (APNs 057-090-065 and 057-090-089), in Napa County, Airport Compatibility Zones D1 and D2.

Chapter 2.6 Referral Process After local Agency Attains General Plan Consistency of the Airport Land Use Compatibility Plan, allows a local agency to voluntarily refer Major Land Use Actions to the ALUC. Section 2.6.1(c) states that the ALUC Executive Officer is authorized on behalf of the ALUC to provide comments on all Actions referred to the ALUC on a voluntary basis.

On May 7, 2025, the Airport Land Use Commission found the City of American 2040 General Plan Update consistent with the Countywide Airport Land Use Compatibility Plan.

The ALUC's Executive Officer considered the City of American Canyon's voluntary referral of the City of American Canyon Hess/Laird Territory Special Study Pre-Zoning Action and found the Action consistent with the Napa Countywide Airport land use Compatibility Plan provided the requirements are met for the following uses:

- Allowable uses in the Special Study Pre-Zoning district, such as agriculture and grazing, are deemed "Conditional" within the Napa County Airport Compatibility Zones D1 and D2,

provided the use avoids new features that attract birds or provide mitigation consistent with FAA regulations¹, exercise caution with uses involving noise-sensitive animals.

Because the City of American Canyon does not define “public uses” the following consistency information is provided for the various public uses described in the Napa County Airport Compatibility Plan, Exhibit 5-1 Basic Compatibility Criteria, Napa County Airport.

- Allowable uses in the Special Study Pre-Zoning district, such as public uses [Outdoor Major Assembly Facilities (capacity $\geq 1,000$ people); spectator-oriented outdoor stadiums, amphitheaters, fairgrounds, racetracks, water parks, zoos] are deemed “incompatible” within the Napa County Airport Compatibility Zone D1, and “Conditional” within the Napa County Airport Compatibility Zone D2, and allowed only if alternative site outside zone would not serve intended function; exercise caution if clear audibility by users is essential; ensure intensity criteria met.
- Allowable uses in the Special Study Pre-Zoning district, such as public uses [Outdoor Large Assembly Facilities (capacity 300-999 people): spectator-oriented outdoor stadiums, amphitheaters] are deemed “Conditional” within the Napa County Airport Compatibility Zones D1 and D2, ensure intensity criteria met; not allowed if intended primarily for use by children; exercise caution if clear audibility by users is essential.
- Allowable uses in the Special Study Pre-Zoning district, such as public uses [Outdoor Group Recreation (limited spectator stands): athletic fields, water recreation facilities (community pools), picnic areas] are deemed “Conditional” within the Napa County Airport Compatibility Zones D1 and D2, ensure intensity criteria met; not allowed if intended primarily for use by children; exercise caution if clear audibility by users is essential.
- Allowable uses in the Special Study Pre-Zoning district, such as public uses [Outdoor Non-Group Recreation (small/low-intensity): golf courses (except clubhouse), tennis courts, shooting ranges, bocci courts, trails, passive regional/community parks with minimal recreational facilities are deemed “Normally Compatible” within the Napa County Airport Compatibility Zones D1 and D2.
- Allowable uses in the Special Study Pre-Zoning district, such as public uses (Local/Community Parks: neighborhood parks, community parks, playgrounds are deemed “Normally Compatible” within the Napa County Airport Compatibility Zones D1 and D2.

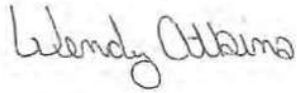
This finding of consistency with the ALUCP applies to the version of the project referred to the Executive Director, dated July 31, 2026. If there are any changes to the projects scope or scale it may necessitate further consistency review.

Please note that future development of the parcels would be subject to the Airport Land Use Compatibility Plan.

¹ No proposed use shall be allowed that would create an increased attraction for wildlife and that is inconsistent with FAA rules and regulations including, but not limited to, FAA Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants On or Near Airports and Advisory Circular 150/5200-34A, Construction or Establishment of Landfills near Public Airports. Of particular concern are landfills and certain recreational or agricultural uses that attract large flocks of birds which pose bird strike hazards to aircraft in flight. See Policy 3.5.3.

If you have any questions about this letter, please feel free to contact me at (707) 259-8757 or via email at Wendy.Atkins@CountyofNapa.org.

Sincerely,

A handwritten signature in dark ink that reads "Wendy Atkins". The signature is written in a cursive, flowing style.

Wendy Atkins, Planner II

cc: Nick Johnson, via email: nick@jacair.com

8

CITY OF AMERICAN CANYON REGULAR CITY COUNCIL MEETING

ACTION MINUTES

September 1, 2026

AMENDED AGENDA

5:30 P.M. CLOSED SESSION

CALL TO ORDER - CLOSED SESSION

The City Council meeting was called to order at 5:33 p.m.

ROLL CALL - CLOSED SESSION

Present: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Vice Mayor Mark Joseph, Mayor Pierre Washington

Absent: None

PUBLIC COMMENT - CLOSED SESSION ITEMS

Mayor Washington opened a public comment period for Closed Session Items. Written comments: none. Oral comments: none. The public comment period was closed.

MEETING RECESSED TO CLOSED SESSION

BUSINESS - CLOSED SESSION

1. Conference with Real Property Negotiators - Authorized Pursuant to Government Code Section 54956.8Property: 4000 Paoli Loop Rd (APN 057-090-065). Agency negotiator: Jason Holley, City Manager. Under negotiation: Price and terms of property acquisition.
2. Conference with Legal Counsel - Existing Litigation. Authorized pursuant to Government Code Section 54956.9(d)(1): City of American Canyon v. Timothy Shea (Napa County Superior Court Case No. 20CVB)

6:30 P.M. OPEN SESSION

CALL TO ORDER - OPEN SESSION

The City Council meeting was called to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - OPEN SESSION

Present: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Vice Mayor Mark Joseph, Mayor Pierre Washington

Excused: Councilmember David Oro

CLOSED SESSION REPORT OUT / CONFIRMATION OF REPORTABLE ACTION

A report on Closed Session and confirmation of reportable action was given by City Attorney Matthew Summers.

PROCLAMATIONS AND PRESENTATIONS

3. Proclamation: Hispanic Heritage Month

Mayor Washington announced the Hispanic Heritage Month proclamation. It was received by Karina Ceravantes.

4. Proclamation: Suicide Prevention Month

Mayor Washington announced the Suicide Prevention Month proclamation. It was received by John Bennett on behalf of Mentis.

6. America Canyon Library Update

Council received an American Canyon Library Update and presentation from Elizabeth Goff.

PUBLIC COMMENT - ITEMS NOT ON THE AGENDA

Mayor Washington opened a public comment period. Yvonne Baginski was called to speak; Sindy Biederman was called to speak; Justin Hamilton Hole was called to speak. The public comment period was closed.

AGENDA CHANGES

There were no changes to the agenda.

CONSENT CALENDAR

Action: Motion to adopt the CONSENT CALENDAR made by Vice Mayor Mark Joseph, seconded by Councilmember Melissa Lamattina, and CARRIED by roll call vote.

Yea: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Vice Mayor Mark Joseph, Mayor Pierre Washington

Nay: None

Abstain: None

Excused: Councilmember David Oro

7. City Council Minutes of August 18, 2026

Action: Approved the minutes of the Regular City Council meeting held on August 18, 2026.

8. Second Reading and Adoption of the Backflow Prevention and Cross-Connection Control Ordinance

Action: Waived final reading, read by title only, and introduced Ordinance 2026-01 adding Chapter 13.08 to Title 13 of the American Canyon Municipal Code relating to Backflow Prevention and Cross-Connection Control; amending Chapter 13.04 relating to water service systems; amending Chapter 13.06 relating to water rates and connection fees; amending Section 16.14.080 relating to water efficient landscaping; amending Section 19.51.060 relating to standard conditions of approval; amending Title 14 relating to sewer and sanitation services; and amending Title 1 relating to general provisions.

PUBLIC HEARINGS

9. Hess/Laird Territory Special Study Pre-Zoning

Council received a Hess/Laird Territory Special Study Pre-Zoning staff report and presentation from Community Development Director Brent Coopeer. Mayor Washington opened the public hearing and a public comment period. Written comments: Yvonne Baginski, Susan Burns Cochran, Esq. Oral comments: Yvonne Baginski was called to speak; Leon Garcia was called to speak; Jeannete Goyche was called to speak; Travis McDowell was called to speak; Justin Hamilton Hole was called to speak. The public comment period and public hearing were closed.

Action: Motion to waive first reading, read by title only, and introduce Ordinance 2026-02 to approve Special Study Pre-Zoning for the Hess/Laird Territory consistent with the General Plan (American Canyon Municipal Code Chapter 19.50) made by Vice Mayor Mark Joseph, seconded by Councilmember Brando Cruz, and CARRIED by roll call vote.

Yea: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Vice Mayor Mark Joseph, Mayor Pierre Washington

Nay: None

Abstain: None

Excused: Councilmember David Oro

10. Accessory Dwelling Unit, Density Bonus, and Inclusionary Housing Ordinance Update

Council received an Accessory Dwelling Unit, Density Bonus, and Inclusionary Housing Ordinance Update and presentation from Community Development Director Brent Cooper. Mayor Washington opened the public hearing and a public comment period. Written comments: none. Oral comments: Travis McDowell was called to speak; Sindy Biederman was called to speak; Justin Hamilton Hole was called to speak. The public comment period and public hearing were closed.

Action: Motion to waive first reading, read by title only, and introduce Ordinance 2026-03 to amend the American Canyon Municipal Code to update Chapter 19.27 (Density Bonus), Chapter 19.28 (Inclusionary Housing), and Chapter 19.39 (Accessory Dwelling Units) consistent with current State laws and Housing Element Implementation Measures made by Councilmember Brando Cruz, seconded by Councilmember Melissa Lamattina, and CARRIED by roll call vote.

Yea: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Vice Mayor Mark Joseph, Mayor Pierre Washington

Nay: None

Abstain: None

Excused: Councilmember David Oro

11. Accessory Animal Husbandry and Livestock Keeping Regulations Zoning Code Amendment

Council received an Accessory Animal Husbandry and Livestock Keeping Regulations Zoning Code Amendment staff report and presentation from Community Development Director Brent Cooper. Mayor Washington opened the public hearing and a public comment period. Written comments: none. Oral comments: Sam J. Clerici was called to speak; Justin Hamilton Hole was called to speak. The public comment period and public hearing were closed.

Action: Motion to waive first reading, read by title only, and introduce Ordinance 2026-04 to amend American Canyon Municipal Code Sections 19.05.090, 19.05.100, 19.10.040, and 19.31.020 to remove the prohibition on swine, limit livestock keeping to the Residential Estate (RE) Zoning district, and remove obsolete General Plan policy references made by Councilmember Brando Cruz, seconded by Vice Mayor Mark Joseph, and CARRIED by roll call vote.

Yea: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Vice Mayor Mark Joseph, Mayor Pierre Washington

Nay: None

Abstain: None

Excused: Councilmember David Oro

BUSINESS

12. Napa Olympia Rent Stabilization Mediation Budget Amendment

Council received a Napa Olympia Rent Stabilization Mediation Budget Amendment staff report and presentation from Community Development Director Brent Cooper. Mayor Washington opened a public comment period. Written comments: none. Oral comments: Tani K Murray was called to speak; Travis McDowell was called to speak; Cindy Biederman was called to speak; Claudia Sanchez was called to speak. The public comment period was closed.

Action: Motion to adopt Resolution 2026-67 increasing the Community Development Housing Division Contract Services Budget by \$80,000 from \$28,600 to \$108,600 to fund

Mediation Services related to the Napa Olympia Mobilodge Rent stabilization matter made by Vice Mayor Mark Joseph, seconded by Councilmember Melissa Lamattina, and CARRIED by roll call vote.

Yea: Councilmember Brando Cruz, Councilmember Melissa Lamattina, Vice Mayor Mark Joseph, Mayor Pierre Washington

Nay: None

Abstain: None

Excused: Councilmember David Oro

MANAGEMENT / STAFF ORAL REPORTS

Council received oral updates from Deputy City Manager Alexandra Ikeda.

CITY COUNCIL COMMENTS / COMMITTEE REPORTS

The mayor and council members provided oral reports and announced items of community interest.

FUTURE AGENDA ITEM REVIEW

Future agenda items were reviewed.

13. Future Agenda Items of Note

ADJOURNMENT

The City Council meeting was adjourned at 8:47 p.m.

CERTIFICATION

Respectfully Submitted,

Nicolle Hall, CMC, Deputy City Clerk

**TITLE**

Approve an Addendum to the Certified General Plan Program Environmental Impact Report (Program EIR) (SCH No. 2022070038) and Conduct Final Reading and Adoption of the Hess/Laird Territory Special Study Pre-Zoning Ordinance

RECOMMENDATION

Waive final reading, read by title only, and adopt an Ordinance to approve Special Study Pre-Zoning for the Hess/Laird Territory consistent with the General Plan (American Canyon Municipal Code Chapter 19.50) and approve an Addendum to the Certified General Plan Program Environmental Impact Report, finding the Ordinance consistent with the General Plan Program EIR.

CONTACT

Brent Cooper, AICP, Community Development Director
Matthew Summers, City Attorney

BACKGROUND & ANALYSIS

The Hess/Laird property consists of approximately 281 acres and is located outside the City limits in unincorporated Napa County, east of State Route 29 and north of Watson Lane. In March 2026, the property owners initiated an application with the Napa County Local Agency Formation Commission (LAFCO) to annex their property into the City of American Canyon (Assessor Parcel Numbers 057-090-065 and 057-090-066). A location map of the Hess/Laird property is included as Attachment 2.

On September 1, 2026, the City Council approved the first reading of an Ordinance approving Pre-Zoning for the Hess/Laird Territory consistent with the General Plan (American Canyon Municipal Code Chapter 19.50). If the final reading is approved, the Ordinance will become effective 30 days later on October 15, 2026. A copy of the Ordinance is included as Attachment 1.

COUNCIL PRIORITY PROGRAMS AND PROJECTS

Organizational Effectiveness: "Deliver exemplary government services."

FISCAL IMPACT

Not applicable due to zoning regulations that allow very limited land use potential.

ENVIRONMENTAL REVIEW

The Affected Territory Special Study General Plan designation was evaluated in the General Plan Program Environmental Impact Report (Program EIR) (SCH# 2022070038). The implementing Special Study Pre-Zoning, and contemplated LAFCO actions are consistent with the General Plan, is a contemplated "Project Approval" under the Program EIR. Therefore, approval of the Pre-Zoning based on the Certified General Plan Final EIR, which includes

the Statement of Overriding Considerations and the Mitigation Monitoring and Reporting Program, complies with CEQA. The City Council certified the General Plan Final EIR by adoption of Resolution No. 2025-37 on May 20, 2025. A copy of the addendum is included as Exhibit C to Attachment 1.

COMMUNICATION

Level 0: No Further Public Communication Needed

ATTACHMENTS:

1. [Ordinance_HLAT_PreZoning](#)
2. [Hess Laird Location Map](#)



Final Report

South County Region Municipal Service Review and Sphere of Influence Updates

**City of American Canyon
American Canyon Fire Protection District
County Service Area No. 3**

Local Agency Formation Commission of Napa County

December 3, 2018

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ACRONYMS

AAGR	Average Annual Growth Rate
ACCWD	American Canyon County Water District
ACFPD	American Canyon Fire Protection District
afy	Acre-Feet Per Year
ALUCP	Napa County Airport Land Use Compatibility Plan
ALS	Advanced Life Support
ALUCP	Airport Land Use Compatibility Plan
AMR Napa	American Medical Response
BLS	Basic Life Support
CDP	Census Designated Place
CIP	Capital Improvement Plan
CKH	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
CSA	County Service Area
DOF	California Department of Finance
DUC	Disadvantaged Unincorporated Community
DWR	Department of Water Resources
ISO	Insurance Services Office
LAFCO	Local Agency Formation Commission
LOS	Level of Service
mgd	Million Gallons Per Day
MHI	Median Household Income
MSR	Municipal Service Review
MUTCD	California Manual on Uniform Traffic Control Devices
NBA	North Bay Aqueduct
NSD	Napa Sanitation District
NVTA	Napa Valley Transportation Authority

NVTID	Napa Valley Tourism Improvement District
NVWMA	Napa-Vallejo Waste Management Authority
OES	State of California Office of Emergency Services
PBA	Plan Bay Area 2040
PCI	Pavement Condition Index
PDA	Priority Development Area
PMP	Pavement Management Program
SCWA	Solano County Water Agency
SOI	sphere of influence
SWP	State Water Project
ULL	Urban Limit Line
ULL/MOU	Urban Limit Line Memorandum of Understanding
US&R	Urban Search & Rescue
UWMP	Urban Water Management Plan
WRAC	Water Ratepayer Advisory Committee
WTP	Water Treatment Plant
WWTP	Wastewater Recycling and Treatment Facility

1: INTRODUCTION

1.1 - Role and Responsibility of LAFCO

The fundamental role of a Local Agency Formation Commission (LAFCO) is to implement the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000 (Government Code Section 56000, et seq.), providing for the logical, efficient, and most appropriate formation of local agencies. CKH defines a local agency as a city, county, or special district (GC 56054). CKH defines a special district as an agency of the state formed following general law or a special act for the performance of government or proprietary functions within limited boundaries. The definition includes county service areas (GC 56036). A special district can be either independent or dependent. A dependent district is defined as one whose governing body consists of ex officio members who are officers of a county (i.e. county supervisors) or another local agency (i.e. city council members) who are not appointed to fixed terms (GC 56032.5). This Municipal Service Review (MSR) covers the City of American Canyon and two dependent special districts, American Canyon Fire Protection District (ACFPD), and County Service Area (CSA) 3.

CKH requires all LAFCOs, including Napa LAFCO, to conduct an MSR prior to updating the sphere of influence (SOI) of the cities and special districts in Napa County (Government Code Section 56430). CKH specifies an SOI update shall occur every five years, as necessary (Government Code Section 56425). The last MSR for the City of American Canyon, ACFPD, and CSA 3 was completed in 2009 and is now due for an update. The focus of this MSR is to provide Napa LAFCO with all necessary and relevant information related to services provided by these three local agencies.

1.2 - Purpose of the Municipal Service Review

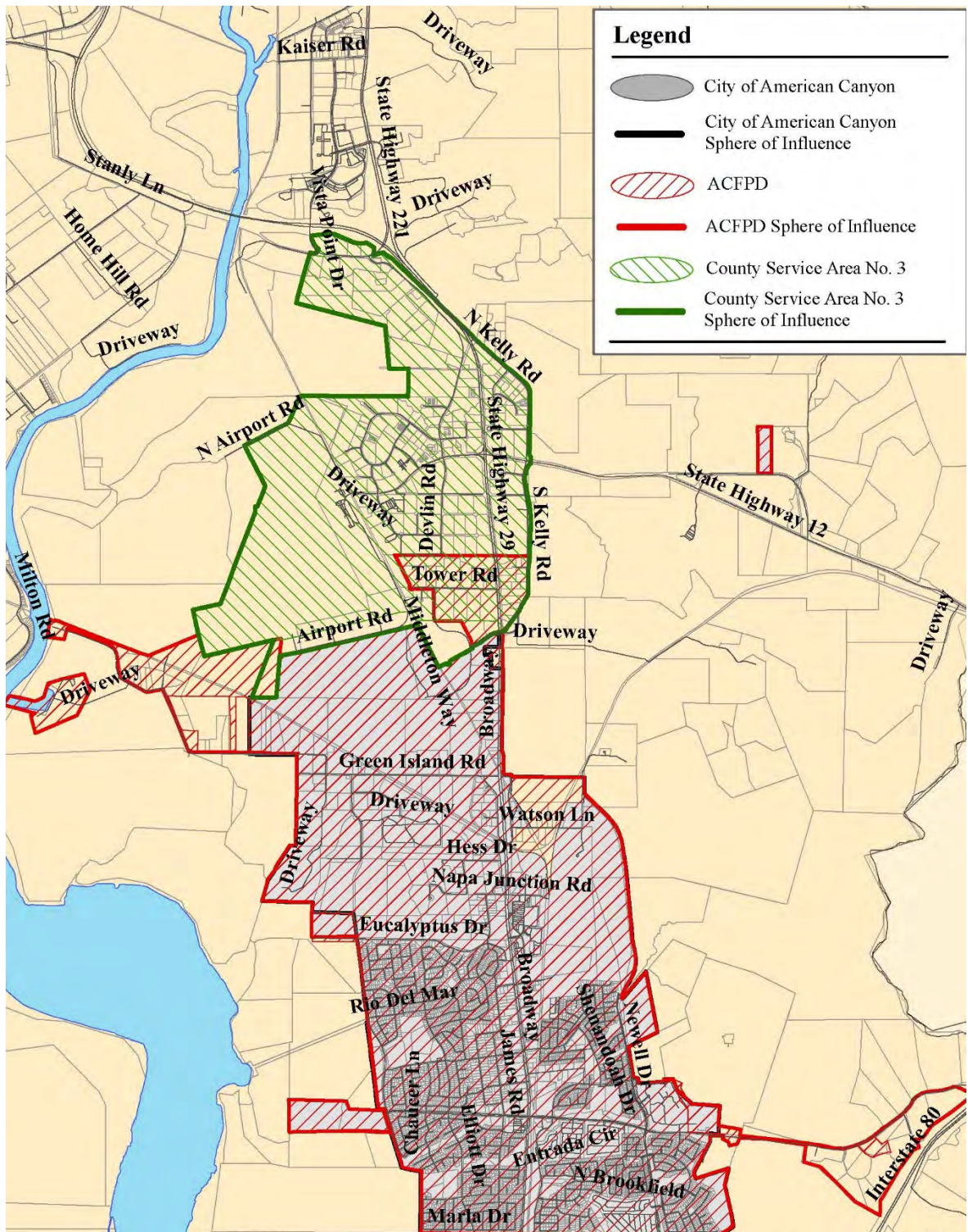
The purpose of this MSR is to collect data in order to provide a comprehensive analysis of service provision for South Napa County (Exhibit 1-1). The analysis will also assess the ability of the three agencies to provide services within their current SOI and to a potentially expanded SOI.

This MSR will provide Napa LAFCO with an informational document that will allow the Commission to make determinations in each of the seven areas prescribed by CKH and an additional area identified in Napa LAFCO policies. This MSR evaluates the structure and operation of each agency and discusses possible areas for improvement, coordination, or changes to their SOIs. Key sources for this study were agency-specific information gathered through strategic plans, general plans, websites, financial reports, agency audits, research, personal communication, and the MSR Guidelines published by the Governor's Office of Planning and Research.

The report contains one section for each of the three agencies of the following eight areas as given in CKH and Napa LAFCO policy:

1. **Growth and Future Growth.** This section relates to LAFCO’s mandate of discouraging urban sprawl by providing information on the population projections for the affected area.
2. **The Location and Characteristics of any Disadvantaged Unincorporated Communities within or Contiguous to the Sphere of Influence.** A disadvantaged unincorporated community is defined by CKH as inhabited territory with a median household income of 80 percent or less of the statewide median income. Although SB 244 references Government Code 65302.10 which further defines a disadvantaged unincorporated community, Napa LAFCO does not have a specific DUC policy and therefore this MSR will adhere to the definition in CKH.
3. **Present and Planned Capacity of Public Facilities and Adequacy of Public Services Including Infrastructure Needs or Deficiencies.** This section will discuss the services provided, including their quality, and the ability of the agency to provide those services.
4. **Financial Ability of Agencies to Provide Services.** The section reviews the agency’s fiscal data and rate structure to determine viability and ability to meet service demands. This section contains a discussion of capital improvement projects currently underway and projects planned for the future.
5. **Status of and Opportunities for Shared Facilities.** This section of the MSR report will discuss whether the agency shares facilities with the County, other cities, other special districts, or state and federal agencies, including opportunities for sharing facilities to derive cost savings by avoiding duplication.
6. **Accountability for Community Service Needs, Including Government Structure and Operational Efficiencies.** This section examines the agency’s current government structure, and considers the overall managerial practices. This section also examines how well the agency makes its processes transparent to the public and invites and encourages participation.
7. **Matters Related to Effective or Efficient Service Delivery Required by Commission Policy.** This section includes a discussion of any local policies that may affect the ability of the agency to provide efficient services.
8. **Relationship to Regional Growth Goals and Policies.** This is a Napa LAFCO specific determination as described in Napa LAFCO’s adopted policy on MSRs. The policy states that the Commission will make a determination with respect to the agency’s relationship with regional growth goals and policies.

Exhibit 1-1: South County Region



1.3 - Uses of the Municipal Service Review

Typically, the MSR is used to shed light on the operations of a local agency, identify agencies unable to perform their mandated services, or identify ways to provide more effective and efficient services. Government Code Section 56375 allows LAFCO to take action on recommendations found in the MSR, which can range from initiating studies for changes of organization, updating SOIs, or initiating a change in organization.

The MSR also provides the necessary information to help LAFCO make decisions on comprehensive SOI updates. In evaluating an expanded SOI, the MSR provides the information necessary to determine if the agency has the ability to serve a larger area. The MSR discusses the financial condition of local agencies, their sources of revenues, and projected expenses. It also includes a discussion of the projected infrastructure needs that would allow for expansion of those services.

Alternatively, the MSR can recommend changes in organization: consolidation, dissolution, merger, establishment of a subsidiary district, or the creation of a new agency that typically involves a consolidation of agencies. Those changes of organization will also require an environmental review and a tax sharing agreement, and under certain circumstances require an election.

1.4 - Sphere of Influence

This report includes SOI recommendations and analysis for each agency in chapter six. CKH requires LAFCO to adopt an SOI for each city and special district in the County. An SOI is defined by CKH in Government Code Section (GC) 56076 as “a plan for the probable physical boundary and service area of a local agency or municipality as determined by the Commission.”

LAFCO must make determinations with respect to the following factors when establishing or reviewing an SOI:

- **Present and planned land uses in the area, including agricultural and open space lands.** This consists of a review of current and planned land uses based on planning documents to include agricultural and open-space lands.
- **Present and probable need for public facilities and services.** This includes a review of the services available in the area and the need for additional services.
- **Present capacity of public facilities and adequacy of public services provided by the agency.** This section includes an analysis of the capacity of public facilities and the adequacy of public services that the agency provides or is authorized to provide.
- **Social or economic communities of interest.** This section discusses the existence of any social or economic community of interest in the area if the Commission determines that they are relevant to the agency. These are areas that may be affected by services provided by the city or may be receiving services in the future.
- **Present and probable need for services to disadvantaged unincorporated communities.** Beginning July 1, 2012 the Commission must also consider services to disadvantaged communities which are defined as inhabited areas within the SOI whose median household income is less than or equal to 80 percent of the statewide median income.

An SOI may be amended or updated. An amendment is a relatively limited change to the sphere or map to accommodate a specific project. Amendments can add or remove territory, address a change in provision of services by an agency, or revise a plan for services when it becomes impractical. An update is a comprehensive review of the SOI that includes the map and relevant portions of one or more MSRs. The review allows for the identification of areas that are likely to receive services and to exclude those territories that are not or will not be served from the SOI. CKH requires updates to each local agency's SOI at least every five years, as necessary (GC 56425).

1.5 - California Environmental Quality Act (CEQA)

The Public Resources Code Section 21000, et seq., also known as the California Environmental Quality Act (CEQA), requires public agencies to evaluate the potential environmental effects of their actions. Napa LAFCO has determined that this MSR is exempt from further environmental review under CEQA pursuant to California Code of Regulations Section 15306. This finding would be based on the Commission determining with certainty the MSR is limited to basic data collection, research, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. Additionally, affirming each subject agencies' SOI with no changes, as recommended in this report, would be exempt from further review under CEQA pursuant to California Code of Regulations Section 15061(b)(3). This finding would be based on the Commission determining with certainty that affirming each SOI would have no possibility of significantly effecting the environment given no new land use or municipal service authority is granted.

2: EXECUTIVE SUMMARY

2.1 - Introduction and Background

The Local Agency Formation Commission (LAFCO) of Napa County implements the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) providing for the logical, efficient, and most appropriate formation of local municipalities, service areas, and special districts. CKH requires all LAFCOs, including Napa LAFCO, to conduct a municipal service review (MSR) prior to updating the spheres of influence (SOI) of the cities and special districts in the County (GC Section 56430). CKH requires an MSR and SOI update every five years, as necessary.

The following definitions apply to this report:

“Local agency” (GC 56054) is defined as a city, county, or special district.

“Special district” (GC 56036) is defined as an agency of the state formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries and in areas outside district boundaries when authorized by the commission pursuant to GC 56133 or GC 56133.5. A special district includes a county service area.

“Dependent special district” (GC 56032.5) is defined as a special district whose governing body consists of ex officio members who are officers of a county (i.e. county supervisors) or another local agency (i.e. city council members) who are not appointed to fixed terms.

Based on the definitions above, this South County Region MSR and SOI Updates covers three local agencies: the City of American Canyon, American Canyon Fire Protection District (ACFPD), and County Service Area (CSA) 3. This report provides Napa LAFCO with all necessary and relevant information and MSR determinations pursuant to GC 56430 for all three subject agencies. This report will also make SOI recommendations and provide analysis to update the SOIs of these three agencies. The sphere analysis appears in chapter six.

2.1.1 - Municipal Service Review

This MSR will make determinations in each of the seven areas prescribed by CKH and one additional area identified in Napa LAFCO’s locally adopted policy on MSRs. This MSR evaluates the structure and operation of the each of the agencies and discusses possible areas for improvement and coordination. The report contains one section for each of the following eight elements:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities and adequacy of public services including infrastructure needs or deficiencies.
4. Financial ability of agencies to provide services.
5. Status of and opportunities for shared facilities.

6. Accountability for community service needs, including government structure and operational efficiencies.
7. Matters Related to Effective or Efficient Service Delivery Required by Commission Policy.
8. Relationship to Regional Growth Goals and Policies.

The MSR is used to shed light on the operations of each local agency, identify agencies unable to perform their functions, or identify ways to provide more effective, efficient services. GC 56375 allows LAFCO to take action on recommendations contained in the MSR, such as initiating changes of organization and updating SOIs. A change of organization can include consolidation, dissolution, merger, establishment of a subsidiary district, or the creation of a new agency. Those changes of organization require environmental review and a tax sharing agreement. Additionally, certain changes of organization require an election.

2.1.2 - Sphere of Influence

This report includes SOI recommendations and analysis for each agency. CKH requires LAFCO to adopt an SOI for each city and each special district in the County. An SOI is defined by CKH in Government Code Section 56076 as “a plan for the probable physical boundary and service area of a local agency or municipality as determined by the Commission.”

An SOI may be amended or updated. An amendment is a relatively limited change to the sphere or map to accommodate a specific project. Amendments can add or remove territory, address a change in provision of services by an agency, or revise a plan for services when it becomes impractical.

An update is a comprehensive review of the sphere that includes the map and relevant portions of one or more MSRs. The review allows for the identification of areas that are likely to receive services and to exclude those territories that are not or will not be served from the SOI. CKH requires updates at least every five years or as needed.

LAFCO must make determinations with respect to the following factors when amending, establishing, reviewing, or updating an SOI:

- **Present and planned land uses in the area, including agricultural and open space lands.** This consists of a review of current and planned land uses based on planning documents to include agricultural and open-space lands.
- **Present and probable need for public facilities and services.** This includes a review of the services available in the area and the need for additional services.
- **Present capacity of public facilities and adequacy of public services provided by the agency.** This section includes an analysis of the capacity of public facilities and the adequacy of public services that the city provides or is authorized to provide.
- **Social or economic communities of interest.** This section discusses the existence of any social or economic community of interest in the area if the Commission determines that they are relevant to the city/district. These are areas that may be

affected by services provided by the city/district or may be receiving services in the future.

- **Present and probable need for services to disadvantaged unincorporated communities.** The commission must consider services to disadvantaged unincorporated communities, which are defined as inhabited areas within the SOI whose median household income is less than or equal to 80% of the statewide median income.

2.1.3 - California Environmental Quality Act (CEQA)

The Public Resources Code Section 21000, et seq., also known as the California Environmental Quality Act (CEQA), requires public agencies to evaluate the potential environmental effects of their actions. Napa LAFCO has determined the MSR component of the final report is exempt from further environmental review under CEQA pursuant to California Code of Regulations Section 15306. This finding would be based on the Commission determining with certainty the MSR is limited to basic data collection, research, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. Additionally, affirming the three subject agencies' SOIs with no changes, as recommended in this report, would be exempt from further review under CEQA pursuant to California Code of Regulations Section 15061(b)(3). This finding would be based on the Commission determining with certainty that affirming each SOI would have no possibility of significantly effecting the environment given no new land use or municipal service authority is granted.

2.2 - City of American Canyon

The City of American Canyon encompasses approximately six square miles at the southern end of Napa County. The City boundaries are contiguous with the Solano County and City of Vallejo boundaries, and extend north towards the Napa County Airport and east towards the Sulphur Springs Mountains. The City is also on the northern edge of outward growth from the San Francisco Bay Area. The City is bordered by predominantly rural and agricultural land uses.

In July 2008, the City and the County of Napa agreed to an Urban Limit Line (ULL) to demark the allowable growth for the City. All annexations to the City that were approved by LAFCO after the ULL was established were consistent with the ULL boundaries.

2.2.1 - Growth and Population Projections

The City's current population is approximately 20,570. Future development is limited by the ULL. Most of the undeveloped area in the ULL has been built out. One of the largest remaining areas with the potential to be developed is Watson Ranch, which will add approximately 1,200 homes and up to 4,000 residents. The City certified a Final Environmental Impact Report (FEIR) for the Watson Ranch project in November 2018. While growth will be slower than the past decade, the population of the City is expected to grow at a rate of 1% a year, resulting in a projected resident population of 23,700 in 2030.

2.2.2 - Disadvantaged Unincorporated Communities

There are no disadvantaged unincorporated communities in and around the City. The MHI (median household income) of \$81,955 for the area is well above the 80% of the statewide MHI threshold.

2.2.3 - Capacity of Public Facilities and Adequacy of Public Services

Water

The City relies on surface water from three main sources, the State Water Project, permit (raw) water from the City of Vallejo, and treated water from Vallejo. American Canyon also has agreements for emergency supplies from Napa and Vallejo. Water is treated at the City's water treatment facility with a capacity of 5.5 million gallons and storage capacity of 4.7 million gallons. Recycled water supplements the demands for non-potable water. The City's recently updated Urban Water Management Plan demonstrates that the City has sufficient water to meet projected needs in the next 20 years.

Wastewater

The City operates the Wastewater Recycling Facility (WWTP) at 151 Mezzetta Ct. at the western edge of the City. The WWTP was designed to treat an average flow of 2.5 million gallons per day (mgd), with a wet weather capacity of 5.0, mgd and a peak flow of 3.75 mgd. The daily average treatment over the last five years ranged from 1.54 to 1.62 mgd, well below the capacity of 2.5 mgd. Capacity of the WWTP is sufficient to accommodate future growth within the timeframe of this review.

Analysis of the sewer system for the Sewer Master Plan determined that without capital improvements the system does not have the capacity to accommodate buildout of already approved projects. With near-term capital improvements estimated at \$35 million, the system along with reduced flow velocity is capable of accommodating growth in the next five years.

Law Enforcement

The City of American Canyon contracts with the Napa County Sheriff's Office for law enforcement. There are 24 sworn personnel or 1.2 per thousand population. The Sheriff's Office also provides mutual aid to the City. In the past five years, calls for service ranged from 17,057 to 19,703 or an average of 18,320 with no discernable trend. During the same period crimes ranged from 551 to 773.

Parks and Recreation

The park system currently consists of 79 acres in 22 parks and three community centers. In 1994 the City had 6.14 acres per 1,000 residents. However, recent development in American Canyon has outpaced the development of new parkland and reduced this ratio to 3.4 acres per 1,000 residents. The City has set a standard of 5 acres per thousand following the Quimby Act. Parks and Recreation has conducted a needs assessment that found residents have an unmet need for community parks, softball fields, dog parks, recreation centers, and a senior center.

Street Maintenance and Traffic

The City Department of Public Works, Streets and Storm Drain Division is responsible for street maintenance that includes 38 miles of streets, 1,233 streetlights, four traffic signals, sidewalks, curbs gutters, crosswalks, signs, and lane striping. The PCI averages to 67 for the City, which is considered good. In 2015 the City resurfaced 1.75 miles of streets and in 2016 only 0.15 miles.

A recent traffic study analyzed approximately 25 intersections in the City, nine of which do not currently operate at acceptable levels of service (LOS) according to their designated LOS. Seven of those nine are under the jurisdiction of CALTRANS.

American Canyon Transit provides bus service through the Napa Valley Transportation Authority (NVTa), which includes both fixed route and door-to-door service to residents. Mass transit along with implementation of the countywide bicycle plan will help to reduce traffic congestion.

Stormwater

The Department of Public Works, Streets and Stormwater Division maintains the City's storm drainage system. Stormwater drains westward toward the Napa River.

Solid Waste

The City contracts with Recology for solid waste pick up and disposal. Waste collected from American Canyon is first delivered to the Devlin Road Recycling and Transfer Facility for sorting before being sent to nearby landfills. The final destination is the Potrero Hills Landfill, which has sufficient capacity until 2048.

2.2.4 - Financial Ability of Agencies to Provide Services

The City's annual budget for FY 18 is \$21.7 million for general fund activities. On average, property tax comprises 42% of revenues and sales taxes 10%. The Police Department accounts for approximately 28% of expenses followed by Community Development and Public Works at 26%. Debt service accounts for 4%.

Water and wastewater are considered enterprise funds, which are funded by charges. Over the period from FY 12 to FY 16, charges average \$10.84 million against expenses of \$10.14 million.

2.2.5 - Status of and Opportunities for Shared Facilities

The City works cooperatively with a number of agencies to provide enhanced law enforcement, transportation, water, and tourism to the City. The City exhibits management efficiencies through its multiple long-range plans that include fiscal, water, wastewater, and parks.

2.2.6 - Government Structure and Accountability

The City is a general law city governed by a five-member city council who also acts as the Board of Directors of the subsidiary district, the American Canyon Fire Protection District. The City Council meets on the first and third Tuesday. Meetings are televised and taped. The public is also invited to participate in one of the five standing commissions and committees appointed by the Council. The City is staffed with 83.5 full-time-equivalent positions.

2.2.7 - Effect of LAFCO Policies on Service Delivery

No Napa LAFCO policies would affect service delivery.

2.2.8 - Relationship to Regional Growth Goals and Policies

The City has designated an area as a Priority Development Area (PDA), which represents infill development that is consistent with CKH and Plan Bay Area infill policies.

2.3 - American Canyon Fire Protection District

The American Canyon Fire Protection District (ACFPD) provides fire protection services to approximately 4,395 acres including all of the City of American Canyon as well as some area to the north and east of the City. ACFPD's jurisdictional boundary extends to the Napa River to the west, the City of Vallejo to the south, and Interstate 80 to the east. Land uses in ACFPD vary and include residential, commercial, industrial, and rural uses. ACFPD is a dependent special district given it is a subsidiary district with the American Canyon City Council acting as ACFPD's ex officio Board of Directors (GC 56078).

ACFPD provides structural, wildland fire suppression, Type I Urban Search and Rescue (single resource), building inspection, and Advanced Life Support (ALS) emergency medical services. Emergency response staff, including reserve and volunteer on-call personnel, are trained to provide emergency medical service at the ALS level. Engine companies include at least one licensed and accredited paramedic among the first responders to these types of calls. A private ambulance company, American Medical Response (AMR Napa), provides ALS and transport to the hospital. ACFPD reviews all applications for construction and new commercial, occupancy changes, or tenant changes that are within its service area and require a building permit.

2.3.1 - Growth and Population Projections

The estimated population of ACFPD is approximately 20,570 and is expected to increase at a rate nearly identical to that of the City of American Canyon. The City is expected to grow by 1% annually, so the population of ACFPD is expected to reach 23,700 by 2030.

2.3.2 - Disadvantaged Unincorporated Communities

A review of census data and the American Canyon General Plan reveals that the median household income (MHI) for the City of American Canyon, which includes most of the District, was \$81,955 which exceeds the threshold of 80% of the statewide MHI. Since the MHI exceeds the threshold, there are no DUCs within ACFPD or its SOI.

2.3.3 - Capacity of Public Facilities and Adequacy of Public Services

ACFPD provides structural, wildland fire suppression services, and emergency medical and rescue services. ACFPD owns two stations but currently operates from one fire station staffed by full-time personnel 24 hours a day, seven days a week all year. ACFPD supplements this coverage with additional volunteer personnel who respond by phone when needed. The apparatus located at the Fire Station at 911 Donaldson Drive east of State Route 29 includes three Type 1 engines, one Type 3

brush engine, two Type 6 brush units, one truck with an aerial ladder, one 2,000-gallon water tender/pumper, two utility pick-up vehicles, and two command vehicles.

Since 2010, annual calls for service have steadily increased from 1,335 to 1,710. Annual calls for service are expected to marginally increase as the City builds out through 2030. In 2016, ACFPD responded to 76% of all calls within five minutes. The ACFPD service area currently has an Insurance Services Office (ISO) rating of Class 2/2Y (on a scale of 1 to 10, where 1 is the best).

2.3.4 - Financial Ability of Agencies to Provide Services

ACFPD's expenditures over the period FY 13 to FY 16 averaged \$3,991,112 while revenues averaged \$4,461,219. ACFPD derives most of its revenues from property taxes (73%) and two voter-approved special assessment fees. The special assessment for fire accounts for 12% while the special assessment for Capital Facility Mitigation accounts for 2%. Of the total expenditures, approximately 85% goes to personnel costs. ACFPD has no long-term debt. Facilities, equipment, and capital improvements are funded through the Fleet Facilities and Equipment Fund.

2.3.5 - Status of and Opportunities for Shared Facilities

ACFPD works cooperatively with County, state, and local agencies. Through the County Fire Department, ACFPD has automatic aid agreements with CSA 3 and CALFIRE to provide coverage for the 61 square mile South County service area and other areas as needed. ACFPD also has mutual aid agreements with the City of Vallejo, and provides regional heavy rescue US&R certified response as needed. These agreements provide coverage for the 61 square mile South County service area.

ACFPD exhibits management efficiencies through its many long-range planning activities. ACFPD recently completed a five-year strategic plan and has proceeded to accomplish those goals as documented in its annual reports.

2.3.6 - Government Structure and Accountability

The City Council of American Canyon serves as the Board of Directors for ACFPD, which consists of five members including a directly elected Mayor and four members elected to four-year staggered terms. They meet regularly on the first and third Tuesdays of the month. ACFPD does not maintain a website but has a link on the City website at www.cityofamericancanyon.org/city-departments/fire-district. ACFPD staff includes 20 career personnel, which is sufficient to provide fire protection and advanced life support emergency medical services.

2.3.7 - Effect of LAFCO Policies on Service Delivery

LAFCO policies for the efficient provision of services apply as guides to orderly growth and services.

2.3.8 - Relationship to Regional Growth Goals and Policies

ACFPD participates in mutual aid and automatic aid agreements with CALFIRE and other local departments. ACFPD sends strike teams to support efforts to suppress wildland fires in the region.

2.4 - County Service Area 3

County Service Area (CSA) law allows for two types of CSAs. Some counties treat CSAs as just another special district. Others, like Napa County, treat CSAs as merely financing devices of the county government. CSA 3 is organized under the County Service Area Law in California Government Code Sections 25210.1–25217.4. Originally formed by the County Board of Supervisors in 1979, CSA 3 funds fire suppression and prevention, rescue, hazardous materials (first response), and basic/advanced emergency medical care as well as median landscaping, street lighting, and various street maintenance services. CSA 3 contracts out for street maintenance. CSA 3 partially funds the Napa County Fire Department, which has an agreement with CALFIRE. CSA 3's jurisdictional boundary and service area is approximately 2.7 square miles or 1,742 acres, and includes unincorporated properties that predominantly comprise commercial and industrial land uses as well as the Napa County Airport area.

2.4.1 - Growth and Population Projections

The estimated current population of seven is expected to remain unchanged, as any development would be expected to be an industrial use consistent with the zoning for the area.

2.4.2 - Disadvantaged Unincorporated Communities

Since there are fewer than 12 registered voters within CSA 3 it is considered uninhabited. Therefore, by definition there are no disadvantaged unincorporated communities.

2.4.3 - Capacity of Public Facilities and Adequacy of Public Services

CSA 3 is a dependent special district that funds fire suppression and street services such as street sweeping and street lights. CSA 3 contains no facilities but relies on other agencies such as Napa County Fire to provide needed facilities and services.

2.4.4 - Financial Ability of Agencies to Provide Services

CSA 3's operating budget varies from \$400,000 to \$500,000 per year. CSA 3 derives most of its revenues from two voter-approved special assessments one for fire and one for streets. Expenditures go to Napa County Fire for fire services and to a number of small contractors who provide street sweeping and streetlight maintenance. CSA 3 has no long-term debt. Financing and capital improvements are funded through County Public Works and Fire Department budgets.

2.4.5 - Status of and Opportunities for Shared Facilities

CSA 3 owns no facilities to share.

2.4.6 - Government Structure and Accountability

The County Board of Supervisors serves as the Board of Directors for CSA 3, which consists of five members elected at large to four-year staggered terms. The Board generally meets each Tuesday of each month but no more than four times a month. CSA 3 does not maintain a website but has a link on the County Department of Public Works website at www.countyofnapa.org/publicworks/csa.

2.4.7 - Effect of LAFCO Policies on Service Delivery

LAFCO policies for the efficient provision of services apply.

2.4.8 - Relationship to Regional Growth Goals and Policies

CSA 3 provides funding for fire and street maintenance services which are important in operating and maintaining the Napa County Airport. The Napa County Airport is part of the network of facilities that are essential for goods movement in Napa County.

2.5 - Sphere of Influence Considerations

This section summarizes SOI recommendations for the City, ACFPD, and CSA 3.

2.5.1 - City of American Canyon

The City of American Canyon includes approximately six square miles at the southern end of Napa County. American Canyon's SOI was originally adopted by LAFCO at the time of the City's incorporation in 1992. It has been LAFCO's practice to defer any SOI expansions until such time that specific land uses within the affected territory are known. Therefore, it is recommended the Commission affirm the City's existing SOI as part of this review. If expansion of the City's SOI is to occur in the future, it is recommended the City first identify specific land uses through the General Plan and pre-zoning processes, which would involve addressing the requirements of CEQA with the City as lead agency.

2.5.2 - American Canyon Fire Protection District

ACFPD provides fire protection services to approximately 4,395 acres, including all of the City of American Canyon's jurisdictional boundary as well as certain areas to the north and east of the City. One of the main governance considerations is service to rural and open space areas adjacent to ACFPD. While the ACFPD station covers the City, ACFPD has its station and additional capabilities closer to much of the rural areas east of the City. ACFPD and County of Napa have worked under an automatic aid agreement for many years whereby ACFPD responds to areas east and south of their station for the County. However, due to uncertainties regarding potential impacts to the County and CSA 3, it is recommended the Commission affirm ACFPD's SOI with no changes as part of this review. If changes to ACFPD's SOI are to occur in the future, it is recommended ACFPD first reach an agreement with the County with respect to potential impacts on CSA 3.

2.5.3 - County Service Area 3

CSA 3's jurisdictional boundary consists of the Airport Industrial Area. Any development is limited to building out the industrial area within CSA 3's current boundary. Since there is no anticipated expansion of services provided by CSA 3 beyond the current SOI, the recommendation is to affirm the current SOI with no changes.

3: CITY OF AMERICAN CANYON

The City of American Canyon encompasses approximately six square miles at the southern end of Napa County. The City is bounded geographically by the Napa River to the west, the eastern foothills of the Sulphur Springs Mountain Range to the east, the City of Vallejo to the south, and the Napa Airport to the north. Rural and agricultural land uses border the city. The City is on the northern edge of outward growth from the San Francisco Bay Area.

American Canyon also has a sphere of influence (SOI) that was approved by LAFCO at the time of incorporation in 1992 and updated in 2010. Exhibit 3-1 shows the City and its current SOI.

In July 2008, the City and County reached consensus on an Urban Limit Line (ULL) for the City of American Canyon. The Urban Limit Line Memorandum of Understanding (ULL MOU) enabled the City to submit an application to LAFCO to annex property on its northern and eastern boundaries. In exchange, Napa County obtained assurances that the City of American Canyon would provide new potable water connections to the Napa Airport Business Park through the normal city process. Table 3-1 shows recent annexations to the City of American Canyon. All the annexations took place after the ULL was established.

Table 3-1: Recent Annexations to the City of American Canyon

PROPOSAL NAME	ACRES	COMPLETION DATE
Eucalyptus Grove/American Canyon High School	157.1	January 18, 2011
Devlin Road/South Kelly Road	267.2	January 18, 2011
Town Center	434.0	September 20, 2011
American Canyon Middle School/Clarke Ranch West	51.0	December 9, 2011
Devlin Road/South Kelly Road No. 2	1.1	December 14, 2012
Canyon Estates	38.2	July 30, 2015
Source: Napa LAFCO 2017		

3.1 - Growth and Population Projections

Since its incorporation, the City has increased residential development and added a large amount of business and commercial expansion along the State Route 29 corridor. In 1990, the Census Bureau reported the population of the American Canyon Census Designated Place as 7,706. The City experienced rapid growth between 2000 and 2008, a 66.7 percent increase, with an average annual growth rate of 8.3 percent. However, population growth has been slow in recent years as the recession impacted housing development. Since 2010, the average annual growth rate has been less than 2 percent.

The California Department of Finance (DOF) estimated the population of American Canyon at 20,570 on January 1, 2017, which represents an increase of 1.1% from January 1, 2016. According to the DOF, American Canyon is the fastest-growing city in Napa County. Table 3-2 shows the change in population for the cities and the county from 2016 to 2017.

Table 3-2: Current Population Estimates

JURISDICTION	POPULATION 1/1/16	POPULATION 1/1/17	% CHANGE
Napa County	141,888	142,408	0.4
American Canyon	20,338	20,570	1.1
Calistoga	5,226	5,238	0.2
Napa	80,442	80,628	0.2
St Helena	6,018	6,033	0.2
Yountville	2,996	2,935	-2.0
Balance of County	26,868	27,004	0.5
Source: CA Department of Finance 2017			

The City has a number of constraints to growth. Growth is restricted by the airport’s flyover zones to the north. The Napa County Airport Land Use Compatibility Plan (ALUCP) was developed to help local jurisdictions identify land uses compatible with an airport. The ALUCP established compatibility zones around the airport. The City of Vallejo limits growth to the south. The natural constraints to the east are the eastern foothills of the Sulphur Springs Mountain Range, and to west, the Napa River. In addition, the City Council approved a “Zero Water Footprint” in 2008. The Zero Water Footprint Policy requires new development to offset its potable water demand by funding conservation of an equivalent amount of potable water elsewhere in the system or provide a new water source to offset demand.

In addition, there is a ULL agreement with the County. In 2008, the City and the County agreed to a Memorandum of Understanding about the ultimate growth boundary of the City through 2030. The Memorandum of Understanding created a ULL to preserve agriculture and open space areas around the City with the added purpose to prevent urban sprawl and direct growth into urbanized areas. The ULL provides the City with opportunities for growth that is mutually acceptable to the County.

There are several projects currently under development or proposed for development in the near future. Table 3-3 shows recent projects that are in progress or recently completed. The largest project is Watson Ranch, which will add approximately 1,200 homes and up to 4,000 residents.

Exhibit 3-1: City of American Canyon Boundary Map

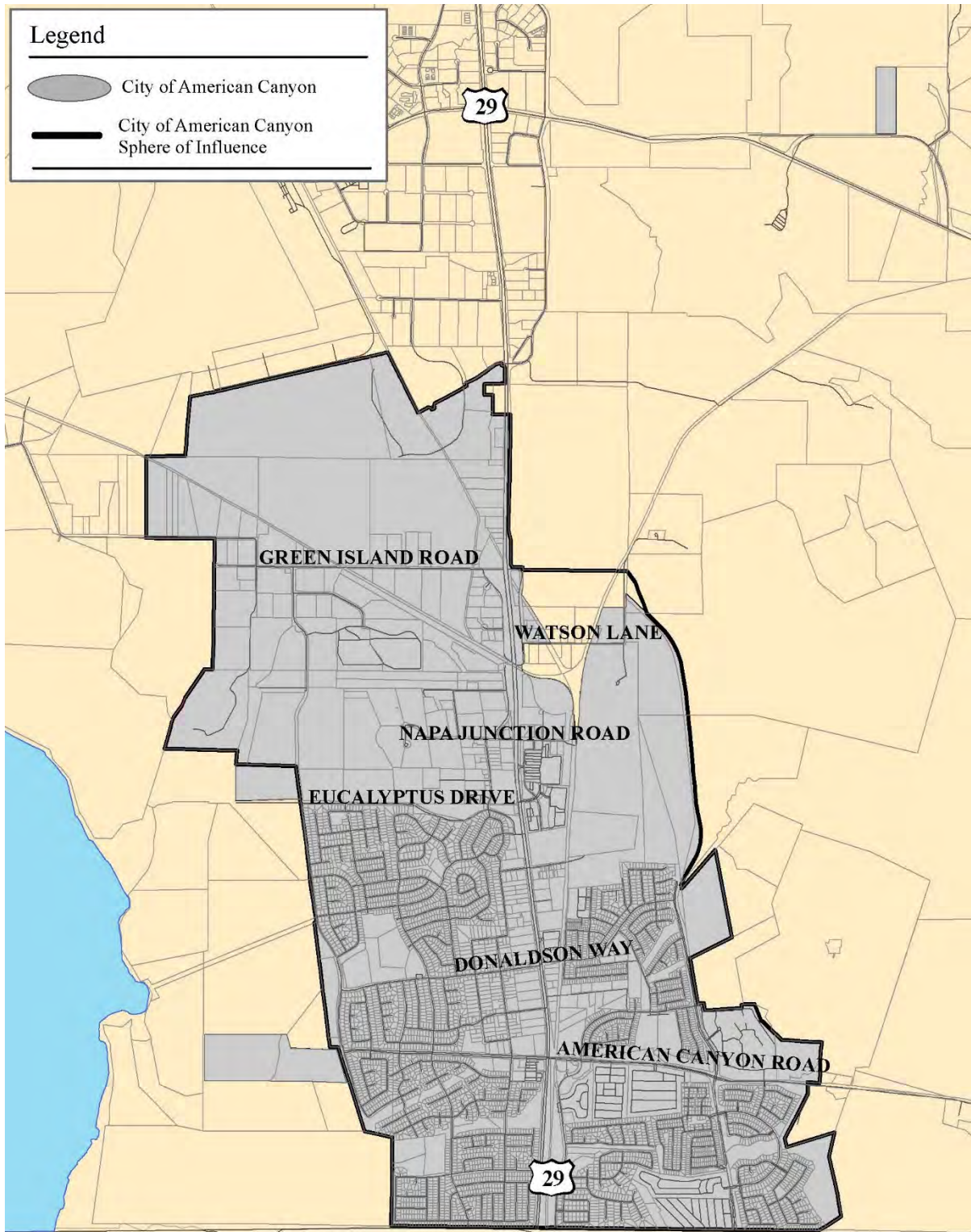


Table 3-3: Recent Development Projects

PROJECT	DESCRIPTION AND STATUS	STATUS
Canyon Estates	Consists of 35 single family custom homes. General Plan amendment is complete and the application for a tentative map was approved on February 16, 2016.	Approved tentative map
Village at Vintage Ranch	Consists of 164 multi-family condominiums. Entitlements have been approved and the applicant is seeking a building permit.	Approved
Canyon Ridge Apartments (also referred to as Napa Junction III in the Transportation Impact Study)	Proposes to develop 148 rental apartment units, including 74 one-bedroom and 74 two-bedroom units. Entitlements for the project have been approved, and the applicant is seeking a building permit.	Completed in 2017
Valley View Senior Housing	Would develop 70 affordable senior housing rental units, including 66 one-bedroom and 4 two-bedroom units.	Under construction
Watson Ranch	1,253 single family and multifamily homes, Includes redevelopment of Napa Valley Ruins and Gardens	Environmental review
Broadway District Specific Plan	1200 multi-family dwelling units 840,000 square feet of non-residential development	Environmental review
Source: City of American Canyon 2016b.		

Population projections developed for the Urban Water Management Plan estimate that the City will continue to grow at a rate of 1% per year. Table 3-4 shows that by 2030 the population is anticipated to reach 23,700.

Table 3-4: Population Forecasts Napa County Jurisdictions

JURISDICTION NAME					PERCENT CHANGE			
	2010	2020	2030	2040	2010-2020	2020-2030	2030-2040	2010-2040
Napa County Total	136,484	144,200	153,100	163,700	5.7%	6.2%	6.9%	19.9%
American Canyon	19,454	21,500	23,700	26,200	10.5%	10.2%	10.5%	34.7%
Calistoga	5,155	5,300	5,500	5,600	2.8%	3.8%	1.8%	8.6%
Napa	76,915	80,700	85,100	90,300	4.9%	5.5%	6.1%	17.4%
St. Helena	5,814	6,000	6,100	6,300	3.2%	1.7%	3.3%	8.4%
Yountville	2,933	3,100	3,400	3,800	5.7%	9.7%	11.8%	29.6%
Source: City of American Canyon 2016a								

DETERMINATIONS

3.1.1 Current population is 20,570. The population is expected to grow at a rate of 1% a year so that in 2030 there would be up to 23,700 residents.

3.2 - Disadvantaged Unincorporated Communities

In 2012, Senate Bill 244 (Wolk), pertaining to disadvantaged unincorporated communities, went into effect. The legislation was designed to promote infrastructure improvement investments in disadvantaged areas. It established new requirements for LAFCOs and land use agencies (cities and counties), requiring them to identify disadvantaged unincorporated communities and to consider the provision of water, wastewater, and structural fire protection services to these areas.

The term “disadvantaged unincorporated community” is defined by CKH as inhabited territory (12 or more registered voters) with an MHI less than 80% of the California MHI.

This year the California MHI is \$64,500 so the threshold is \$52,600. In 2015, the median household income of the City was \$81,955. The City is in census tract 2011 where the median household income is \$83,083, well above the \$52,600 threshold. Therefore, there are no disadvantaged unincorporated communities.

DETERMINATIONS

3.2.1 There are no disadvantaged unincorporated communities within or contiguous to the City’s SOI.

3.3 - Present and Planned Capacity of Public Facilities

Most recently formed cities, such as American Canyon, provide at a minimum police, planning, and public works services. American Canyon contracts with the Napa County Sheriff for law enforcement but does have in-house Planning and Public Works departments. In addition, upon incorporation, the City became the successor agency to the American Canyon County Water District (ACCWD). The ACCWD provided potable water and wastewater services. Also passed to American Canyon were a number of contracts that entitle the City to State Water Project Allocation via the North Bay Aqueduct.

In addition, upon incorporation, the formerly independent American Canyon Fire Protection District (ACFPD) became a subsidiary district of the City. Under the agreement, all administrative duties relating to fire protection are handled by ACFPD, which operates under its own budget and revenue sources. As a subsidiary district, the Board of Directors is the City Council. ACFPD is reviewed in chapter four of this MSR.

3.3.1 - Water

The City of American Canyon owns and operates the City’s water system, which serves residential, commercial, industrial, and agricultural users within a service area of approximately 6 square miles. Exhibit 3-2 shows the boundary that includes territory within the city limits, the Napa Airport Industrial Park, additional industrial and commercial land north of State Route 29, and a small

number of residential customers located outside the city limits but within the service area. In total, the system consists of 5,621 connections.

Supply

The City's potable water supply consists entirely of imported water purchased from sources outside of the City. The City currently receives the majority of its potable water supplies from three surface water sources: the State Water Project (SWP), permit raw water from the City of Vallejo, and treated water from Vallejo. The City's primary water sources are:

- State Water Project water, purchased from the Napa County Flood Control and Water Conservation District. SWP is a state-wide water management project under the supervision of the Department of Water Resources (DWR), and SWP water used by the City comes from the Sacramento-San Joaquin Delta (Delta)
- Water purchased from City of Vallejo, including Vallejo Permit Water (raw water), and Vallejo Treated Water and Vallejo Emergency Water (raw water)

The City operates a 5.5-million-gallon-per-day (mgd) Water Treatment Plant (WTP), located at 250 Kirkland Ranch Road, and maintains a distribution system to serve customers in multiple pressure zones. In addition, the City has storage capacity of 4.70 million gallons.

All of the City's raw water supplies are transported to the WTP via the North Bay Aqueduct system, which is managed by the DWR and provides water to the Napa County Flood Control and Water Conservation District, Napa Sanitation District, and the Solano County Water Agency. The North Bay Aqueduct (NBA) system, part of the SWP, is diverted from the Sacramento/San Joaquin Delta at the Barker Slough Pumping Plant and conveyed through the NBA system approximately 21 miles to the Cordelia Forebay. The SWP water is then travels an additional six miles to the Napa Turnout Reservoir at Jamieson Canyon Road and then via the City's transmission pipeline to the City's WTP.

The City's SWP entitlement is treated at the WTP or delivered as raw water to the City's agricultural (irrigation) customers. The City also maintains connections with the cities of Napa and Vallejo, which provide treated water supplies if necessary.

In 2015, these sources provided 8,615 acre-feet per year (afy). Table 3-5 shows sources and projected supply through 2035. The City anticipates the 8,615 afy will increase to 10,632 afy because of increases in Vallejo Treated Water and recycled water.

Table 3-5: Existing and Planned Contracted Sources of Water (afy)

WHOLESALE SOURCES	2015	2020	2025	2030	2035
SWP Deliveries	5,200	5,200	5,200	5,200	5,200
Vallejo Permit Water	500	500	500	500	500
Vallejo Emergency Water	500	500	500	500	500
Vallejo Treated Water	2,075	2,641	3,207	3,207	3,207
City's Water Recycling Plant	200	600	1,000	1,000	1,000
Napa Sanitation District Recycled Water	170	200	225	225	225
Total	8,645	9,641	10,632	10,632	10,632
Source: City of American Canyon. 2016b.					

Reliability

Table 3-6 shows projected supply for normal, single dry year and multiple dry years compared to contracted volumes. Table 3-6 presents the projected sources and their estimated reliability for 2021–2040. The table shows that if demand remained at 2015 levels there would be sufficient water supply.

Table 3-6: Projected Water Supplies for 2021-2040

TYPE		SWP TABLE A WATER	SWP ARTICLE 21 WATER	VALLEJO PERMIT WATER	VALLEJO TREATED WATER ⁽²⁾	VALLEJO EMERGENCY WATER	TOTAL ⁽³⁾
Maximum Contracted Volume		5,200	N/A ⁽¹⁾	500	3,206	500	8,906
PROJECTED	Average (Normal) Year	3,224	189	500	3,206	0	7,119
	Single-Dry Year	260	0	500	2,565	500	3,825
	Multiple-Dry Years Year 1	1,144	124	500	2,565	500	4,833
	Multiple-Dry Years Year 2	1,144	124	500	2,565	500	4,833
	Multiple-Dry Years Year 3	1,144	124	500	2,565	400	4,733
Notes: All volumes are in acre-feet per year. ¹ The amount of Article 21 water available varies by year. ² The volumes shown are for years 2021–2040. ³ Vallejo Emergency Water is not included in the total for maximum contracted volume since it is only available in years when SWP Table A water is curtailed. Source: Kennedy Jenks Consultants 2016.							

Various factors and circumstances can impact the reliability of the City’s water supply. For example, legal, environmental, water quality or climatic factors may constrain the availability of a water source in any given year. As part of the Urban Water Management Plans (UWMP), the City evaluated and estimated the reliability of each water source and its vulnerability to varying hydrologic conditions (such as a drought) based on historically reliable information. Table 3-7 shows a summary of the City’s actual (2015) and projected water supply sources and their estimated reliability in average (normal) year, single dry year and multiple dry years for 2016-2020. Compared with the actual amount of water used in 2015, there is sufficient supply for a single dry year or multiple dry years.

Table 3-7: Summary of Imported (Potable and Raw) Water Supply Reliability

YEAR TYPE	SWP TABLE A WATER (TABLE 7-2)	SWP ARTICLE 21 WATER (TABLE 7-3)	VALLEJO PERMIT WATER (TABLE 7-4)	VALLEJO TREATED WATER (TABLE 7-5)		VALLEJO EMERGENCY WATER	TOTAL (2016-2020)	TOTAL (2021-2040)
				2016-2020	2021-2040			
Maximum Contracted Volume	5,200	N/A*	500	2,640	3,206	500	8,340**	8,906**
Average	3,224	189	500	2,640	3,206	0	6,553	7,119
(Normal) Year	(100%)	—	(100%)	(100%)	(100%)	—	(100%)	(100%)
Single-Dry	260	0	500	2,112	2,565	500	3,372	3,825
Year	(5%)	—	(100%)	(80%)	(80%)	—	(51%)	(54%)
Multiple-Dry	1,144	124	500	2,112	2,565	500	4,380	4,833
Years 1st Year	(22%)	—	(100%)	(80%)	(80%)	—	(67%)	(68%)
Multiple-Dry	1,144	124	500	2,112	2,565	500	4,380	4,833
Years 2nd Year	(22%)	—	(100%)	(80%)	(80%)	—	(67%)	(68%)
Multiple-Dry	1,144	124	500	2,112	2,565	400	4,280	4,733
Years 3rd Year	(22%)	—	(100%)	(80%)	(80%)	—	(65%)	(66%)
Notes: All volumes are in acre-feet per year. % values in parentheses are percent of average year volume. * The amount of Article 21 water available varies by year. ** Vallejo Emergency Water is not included in the total for contracted volume since it is only available in years when SWP Table A water is curtailed. Source: Kennedy Jenks Consultants 2016.								

Demand

Table 3-8 shows projected demand by land use type. The demand is reflective of land uses and projected residential and commercial/industrial development.

Table 3-8: Projected Demand 2020–2040 (Acre-feet per Year)

USE TYPE	2015 ACTUAL	PROJECTED DEMAND				
		2020	2025	2030	2035	2040
Single Family Residential	1,102	1,562	1,712	1,861	2,011	2,171
Multi-Family Residential	142	174	190	207	223	241
Other—Commercial/Industrial/ Institutional	854	1,087	1,177	1,267	1,357	1,448
Landscape	175	247	247	247	247	247
Agricultural irrigation	56	56	0	0	0	0
Other—Miscellaneous	16	24	24	24	24	24
Losses	631	255	272	292	313	335
Total Demand (acre-feet per year)	2,976	3,405	3,622	3,898	4,175	4,466
Service Area Population	20,315	22,462	24,609	26,756	28,903	31,210
Note: All volumes are shown in acre-feet per year. One acre-foot is approximately 325,851 gallons. Source: Kennedy Jenks Consultants 2016.						

Exhibit 3-2: Water Service Area Boundary

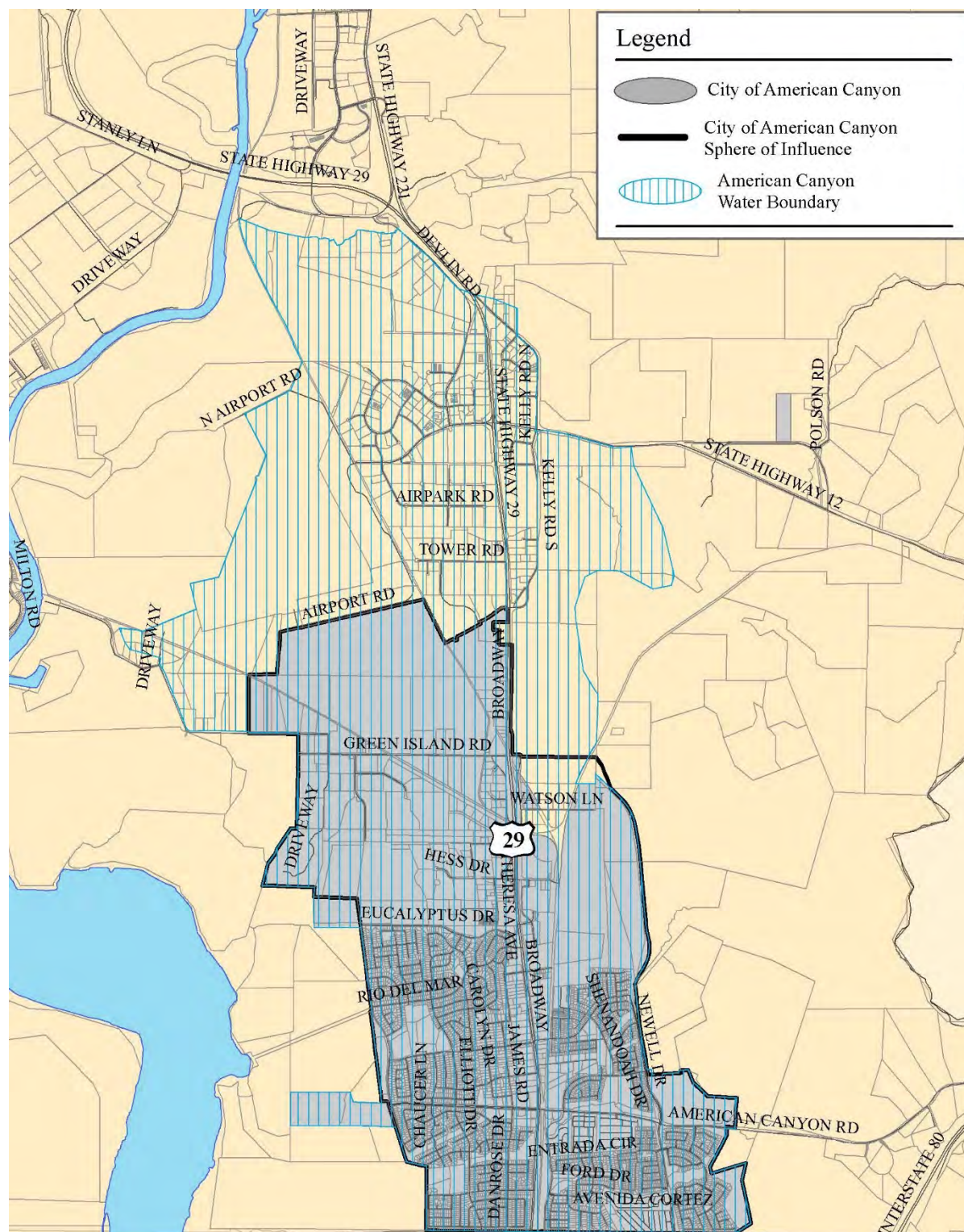


Table 3-9 shows projected demand and supply for 2020 to 2040 for normal, single dry year and multiple dry year scenarios. The table shows that a single dry year can lead to water shortages. However, the City has agreements with Vallejo to supply water if there is a shortfall. The City entered into a Water Service Agreement with the City of Vallejo in 1996 to purchase various categories of water. The agreement allows 500 AFY of Vallejo permit water, through Vallejo's appropriative rights to Delta water that predate construction of the SWP, and varying quantities of treated water from the Vallejo water supply. Under the agreement, the City may also purchase up to 500 AFY for emergency purposes.

Table 3-9: Imported Water Supply and Demand Comparison (Acre-feet per Year)

DEMAND		2020	2025	2030	2035	2040
PROJECTED DEMAND		3,405	3,622	3,898	4,175	4,466
Average (Normal) Year	Projected Supply	6,553	7,119	7,119	7,119	7,119
	Surplus	3,148	3,497	3,221	2,944	2,653
Single-Dry Year	Projected Supply	3,372	3,825	3,825	3,825	3,825
	Supply-Demand Difference*	(-33)	203	(-73)	(-350)	(-641)
Multiple-Dry Year, Year 1	Projected Supply	4,380	4,833	4,833	4,833	4,833
	Surplus	975	1,211	935	658	367
Multiple-Dry Year, Year 2	Projected Supply	4,380	4,833	4,833	4,833	4,833
	Surplus	975	1,211	935	658	367
Multiple-Dry Year, Year 3	Projected Supply	4,280	4,733	4,733	4,733	4,733
	Surplus	875	1,111	835	558	267
Note: * The negative numbers (in parentheses) indicate deficits. Source: Kennedy Jenks Consultants 2016.						

Recycled Water

The City supplements its potable water supply with recycled water for certain allowable non-potable uses. The City adopted a Recycled Water Implementation Plan in 2005, and has been working to expand its recycled water system in order to reduce the City's reliance on imported water supply.

The City's Water Reclamation Facility (WWTP) has the ability to produce recycled water that meets the Title 22 standards for disinfected tertiary water. Title 22 (California Code of Regulations, Division 4, Chapter 3, Section 60301, et seq.) is the regulation that establishes the level of treatment, water quality standards and the types of allowable uses for recycled water for the protection of public health. According to Title 22, recycled water is suitable for landscape irrigation in residential and commercial areas, school yards, parks, and playgrounds. The City's recycled water is also used for agricultural irrigation, dust control at construction sites and internal use at the WWTP.

In 2015, the City’s recycled water distribution system delivered approximately 175 acre-feet of water to both public and private users. In the coming years, the City will be increasing its recycled water distribution by connecting users to the existing recycled water network and also by expanding its distribution pipeline network to connect additional existing and future users. It is estimated that there is over 1,200 acre-feet of recycled water demand within the City’s recycled water service area at buildout, which is expected to occur in 2035.

In addition, Napa Sanitation District (NSD) provides wastewater collection/treatment and recycled water services for northern portions of the City’s potable water service area, and recycled water to some users in the northern part of the City’s water service area. NSD also provides wastewater collection/treatment and recycled water services for the City of Napa and portions of unincorporated Napa County. In 2015, NSD provided approximately 210 acre-feet of recycled water for landscape and agricultural irrigation to customers located within the City of American Canyon’s potable water service area. NSD is also planning to expand its recycled water distribution within that service area. The total projected demand within the City’s water service area for both the City’s recycled water and NSD’s recycled water is presented in Table 3-10.

Table 3-10: Projected Recycled Water Demand (acre-feet)

	2020	2025	2030	2035	2040
City of American Canyon Recycled Water	616	655	760	1,271	1,271
Napa Sanitation District Recycled Water	391	491	591	591	591
Total	1,007	1,146	1,351	1,862	1,862
Source: Kennedy Jenks Consultants 2016.					

In recent years, the City has invested heavily in maximizing both the water quality and quantity of recycled water produced at the Water Reclamation Facility, and have been successful in reducing demand for potable water by as much as 450 acre-feet per year through conversion of potable water uses for irrigation to recycled water and permanent changes to landscape and irrigation techniques.

DETERMINATIONS

- 3.3.1** The City relies on surface water from three main sources, the State Water Project (SWP), permit (raw) water from the City of Vallejo, and treated water from Vallejo. The City also has agreements for emergency supplies from Napa and Vallejo.
- 3.3.2** The City’s water treatment facility has a capacity of 5.5 million gallons and storage capacity of 4.70 million gallons.
- 3.3.3** The City also uses recycled water to meet some of its demands for non-potable water.
- 3.3.4** The City’s recently updated Urban Water Management Plan demonstrates that the City has sufficient water to meet projected needs in the next 20 years.

3.3.2 - Wastewater

Exhibit 3-3 shows the extent of wastewater services provided by the City which is the successor agency to the ACCWD. The City of American Canyon Public Works Department operates the WWTP and commissioned in 2002, at 151 Mezzetta Court, to provide wastewater collection, treatment, and water recycling services to customers.

The WWTP collects and treats domestic and industrial wastewater through a system of 53 miles of gravity pipelines, five pump stations, and 5 miles of sewer force mains. Pump stations convey flows to the WWTP, which is located at the western edge of the City adjacent to the Napa River. The WWTP is a secondary/tertiary treatment plant and was one of the first WWTPs in the country with Membrane Bio Reactor (MBR) and ultraviolet light (UV) disinfection. The WWTP treats the wastewater to Title 22 standards and discharges either to the Napa River, via the wetlands, or to the City's recycled water distribution system.

The plant was designed to treat an average flow of 2.5 million gallons per day (mgd), wet weather capacity of 5.0 mgd, and a peak flow of 3.75 mgd. The daily average treatment over the last five years ranged from 1.54 to 1.62 mgd, well below the capacity of 2.5 mgd. That leaves additional capacity to accommodate future growth within the time frame of this review.

As part of the sewer system master plan, a consultant evaluated the sewer pipe system under current and buildout conditions. The analysis found several areas that needed attention as the flow with approved development projects exceeded the pipe capacity. The master plan identifies near-term (0 to 10 years) and long-term (11-20 years) capital improvement projects to alleviate deficiencies. The near-term Capital Improvement Program (CIP) plan requires some \$35 million in projects. The near-term projects in conjunction with a reduction in flow velocity were sufficient to accommodate buildout of proposed projects. Table 3-11 lists the near-term capital improvement projects that accommodate growth. The term I/I refers to infiltration and inflow. As shown in the table, most of the projects could be funded by wastewater operations.

DETERMINATIONS

3.3.5 The City operates the WWTP on Mezzetta at the western edge of the City. The WWTP was designed to treat an average flow of 2.5 mgd, wet weather capacity of 5.0 mgd, and a peak flow of 3.75 mgd. The daily average treatment over the last five years ranged from 1.54 to 1.62 mgd, well below the capacity of 2.5 mgd. That leaves additional capacity to accommodate future growth within the time frame of this review.

3.3.6 Analysis of the sewer system for the Sewer Master Plan determined that without capital improvements, the system does not have the capacity to accommodate buildout of already approved projects. With near-term capital improvements estimated at \$35 million, the system—along with reduced flow velocity—is capable of accommodating growth.

Exhibit 3-3: Wastewater Service Area

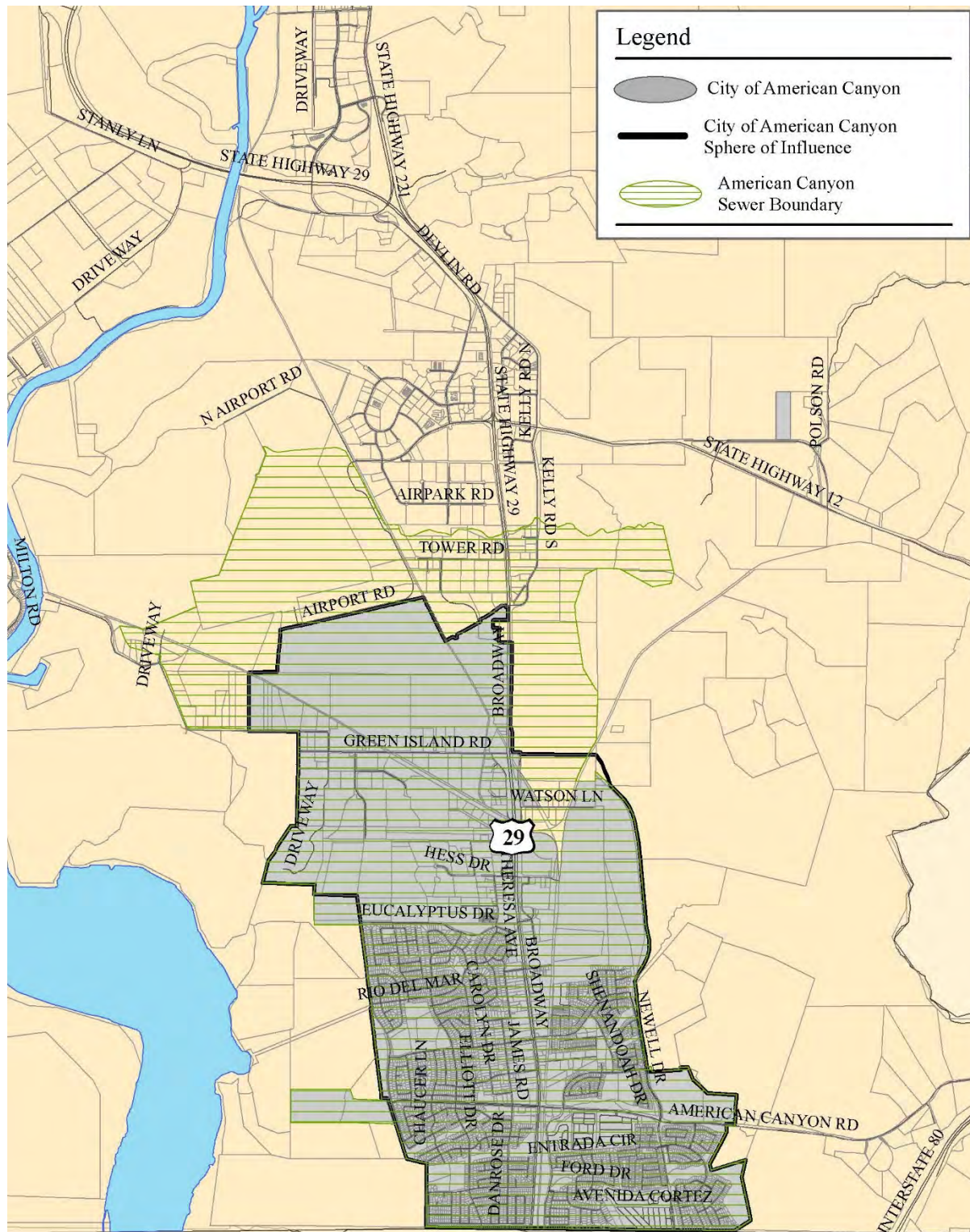


Table 3-11: Sewer Collection System Near-term Capital Improvements (0–10 Years)

CIP PROJECT	DRIVER	FUNDING SOURCE	ESTIMATED COST
SS1 Rio Del Mar Basin	Reduce I/I and reduce peak flow in local sewers and Main Basin PS	Wastewater Operations	\$7,170,000
SS2 Napa Logistics and Green Island Pump Station	Increase capacity of Green Island PS, abandon Tower Road PS, and serve airport area development	Wastewater Operations and Wastewater Capacity	\$18,800,000
SS3 Huntington Way	Bypass peak flows away from Sunset Meadows PS to the Main Basin PS, and upgrade capacity of bypass sewer	Wastewater Operations	\$4,580,000
SS4 Broadway, north of American Canyon Rd	Reduce I/I and peak flows to Main Basin PS, and serve Watson Ranch	Wastewater Operations and Wastewater Capacity	\$2,540,000
SS5 Summerfield Project	Improve collection system hydraulics and access	Wastewater Operations	\$370,000
SS6 Theresa Ave and Los Altos Dr	Reduce I/I and peak flows to Main Basin PS, and replace/rehabilitate sewers in poor condition	Wastewater Operations	\$2,050,000
Total Near-term CIP			\$35,510,000
Source: City of American Canyon 2016a			

3.3.3 - Law Enforcement

The City contracts with the Napa County Sheriff's Office for law enforcement. The American Canyon Police Department is staffed by 24 sworn officers, two police technicians, and one administrative clerk whose duties are shared with the Fire Department. Sworn staffing includes one Chief, four Sergeants, two Traffic Officers, two K-9 Handlers, two School Resource Officers, one Community Resource Officer, and 12 patrol officers, which average 1.2 officers per 1,000 population.

To make it easier for both the City of American Canyon and the Napa Sheriff's Office to manage their budgets and anticipate future expenses, the City enters into 3-year agreements, with changes in service costs projected out over the 3-years. The previous agreement expired June 2016. The City and County chose to enter into another 3-year agreement that will expire June 30, 2019.

There are a minimum of three officers on duty 24 hours a day, seven days a week. In the event a situation arises requiring more than the officers in American Canyon, Napa Sheriff's Office deputies respond to calls for mutual aid.

Table 3-12 shows calls for services and other statistics for the most recent five years.

Table 3-12: Calls for Service 2012–2016

ACTIVITY	2012	2013	2014	2015	2016	AVERAGE
Calls for service	19,703	18,537	17,604	17,057	18,698	18,320
Reports	2,135	2,005	1,971	2,035	1,965	2,022
Arrests	859	765	665	475	523	657
Citations: misdemeanor	599	499	474	612	427	522
Source: American Canyon Police Department 2017						

Table 3-13 shows the types of crimes that were reported within in American Canyon from 2012 to 2016. As shown, the number and type of reported crimes remains fairly constant each year, with the most common crime being larceny (or theft of personal property) and homicide being the least common with only one reported case.

Table 3-13: American Canyon Police Department Reported Crime 2012-2016

STATISTIC CRIMES	2012 REPORTED	2013 REPORTED	2014 REPORTED	2015 REPORTED	2016 REPORTED
Homicide	0	0	0	1	0
Rape	8	5	2	7	7
Robbery	26	31	16	21	14
Assault	123	79	117	91	118
Burglary	119	92	100	98	58
Larceny	448	388	441	501	298
Theft: auto	49	32	31	44	56
Total	773	627	707	763	551
% Solved	54.86%	60.45%	55.45%	54.66%	43.40%
Source: American Canyon Police Department 2017					

DETERMINATIONS

3.3.7 The City of American Canyon contracts with the Napa County Sheriff's Office for law enforcement. There are 24 sworn personnel or 1.2 per 1,000 population. The Sheriff's Office also provides mutual aid to the City.

3.3.8 In the past five years the City's law enforcement calls for service ranged from 17,057 to 19,703 or an average of 18,320 with no discernable trend. During the same period crimes ranged from 551 to 773.

3.3.4 - Parks and Recreation

According to the 1994 General Plan, American Canyon exceeds its parkland standards of 5 acres per 1,000 residents, providing 6.14 acres per 1,000 residents. However, recent development in American Canyon has outpaced the development of new parkland and reduced this ratio to 3.4 acres of parkland per 1,000 residents. The park system currently consists of 79 acres in 22 parks and three community centers. The City also has 1,168 acres of publicly accessible open space or 56.68 acres per 1,000 residents. The City has four types of parks and three types of trails, which are defined in the General Plan:

- **Mini Park:** A park that is less than 1 acre in area that is not designed for active recreational uses. These provide passive open space and buffering from adjacent urban development and typically include elements such as walking paths and benches.
- **Neighborhood Park:** A park is between 2.5 and 5 acres in are primarily planned for children 5 to 14 years of age. Ideally located within the center of a neighborhood and sited adjacent to a school whenever possible, these parks provide such recreation facilities as children’s play areas, picnic tables, and basketball courts. The service area radius for a neighborhood park is 0.25 to 0.5 mile.
- **Community Park:** A park designed to serve several neighborhoods that is planned for youth and adults. These parks provide a wider range of activities and range in area from 10 to 40 acres with facilities for indoor and outdoor recreational activities, such as softball diamonds, basketball courts, tennis courts, and community centers. The service area radius for a community park is typically 1 to 1.5 miles.
- **Regional Park:** At 50 acres or larger, regional parks are designed to serve both the local community and people from surrounding communities. A regional park typically includes significant natural features and provides outdoor recreational facilities, such as picnicking, camping, and hiking, and special programs.
- **Urban Trail:** A multi-purpose pedestrian/bicycle trail that connects residential areas to regional and community parks, schools, and commercial and industrial employment areas.
- **Rural Trail:** A multi-purpose equestrian/pedestrian/bicycle trail that is typically unpaved and used primarily for recreational purposes. These trails often link various parts of a community and sometimes provide linkages between different communities.
- **Bicycle Right-of-Way:** Typically found adjacent to or on the outer edge of roads and often integrated with urban and rural trails. It also provides additional access to recreational, educational, and commercial/industrial employment areas.

City Park and Recreation Facilities

Table 3-14 shows City-owned park facilities in American Canyon. The table identifies 4 mini parks, 13 community parks, and 2 urban trails along with their unique features.

Table 3-14: City Park Facilities

FACILITY NAME	ADDRESS	PARK OR TRAIL CATEGORY	SPECIFIC FEATURES
Banbury Park	100 Banbury Way	Mini Park	Benches, Open Turf Area
Bedford and Kensington Cul De Sac	323 Bedford Lane	Mini Park	Playground
Clark Ranch	NW corner Wetlands Edge and Eucalyptus Dr.	Community Park	4-H Club and Spirit Horse Nonprofit / Planned facilities include trails, community garden, outdoor gathering area, dog park, demonstration gardens
Community Park I	1400 Rio Grande Drive	Community Park	Playground, Picnic/BBQ Areas, Baseball/ Softball Fields, Volleyball Court, Pathways, Horseshoe Pits, Open Turf Area, Restrooms
Community Park II	20 Benton Way	Urban Trail	Pathways, Memorial Grove
Danrose Basketball Courts	785 Danrose Drive	Community Park	Half Basketball Court
Elliott Power Line Park	2234 Elliott Drive	Community Park	Playground, Basketball Court, Community Garden, Tennis Courts, Pathways
Gadwell Park	161 Gadwell Street	Community Park	Playground, Half Basketball Court, Picnic Areas, Benches, Pathways
Kimberly Park	600 Kimberly Drive	Community Park	Soccer Fields, Backstop
Linwood Park	285 Linwood Lane	Community Park	Playground, Picnic/BBQ Areas, Pathways
Main Street Park	5050 Main Street	Community Park	Playground, Tennis Courts, Picnic/BBQ Areas, Plaza, Pathways, Benches
Melvin Park	19 Melvin Road	Community Park	Playground, Tennis Courts, Picnic Area
Montecarlo Park	54 Montecarlo Way	Urban Trail	Pathways, Benches
Northampton Park	242 Northampton Drive	Community Park	Playground, Basketball Courts, Softball Field
Nottingham and Bentley Cul De Sac	270 Nottingham Lane	Mini Park	Playground
Pelleria Park	54 Pelleria Drive	Community Park	Playground, Half Basketball Court, Picnic Areas, Pathways, Benches
Shenandoah Park	100 Sonoma Creek Way	Community Park	Playground, Baseball Field, Basketball Court, Soccer Field, Picnic/BBQ Areas, Restrooms
Silver Oak Park	485 Silver Oak Drive	Community Park	Playground, Baseball Field, Soccer Field, Picnic/BBQ Areas
Veterans Memorial Park	2801 Broadway Street	Mini Park	Playground, Benches
Via Bellagio Park	100 Via Bellagio	Community Park	Playground, Picnic Areas, Benches, Open Turf, Pathways
Wetlands Edge Park	205 Wetlands Edge Rd.	Urban Trail	Trail
Source: City of American Canyon, 2016b.			

Table 3-15 shows the recreation facilities located within American Canyon Community Park II is located near Donaldson Way Elementary School and Archways Community Day School, at the intersection of Donaldson Way and Benton Way. The Community Park II is a hub of recreation activities, as it is adjacent to the Philip West Aquatics Center, the City skate park, and a publicly accessible gymnasium that belongs to Napa Valley Unified School District.

Table 3-15: Recreation Facilities

FACILITY NAME	ADDRESS	TYPE/USES
American Canyon Recreation Center	2185 Elliot Drive	Assembly Room, Small Kitchen, Restrooms
Community Park II	100 Benton Way	Gymnasium, Stage, Meeting Room, Philip West Aquatics Center, skate park, Restroom
Skate Park	100 Benton Way	13,000 Square Foot Skate Park
Little League Complex	280 Napa Junction Road	Baseball Fields, Snack Bar, Playground
Philip West Aquatics Center	20 Benton Way	Swimming Pool, Wading Pool, Office, Snack Bar, Restrooms, Dressing Rooms
Senior Multi-Use Center	2234 Elliot Drive	Assembly Room, Full Commercial Kitchen, Multi-Use Room, Restrooms, Foyer, Banquets and Meetings Rental
Source: City of American Canyon, 2016b.		

In addition, the Parks Department works with the American Canyon Community & Parks Foundation with the shared goal of promoting citizen participation in programs and advocating for the importance of parks in the community. The foundation is composed of dedicated community volunteers who are committed to supporting the Parks and Recreation Department through fundraising efforts, as well as by offering unique outdoor experiences.

Parks and Recreation Needs Assessment

In early 2016, the City published a Parks and Recreation Needs Assessment that provided insight into programming needs that are not being met by City's parks and recreation facilities. The study also identified the best way to direct funding and improvements to meet the specific desires of the community. The assessment compared the City's park system with other similar cities nearby and determined that the City possesses more total park acreage, just below the upper quartile of respondent municipalities on these measures in national benchmarking data. However, the City falls to just above the lower quartile in terms of total park and facility sites because of its lack of indoor facilities.

With respect to parks and recreation facilities, the assessment determined that residents of American Canyon have an unmet need for outdoor exercise and fitness areas, covered picnic areas, adventure areas such as a ropes course or zip line, Napa River access, mountain biking trails, sports complexes, off-leash dog parks, community gardens, and community center space. Specifically, the assessment concluded that the City should develop the following facilities to meet the needs of its

residents by 2030: 77 acres of community parkland, four adult softball diamonds, three basketball multi-use outdoor courts, two off leash dog parks, 23,305 square feet of community or recreation centers, and 3,927 square feet of senior centers.

The needs assessment notes that while the City's pool meets the level of service standard of one site for 50,000 people, the pool is not able to support all of the programming needs of the City's residents. Specifically, the assessment states that "Facility Utilization: aquatic programs and services are in high demand in American Canyon. Unfortunately, the traditional configuration of the pool (6 lane, 25 yards, no true shallow water depths) inhibit the ability to offer multiple programs simultaneously that require similar water depths." As a result, some key aquatics programs are impacted, including the youth learn to swim classes and the open swim.

DETERMINATIONS

3.3.9 The park system currently consists of 79 acres in 22 parks and three community centers. In 1994, the City had 6.14 acres per 1,000 residents. However, recent development in American Canyon has outpaced the development of new parkland and reduced this ratio to 3.4 acres of parkland per 1,000 residents. The City has set a standard of 5 acres of parkland per 1,000 residents following the Quimby Act.

3.3.10 Parks and Recreation conducted a needs assessment, which found that residents have an unmet need for community parks, softball fields, dog parks, recreation centers, and a senior center.

3.3.5 - Street Maintenance and Traffic

The Department of Public Works, Street and Storm Drain Division is responsible for the storm drainage system as well as street maintenance, including 38 miles of streets, 1,233 streetlights, four traffic signals, sidewalks, curbs gutters, crosswalks, signs, and lane striping. Traffic is a regional problem that is best addressed by the Napa Valley Transportation Authority (NVTa). However, the City is working to contribute its fair share to reduce traffic congestion by collecting a traffic impact fee on new development and seeking grant funds to construct roadway improvements, maintaining streets, adding traffic signals where appropriate, providing alternative modes of transportation such as providing a network of bicycle lanes, and coordinating with the NVTa on bus transit services.

Traffic

Traffic is a major concern, due to congestion on the major roads and highways in the City. In March of 2017 the City held a community workshop to inform residents about efforts to improve traffic flow on Highway 29 and meet the goals and objectives of the 2016 Strategic Plan. The workshop provided an update on road construction improvements at three key intersections, and efforts to obtain funding for the Newell Rd construction and Highway 29 widening. The staff report on the workshop is attached as Appendix A.

Each roadway has a level of service (LOS) designation that indicates the amount of congestion. Table 3-16 shows the LOS designations for an unsignalized intersection and a signalized intersection. LOS D, E, and F are considered congested intersections.

Table 3-16: LOS Definitions

LEVEL OF SERVICE	DESCRIPTION	UNSIGNALIZED INTERSECTION	SIGNALIZED INTERSECTION
		Average Control Delay Per Vehicle (Seconds)	Average Control Delay Per Vehicle (Seconds)
A	Little or no delay.	≤ 10.0	< 10
B	Short traffic delays.	10.1 to 15.0	> 10 to 20
C	Average traffic delays.	15.1 to 25.0	> 20 to 35
D	Long traffic delays.	25.1 to 35.0	> 35 to 55
E	Very long traffic delays.	35.1 to 50.0	> 55 to 80
F	Extreme traffic delays with intersection capacity exceeded.	> 50.0	> 80

Source: *Highway Capacity Manual*, Transportation Research Board, 2000.

Table 3-17 shows LOS calculations for the major intersections. The calculations are derived from the traffic study conducted by Fehr & Peers for the Watson Ranch EIR.

Table 3-17: Key intersections and LOS AM Peak and PM Peak

#	INTERSECTION	JURISDICTION	CONTROL	PEAK HOUR	DELAY	LOS
1	SR 29 / SR 12 / SR 121	Caltrans	Signal	AM	39.4	D
2	SR 29 / SR 12 / SR 221 / Soscol Ferry Road	Caltrans	Signal	AM	58.9	E
3	SR 29 / SR 12 / Airport Boulevard	Caltrans	Signal	AM	>80	F
4	SR 29 / South Kelly Road	Caltrans	Signal	AM	31	C
5	SR 29 / Green Island Road / Paoli Loop Road	Caltrans	Uncontrolled	AM	-	-
6	SR 29 / Napa Junction Road	Caltrans	Signal	AM	28.4	C
7	SR 29 / Eucalyptus Drive	Caltrans	Signal	AM	6.9	A
8	SR 29 / Rio Del Mar	Caltrans	Signal	AM	18.6	B
9	SR 29 / South Napa Junction Road / Poco Way	Caltrans	SSSC	AM	8.6	A

#	INTERSECTION	JURISDICTION	CONTROL	PEAK HOUR	DELAY	LOS
10	SR 29 / Donaldson Way	Caltrans	Signal	AM	31.1	C
11	SR 29 / American Canyon Road	Caltrans	Signal	AM	33.4	C
12	SR 29 / Mini Drive	Caltrans	Signal	AM	24.3	C
13	SR 29 / Meadows Drive	Caltrans	Signal	AM	23.8	C
14	SR 29 / SR 37 Westbound On-Ramp	Caltrans	Signal	AM	12	B
15	SR 29 / SR 37 Eastbound Ramps / Lewis Brown Drive	Caltrans	Signal	AM	16.7	B
16	Paoli Loop Road / Green Island Road	American Canyon	SSSC	AM	5.1	A
17	Shenandoah Drive / Donaldson Way	American Canyon	AWSC	AM	10.8	B
18	Newell Drive / Donaldson Way	American Canyon	SSSC	AM	8.3	A
19	Newell Drive / Silver Oak Trail	American Canyon	Signal	AM	20.2	C
20	Broadway Street / Silver Oak Trail / American Canyon Road	American Canyon	Signal	AM	38.4	D
21	Newell Drive / American Canyon Road	American Canyon	Signal	AM	41.6	D
22	Via Firenze / American Canyon Road	American Canyon	Signal	AM	15	B
23	Fairgrounds Drive / Flosden Road / Corcoran Avenue	Vallejo	Signal	AM	24	C
24	Fairgrounds Drive / SR 37 Westbound Ramps	Caltrans	Signal	AM	36.5	D
25	Fairgrounds Drive / SR 37 Eastbound Ramps	Caltrans	Signal	AM	13.4	B
Notes: Bold indicates intersections operating at a deficient level of service AWSC – all way stop control SSSC – side street stop control Source: Fehr & Peers 2016						

The results of the LOS calculations indicate that the following intersections do not currently operate at acceptable levels of service according to their designated LOS standard:

- (#1) SR-29 / SR-12 / SR-121 (AM and PM peak hours)
- (#2) SR-29 / SR-12 / SR-221 / Soscol Ferry Road (AM and PM peak hours)
- (#3) SR-29 / SR-12 / Airport Boulevard (AM and PM peak hours)
- (#4) SR-29 / South Kelly Road (PM peak hour)
- (#6) SR-29 / Napa Junction Road (PM peak hour)
- (#13) SR-29 / Meadows Drive (PM peak hour)
- (#20) Broadway Street / Silver Oak Trail / American Canyon Road (AM and PM peak hours)
- (#21) Newell Drive / American Canyon Road (AM and PM peak hours)
- (#24) Fairgrounds Drive / SR-37 Westbound Ramps (AM and PM peak hours)

As shown in the table all but intersections 20 and 21 are under the jurisdiction of CALTRANS and most of the American Canyon intersections are at acceptable levels.

Streets

The pavement network is managed through a Pavement Management Program (PMP). The PMP comprises miles of streets, current street condition or Pavement Condition Index (PCI), proposed maintenance and repairs, and the budget. The PCI is an important gauge, since each roadway is graded on a scale of 0 to 100, corresponding to the number and types of distresses in a pavement. A PCI of 100 represents the best possible condition while 0 represents the worst. The pavement is rated by one of five categories, as shown in Table 3-18.

Table 3-18: Street Condition Categories

CONDITION CATEGORY	PAVEMENT CONDITION	PCI
I	Very Good	75–100
II/III	Good	60–75
IV	Poor	30–60
V	Very Poor	0–30
Source: City of American Canyon, 2017b.		

By the time a road reaches 20 years and a PCI of 60, it has already lived 75% of its serviceable life but has experienced only a 40% drop in quality. However, once a roadway reaches a PCI below 60, rapid deterioration begins to take place. When the PCI falls below 60, the roadway is considered in need of repairs. In 2015, the City resurfaced 1.75 miles of streets but only 0.15 miles in 2016. Based on the PCI the average rating of the streets in American Canyon is 67, which places American Canyon streets in the good condition category.

Traffic Signals

Levels of service analysis at unsignalized intersections is used to determine the need for modification of the type of intersection control. The evaluation is made by reviewing traffic volumes and signal warrants. There are eight signal warrants found in the California Manual on Uniform Traffic Control Devices (MUTCD). As an example, the Peak Hour Volume Warrant can be used as a supplemental analysis to assess operations at unsignalized intersections.

Public Transit Service

The City participates in VINE Transit, which provides bus service for Napa County and in American Canyon as American Canyon Transit (ACT). The local system provides fixed route and door to door service. Buses are scheduled on the fixed route approximately every 40 minutes. Transit routes are shown in Exhibit 3-4. Vine Transit is the premier public transportation service operated by the NVTa.

Ridership varies from year to year. Table 3-19 shows ridership of the system for the most recent 3-years. Total ridership for the system has been 1.2 million for the last 2 years. ACT's portion represents about 3% of the total ridership. Fares are \$1.00 for adults and 50 cents for seniors, youth, and students. Similar to most transit systems VINE operates at a deficit—\$1 million in 2015 and \$3 million in 2016.

Table 3-19: Vine System Ridership 2014–2016

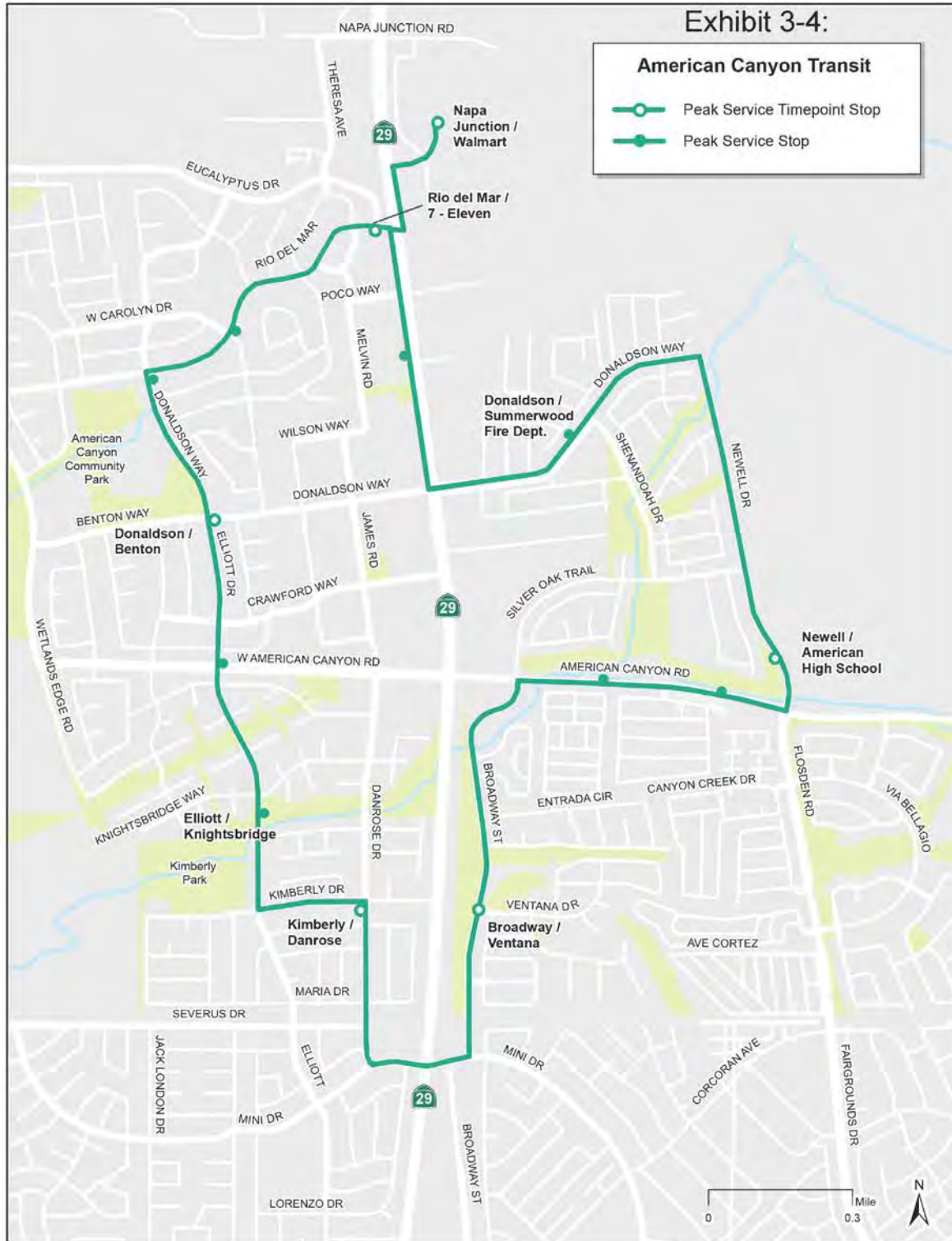
SYSTEM RIDERSHIP	2014	2015	2016
Vine Local	815,502	1,025,859	1,013,818
Vine Express	—	97,188	99,215
Vine Go Paratransit	224,188	23,105	22,690
American Canyon Transit	27,910	32,302	24,576
Yountville Trolley	27,794	24,888	22,251
St. Helena Shuttle	16,369	14,358	11,406
Calistoga Shuttle	22,480	21,946	21,731
Total	972,473	1,239,646	1,215,687
Source: Napa Valley Transportation Authority, 2015, 2016.			

Bicycle Plan

The City participated with NVTa to develop a countywide bicycle plan to guide and influence the development of bikeways, bicycle policies, bicycle programs, and bicycle facility design standards to make bicycling throughout Napa County more safe, comfortable, convenient, and enjoyable for all bicyclists. The overarching goal of the Bicycle Plan is to increase the number of persons who bicycle throughout Napa County for transportation to work, school, utilitarian purposes, and recreation.

The plan addresses the needs of all types of bicyclists, including novice riders and children, the average bicyclist, and advanced riders and commuters, as well as shoppers, recreational riders, and tourists. Important reasons for increasing bicycle travel include reducing congestion and greenhouse gas emissions due to automobile traffic, as well as the general public health benefits of active transportation. The City of American Canyon adopted the NVTa Bicycle Master Plan into the General Plan in 2012.

Exhibit 3-4: American Canyon Transit Routes



DETERMINATIONS

- 3.3.11** The City Department of Public Works, Streets and Storm Drain Division is responsible for street maintenance that includes 38 miles of streets, 1,233 streetlights, four traffic signals, sidewalks, curbs gutters, crosswalks, signs, and lane striping. The PCI averages 67 for the City, which is considered good. In 2015, the City resurfaced 1.75 miles of streets but only 0.15 mile in 2016.
- 3.3.12** A recent traffic study analyzed some 25 intersections around the City. Of those 25, nine do not currently operate at acceptable levels of service according to their designated LOS. Seven of those nine are under the jurisdiction of CALTRANS.
- 3.3.13** American Canyon Transit provides bus service through VINE and NVRTA—both fixed-route and door-to-door service to residents. Implementation of the countywide bicycle plan will help to reduce traffic congestion.

3.3.6 - Storm Water

The Public Works Department also maintains the storm drain system. The City of American Canyon is located in the Napa River Watershed near its confluence with San Pablo Bay. The drainage pattern within American Canyon is generally in a westerly direction originating in the hills of the Sulfur Spring Mountains. The City of American Canyon Public Works Department oversees municipal storm drainage within the American Canyon city limits, and maintains a Storm Drain Master Plan and engineering standards to guide the development of the municipal storm drainage system. The City's storm drainage system collects storm water runoff and discharges the water to the Napa River through a system of on-street storm drain inlets and ditches, as well as retention/detention basins and ponds designed to increase groundwater infiltration.

Storm water in the City is addressed in accordance with the City's Municipal Storm Water Discharge National Pollutant Discharge Elimination System (NPDES) Permit issued by the California State Water Resources Control Board. To more effectively reduce storm water pollution in the Napa River watershed and to provide a consistent approach to storm water regulations, the City of American Canyon joined with the other Napa County municipalities to form the Napa Countywide Storm Water Pollution Prevention Program <http://www.countyofnapa.org/stormwater>. The program brings together countywide talents, knowledge and skills, community outreach and education programs, regulatory guidelines for construction contractors, and grant funding to support storm water protection in the City.

DETERMINATIONS

- 3.3.14** The Department of Public works Streets and Storm Water Division maintains the City's storm drainage system. The system of storm drains and channels divert storm water flow to the west to the Napa River.

3.3.7 - Solid Waste

Solid waste collection is provided for the City of American Canyon by Recology American Canyon under the Napa-Vallejo Waste Management Authority (NVWMA). NVWMA contracts the collection, hauling, and disposal of solid waste from Napa, American Canyon, Vallejo, and unincorporated areas in southern Napa County. Waste collected from American Canyon is first delivered to the Devlin Road Recycling and Transfer Facility, located at 889 Devlin Road in American Canyon, for sorting before being sent to nearby landfills.

Prior to 2014, the majority of the City's residual waste was sent to the Keller Canyon Landfill at 901 Bailey Road, Pittsburg, in unincorporated Contra Costa County. As of January 2014, residual solid waste from American Canyon and other regions under the jurisdiction of NVWMA has been directed to the Potrero Hills Landfill, located within Sonoma County, 19 miles from the servicing transfer station. The Potrero Hills Landfill is a Class III landfill that accepts a variety of waste types, including mixed municipal, construction/demolition waste, agricultural, sludge (biosolids), industrial, and other designated wastes.

In 2014, American Canyon disposed of 12,896 tons of waste at Potrero Hills Landfill, accounting for 97 percent of the City's total solid waste. The Potrero Hills Landfill is permitted to accept up to 4,330 tons of waste per day and is planned to be in operation until 2048, with a remaining capacity of around 13.87 million cubic yards as of 2006.

DETERMINATIONS

- 3.3.15** The City contracts with Recology for solid waste pickup and disposal. Waste collected from American Canyon is first delivered to the Devlin Road Recycling and Transfer Facility for sorting before being sent to nearby landfills. The final destination is the Potrero Hills Landfill, which has sufficient capacity until 2048.

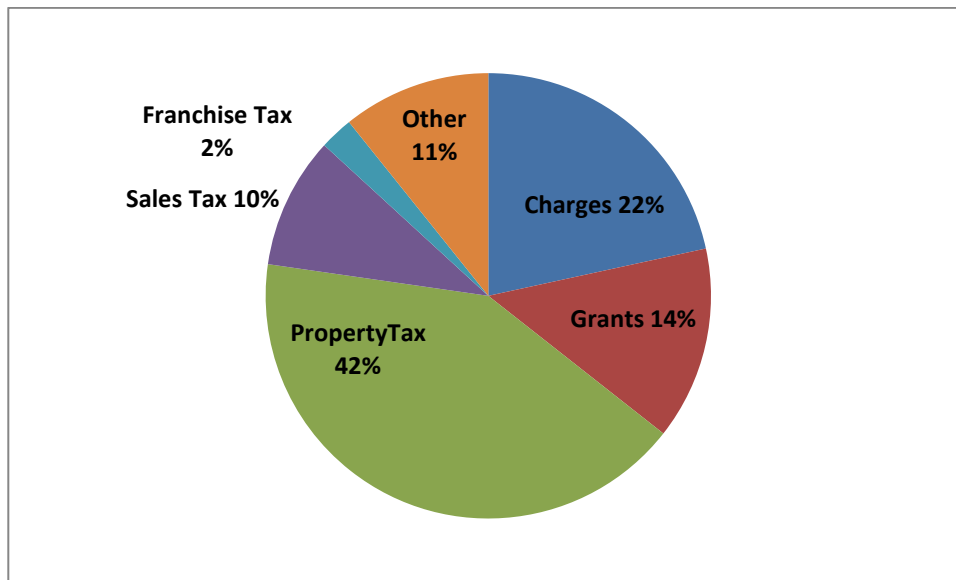
3.4 - Financial Ability to Provide Service

For FY 18, the City has adopted a budget of \$21,720,888 in expenditures balanced by \$21,363,288 in anticipated revenues. The difference is expected to be offset from the beginning fund balance, which is estimated at \$8,892,848. The City provided both General Fund and Enterprise Fund services. General fund services include law enforcement, planning, public works, and parks and recreation. The City receives fire protection from the American Canyon Fire Protection District, a subsidiary district of the City.

3.4.1 - General Fund Services

Exhibit 3–5 shows the allocation of revenues for General Fund sources. The percentages represent the average over the 5-year period. It is clear from the exhibit that property tax is the largest source of revenue.

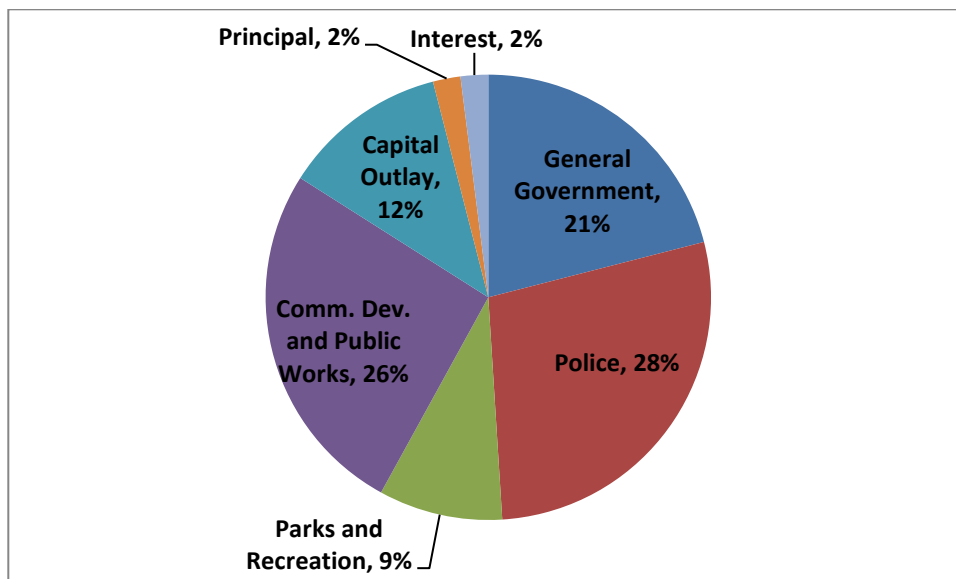
Exhibit 3-5: Revenue Sources FY12-FY 16



Source: City of American Canyon 2014, 2015a, 2015c, 2016d

Exhibit 3-6 shows the allocation of expenses for the General Fund over the same period.

Exhibit 3-6: Average Annual Allocation of Expenses



Source: City of American Canyon 2014, 2015a, 2015c, 2016d

The exhibit shows that public works and police have the largest share of expenses. The police expense represents 60% of public safety, which includes fire. The exhibit also shows that debt service, principal and interest, averages about 4% of expenses.

In FY 15–16, the General Fund balance decreased by \$1.182 million. However, this is a result of one-time transfers in the amount of \$2.036 million; eliminating the impact of these transfers would have resulted in an increase in fund balance by \$848,000.

The Parks Division remains in need of additional funding. The FY 18 budget includes sufficient funds for basic maintenance of current parks, but there is a need for significant funding source for park improvements. The City has a cost recovery policy for recreation activities. This applies only to recreation programming; parks maintenance costs are not recovered with user fees. Revenue recovery from recreation programming has been 20% or less of expenses for several years; best practices assume around 40% or more cost recovery.

In FY 10–11, during the “Great Recession,” the City Council approved a comprehensive General Fund 3-year Deficit Elimination Plan, which ended in FY 12–13. The goal of the Deficit Elimination Plan was to minimize reductions in the general fund’s reserves through cost cutting measures and revenue enhancement. The plan included two voter-approved revenue enhancements. The City’s Transient Occupancy Tax rate was increased 2% to 12% and a \$2-per-person admission tax to the City’s cardroom became effective in January 2011.

In order to ensure the long-term fiscal sustainability of the City’s finances, the Council directed its staff to enter a new 3-year “Stabilization Plan” beginning in FY 13–14. During this 3-year stabilization period, critical reductions in expenses were slowly restored as revenue growth allowed. The 2015-16 fiscal year marks the final year of the plan.

Enterprise Funds

Table 3-20 shows revenues and expenses for the Enterprise Funds for water and sewer services. The table indicates that charges must be supplemented with grants in order to cover expenses. If grants were not available, the City would have to consider a rate increase. Although variation occurs from one year to the next over the 5-year period, revenues exceed expenses so a positive fund balance would result.

Table 3-20: Enterprise Fund Revenues and Expenses (in millions of dollars)

REVENUES	2012	2013	2014	2015	2016
Charges	9.4	8.6	8.8	8.2	9.3
Grants	1	0.2	4.1	0.3	3
Other	0.1	0.4	0.8	0.5	0.6
Total	9.4	9.2	13.7	9	12.9
Expenses	2012	2013	2014	2015	2016
Water	4.9	5.5	6.2	7.3	5.4
Sewer	4.4	3.8	3.6	4.6	5
Total	9.3	9.3	9.8	11.9	10.4
Source: City of American Canyon, 2015a, 2015c, 2016c, 2016d.					

The 2017 adopted water rates are shown in Table 3-21. Rates are tiered to encourage conservation by using fewer units. The water service area includes some areas outside the city limits that were acquired, as the City became the successor agency to the water district upon incorporation. There are additional charges for service outside the City.

Table 3-21: 2017 Residential Water Rates

CUSTOMER CATEGORY SINGLE-FAMILY RESIDENTIAL	INSIDE THE CITY VOLUME CHARGE PER UNIT	OUTSIDE THE CITY VOLUME CHARGE PER UNIT
Tier 1 (0–8 units*)	\$3.24	\$4.54
Tier 2 (9–20 units*)	\$4.14	\$5.80
Tier 3 (20+ units*)	\$4.42	\$6.19
Multi Family 1" meter (residential)	\$3.77	\$5.28
Monthly Meter Charge	\$6.23	\$8.72
Drought Emergency surcharge	\$2.00	\$2.00
Source: City of American Canyon 2017b		

Sewer rates are set according to the average monthly usage for January to March of the previous calendar year. New customers are charged per average winter usage and rates are adjusted the following year if applicable. Sewer rates are shown in Table 3-22.

Table 3-22: Residential Sewer Rates

SINGLE-FAMILY RESIDENTIAL:	FLAT RATE	JANUARY TO MARCH—AVERAGE USAGE
Low Winter Water Use	\$48.60	4 units or less per month
Average Winter Water Use	\$51.75	4.1–13 units per month
High Winter Water Use	\$53.61	13.01 units and above per month
Multi-Family Residential	\$38.81 per dwelling unit	
Source: City of American Canyon 2017		

Capital Improvement Program

The City of American Canyon’s capital improvement program is a long-range program for major municipal construction projects. Key projects currently in progress include:

- **Devlin Road Connection:** In 2015, the City undertook a design project to construct a major connector from Devlin Road to Green Island Road. These two roads serve its growing industrial area on the north side of the City. When the City completes this section of Devlin Road, and when Napa County constructs one additional segment of Devlin Road north of American Canyon, Devlin Road will serve as a continuous parallel route to State

Route 29 from Napa to American Canyon. This will help keep truck traffic off State Route 29 and ease congestion during peak times. The City anticipates beginning construction on this project in 2019.

- **Broadway District Specific Plan:** Broadway is the heart of American Canyon. Owned and operated by Caltrans as State Route 29, Broadway has served as the main thoroughfare through American Canyon since the Carquinez Bridge was completed in 1927. The NVT A approved a modified boulevard concept for the State Route 29 Corridor. With the NVT A Broadway plan complete, the City is developing a Specific Plan for the land use on either side of the highway. This plan will be completed in 2018.
- **Green Island Road Reconstruction:** Green Island Road is currently the only road serving the Green Island industrial district in the north portion of American Canyon. This road was originally constructed more than 40 years ago and receives heavy truck traffic. In 2015, the City began the design to completely reconstruct the road to meet current needs. This project, which will be constructed in conjunction with the Devlin Road project noted above, will begin construction in 2018.
- **Valley View Senior Affordable Housing Project:** The City of American Canyon has partnered with Satellite Affordable Housing Associates to construct rental housing affordable to 70 low-income seniors and veterans in American Canyon. This project will help fill a gap in the availability of affordable homes specifically designed for seniors and veterans and will include on-site support services. This project will break ground in 2019.

Reserves

The City maintains three reserves and had policies for general fund, capital improvements, and economic development. Reserves are established each year on July 1, when the City sets the General Fund Reserve at 25% of the final budget for the fiscal year just concluded.

The Capital Projects Reserve is \$2 million. The Capital Projects Reserve will only be used for capital projects consistent with the City's strategic goals.

The Economic Development Reserve is set at \$1 million. The Economic Development Reserve will be used to further the City's adopted Economic Development program and to foster Council's strategic goal of attracting and expanding diverse business and employment opportunities or any additional strategic economic development goals established by Council action.

Long-term Debt

In accordance with the City's fiscal policy, long-term debt is limited to capital improvements or projects that cannot be financed from current revenues or resources. In July 2015, the City entered into a lease purchase agreement for \$2,004,200 for the acquisition and installation of new membranes at the Water Reclamation Facility. The terms of this lease require annual payments of \$157,222 through July 6, 2022, which includes interest at 3.55%. The cost of the asset was \$2.164 million.

For general fund activities, the major long-term debt year-end balances consist of \$1.3 million in 2012 lease revenue bonds issued to refinance 2002 lease revenue bonds which were used to construct the City gym and aquatic center; a \$5.3 million capital lease to purchase a commercial office building that was transformed into City Hall; \$315,000 remaining on a capital lease for the purchase of property bordering City Hall to the north; and \$257,000 capital lease to purchase a Vactor Truck for sewer, water and storm drain maintenance. As shown in Exhibit 3-6 above, debt service account for 4% of expenses.

Table 3–23 shows the outstanding debt. It should be noted the City has no general obligation bond debt.

Table 3-23: Outstanding General Fund Bond Debt

FY	GENERAL OBLIGATION BONDS	LEASE REVENUE BONDS	TOTAL
2012	0	\$2,465,000	\$2,465,000
2013	0	\$2,017,000	\$2,017,000
2014	0	\$1,792,000	\$1,792,000
2015	0	\$1,559,000	\$1,559,000
2016	0	\$1,318,000	\$1,318,000
Source: City of American Canyon 2016b.			

For water and sewer activities, major long-term debt comprises a \$4.7 million state revolving fund loan used for construction of the City’s wastewater treatment plant facility; \$830,000 for water system improvement; \$1.7 million for the acquisition and installation of the wastewater treatment membrane; and \$669,000 for the acquisition and installation of the water treatment membranes. The City has no bonded debt outstanding for its enterprise type activities.

DETERMINATIONS

- 3.4.1** The City annual budget for FY 18 is \$21.7 million for general fund activities. On average, property tax comprises 42% of revenues and sales taxes 10%. The police department accounts for approximately 28% of expenses followed by community development and public works at 26%. Debt service accounts for 4%.
- 3.4.2** Water and wastewater are considered Enterprise Funds, which are funded by charges. Over the period from FY 12 to FY 16, charges average \$10.84 million versus expenses of \$10.14 million.

3.5 - Status and Opportunities for Shared Facilities

The City works cooperatively with a number of local agencies to enhance services without increasing cost.

- The City works with the school district and the Sheriff’s Office to provide a school resource officer.

- In 2010, the City joined the Napa Valley Tourism Improvement District (NVTID) to increase tourism in American Canyon. The NVTID provides valley-wide as well as local tourist activity marketing and promotion.
- The City actively participates on the NVTI for transportation improvements and to provide bus service as ACT as part of the countywide transit system.
- The City also works with the County Library system for branch library in American Canyon.
- The City works with the cities of Napa and Vallejo for an adequate supply of potable water.
- The City joined with the other Napa County municipalities to form the Napa Countywide Storm Water Pollution Prevention Program. The goal is to reduce storm water pollution and to provide a consistent approach to storm water regulations.
- The City and Napa Valley Unified School district will share parking facilities between the New Napa Junction Elementary School and the new Clarke Ranch Community Park.

Management Efficiencies

One measure of management efficiency is the ability of the agency to develop and carry out long-term planning.

On the fiscal planning side, in 2011 the City adopted a Deficit Elimination Plan, which ended in FY 12–13. The goal of the Deficit Elimination Plan was to minimize reductions in the general fund's reserves through cost cutting measures and revenue enhancement. In order to ensure the long-term fiscal sustainability of the City's finances, the Council directed Staff to enter a new three-year "Stabilization Plan" beginning in FY 13–14.

In addition the City has a strategic plan and the budget is tied to the strategic plan. The City updates its urban water management plan every five years. The City has a stormwater master plan as well as a sewer master plan. In FY 18, the City will complete a parks master plan funded in part by Parks Capital Impact fees and a Parks User Fee. It also has a number plans to help determine maintenance needs such as Potable Water Master Plan, Sewer Master Plan, and Recycled Water Master Plan.

DETERMINATIONS

- 3.5.1** The City works cooperatively with a number of agencies to provide enhanced law enforcement, transportation, water, and tourism to the City.
- 3.5.2** The City exhibits management efficiencies through its multiple long-range plans that include fiscal, water, wastewater, and parks.

3.6 - Government Structure and Accountability

The City operates under a council-manager form of government and is a general law city. There are four elected Council Members and one elected Mayor. The Vice Mayor is selected annually by the

Council. The Mayor and City Council members serve staggered four-year terms. The Council's responsibilities include passing ordinances, adopting the City budget, appointing committees, and hiring the City Manager, Fire Chief and City Attorney. Since the American Canyon Fire Protection District is a subsidiary district of the City, the Council also acts as the Fire District's Board of Directors.

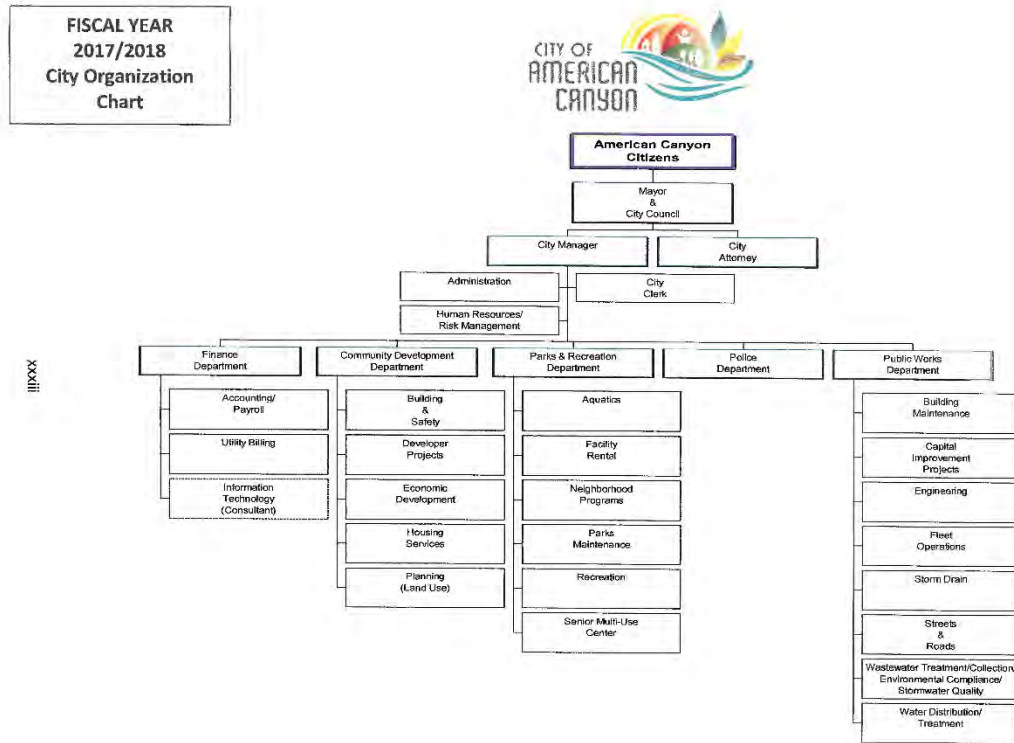
Meetings of the American Canyon City Council and Fire District Board are held according to the Brown Act on the 1st and 3rd Tuesdays of the month. Closed session is held at 5:30 and open session begins at 6:30. The Council meets in the Council Chambers at 4381 Broadway, Suite 201, unless otherwise noted. Meetings are broadcast live on public access cable Channel 28 and are also accessible live via streaming video. City Council agendas and agenda packets will be available online by Friday, 5:00 p.m., the week prior to the City Council Meeting. The City also maintains a website.

Residents can be appointed to the following commissions and committees.

- The **Parks and Community Services Commission** advises the City Council on park development, park and recreation facility use issues, recreation programming and related issues. The Parks and Community Services Commission meets the second Thursday of each month, every other month is a joint meeting with the Open Space Advisory Committee. Meetings are at 6:30 p.m. and are located at City Hall, Council Chambers, 4381 Broadway, Suite 201, American Canyon, CA 94503.
- The **Open Space Advisory Committee** advises the City Council on open space, trails and related issues. The Open Space Advisory Committee meets the first Wednesday on a bi-monthly basis at 6:30 p.m. at City Hall, Oat Hill Meeting Room, 4381 Broadway, Suite 201, American Canyon, CA 94503.
- The **Water Ratepayer Advisory Committee (WRAC)**, established August 15, 2017 to advise the City Council on the 2017 Water Rate Study. The WRAC is an ad-hoc advisory citizen/business group committee consisting of independent ratepayers. The WRAC membership includes nine (9) members, all of which would be current ratepayers. The membership consists of at least one (1) business inside City limits, one (1) business outside City limits, and City residents/businesses that are not otherwise on any other committees.
- The **Planning Commission** acts on issues related to land use planning, zoning, economic development, and community issues in the City. Terms are for four years.

Exhibit 3-7 shows the organizational chart for the City. In 2016, the City was staffed by 83.5 full-time-equivalent employees in nine different departments.

Exhibit 3-7: Organizational Chart



DETERMINATIONS

- 3.6.1** The City is a general law city governed by a five-member City Council that also acts as the Board of Directors of the subsidiary district, the American Canyon Fire Protection District. The City Council meets on the first and third Tuesday. Meetings are televised and streamed and archived on-line at the City's website.
- 3.6.2** The public is invited to participate in one of the four standing commission and committees appointed by the City Council.
- 3.6.3** The City is staffed with 83.5 full-time-equivalent positions.

3.7 - LAFCO Policies Affecting Service Delivery

The City will be applying to LAFCO to annex the Paoli/Watson Lane property. In addition the City would like to expand its sphere to include properties within the ULL but outside the current City limits. LAFCOs annexation and SOI policies are the only policies that may affect the City's operations.

DETERMINATIONS

- 3.7.1** Napa LAFCO policies for a potential annexation and would affect service delivery as the City has directed to staff to pursue the annexation of the Paoli/Watson Lane property.

3.8 - Relationship to Regional Growth Goals and Policies

Plan Bay Area 2040 (PBA) identifies one priority development area (PDA) in American Canyon. By definition a PDA is a locally designated area within an existing community that provides infill development opportunities and is easily accessible to transit, jobs, shopping and services.

The American Canyon PDA is along the Highway 29 corridor, designed to provide a retail service and a residential hub for the community, with new open space and gathering places, and well-integrated circulation for pedestrians, bicyclists and vehicles. The PDA for American Canyon is consistent with the PBA policy of directing development within urban growth boundaries. Infill development is also consistent with CKH.

It should be noted that there are no transportation measures identified in PBA that would address some of the impacted intersections shown in Section 3.5.5.

Determinations

- 3.8.1** The City has designated an area as a PDA which represents infill development that is consistent with CKH and Plan Bay Area infill policies.

3.9 - Summary of Determinations

- 3.1.1** The City's current population is 20,570. The population is expected to grow at a rate of 1% a year so that in 2030 there would be up to 23,700 residents.
- 3.2.1** There are no disadvantaged unincorporated communities within or contiguous to the City's SOI.
- 3.3.1** The City relies on surface water from three main sources, the State Water Project (SWP), permit (raw) water from the City of Vallejo, and treated water from Vallejo. The City also has agreements for emergency supplies from Napa and Vallejo.
- 3.3.2** The City's water treatment facility has a capacity of 5.5 million gallons and storage capacity of 4.70 million gallons.
- 3.3.3** The City also uses recycled water to meet some of its demands for non-potable water.

- 3.3.4** The City’s recently updated Urban Water Management Plan demonstrates that the City has sufficient water to meet projected needs in the next 20 years.
- 3.3.5** The City operates the WWTP on Mezzetta at the western edge of the City. The WWTP was designed to treat an average flow of 2.5 mgd, wet weather capacity of 5.0 mgd, and a peak flow of 3.75 mgd. The daily average treatment over the last five years ranged from 1.54 to 1.62 mgd, well below the capacity of 2.5 mgd. That leaves additional capacity to accommodate future growth within the time frame of this review.
- 3.3.6** Analysis of the sewer system for the Sewer Master Plan determined that without capital improvements the system does not have the capacity to accommodate buildout of already approved projects. With near-term capital improvements estimated at \$35 million, the system—along with reduced flow velocity—is capable of accommodating growth.
- 3.3.7** The City of American Canyon contracts with the Napa County Sheriff’s Office for law enforcement. There are 24 sworn personnel or 1.2 per 1,000 population. The Sheriff’s Office also provides mutual aid to the City.
- 3.3.8** In the past five years, the City’s law enforcement calls for service ranged from 17,057 to 19,703 or an average of 18,320, with no discernable trend. Crimes ranged from 551 to 773 during the same period.
- 3.3.9** The park system currently consists of 79 acres in 22 parks and three community centers. In 1994, the City had 6.14 acres per 1,000 residents. However, recent development in American Canyon has outpaced the development of new parkland and reduced this ratio to 3.4 acres of parkland per 1,000 residents. The City has set a standard of 5 acres of parkland per 1,000 population following the Quimby Act.
- 3.3.10** Parks and Recreation conducted a needs assessment, which found that residents have an unmet need for community parks, softball fields, dog parks, recreation centers, and a senior center.
- 3.3.11** The City Department of Public Works, Streets and Storm Drain Division is responsible for street maintenance that includes 38 miles of streets, 1,233 streetlights, four traffic signals, sidewalks, curbs gutters, crosswalks, signs and lane striping. The PCI averages to 67 for the City, which is considered good. In 2015 the City resurfaced 1.75 miles of streets but only 0.15 mile in 2016.
- 3.3.12** A recent traffic study analyzed some 25 intersections around the City. Of those 25, nine do not currently operate at acceptable levels of service according to their designated LOS. Seven of those nine are under the jurisdiction of CALTRANS.
- 3.3.13** American Canyon Transit provides bus service through VINE and NVTa—both fixed-route and door-to-door service to residents. Implementation of the countywide bicycle plan helps to reduce traffic congestion.

- 3.3.14** The Department of Public Works, Streets and Stormwater Division maintains the City's storm drainage system. The system of storm drains and channels divert stormwater flow to the west to the Napa River.
- 3.3.15** The City contracts with Recology for solid waste pickup and disposal. Waste collected from American Canyon is first delivered to the Devlin Road Recycling and Transfer Facility for sorting before being sent to nearby landfills. The final destination is the Potrero Hills Landfill, which has sufficient capacity until 2048.
- 3.4.1** The City annual budget for FY 18 is \$21.7 million for general fund activities. On average, property tax comprises 42% of revenues and sales taxes 10%. The police department accounts for approximately 28% of expenses followed by community development and public works at 26%. Debt service accounts for 4%.
- 3.4.2** Water and wastewater are considered Enterprise Funds, which are funded by charges. Over the period from FY 12 to FY 16 charges average \$10.84 million versus expenses of \$10.14 million.
- 3.5.1** The City works cooperatively with a number of agencies to provide enhanced law enforcement, transportation, water, and tourism to the City.
- 3.5.2** The City exhibits management efficiencies through its multiple long-range plans, which include fiscal, water, wastewater, and parks.
- 3.6.1** The City is a general law city governed by a five-member city council that also acts as the Board of Directors of the subsidiary district, the American Canyon Fire Protection District. The Council meets on the first and third Tuesday. Meetings are televised and taped.
- 3.6.2** The public is invited to participate in one of the four standing commission and committees appointed by the City Council.
- 3.6.3** The City is staffed with 83.5 full-time-equivalent positions.
- 3.7.1** There are no Napa LAFCO policies that would affect service delivery.
- 3.8.1** The City has designated an area as a Priority Development Area (PDA) which represents infill development that is consistent with CKH and Plan Bay Area infill policies.

4: AMERICAN CANYON FIRE PROTECTION DISTRICT

The American Canyon Fire Protection District (ACFPD) provides fire protection services to approximately 4,395 acres including all of the City of American Canyon as well as some areas to the north and east of the City. As shown in Exhibit 4-1, ACFPD's jurisdictional boundary extends to the west to the Napa River, south to the City of Vallejo, and east to Interstate 80. Land uses in ACFPD include residential, growing commercial and industrial facilities, and rural areas. ACFPD is a dependent special district and subsidiary district such that the American Canyon City Council serves as ACFPD's Board of Directors.

ACFPD provides structural and wildland fire suppression, rescue and advanced life support (ALS) first response care on medical aids. ACFPD is recognized by the State of California Office of Emergency Services (OES) as a Type 1 (Heavy Rescue) single resource. A private ambulance company, American Medical Response (AMR Napa), provides continued ALS care and transportation of patients to the appropriate hospital. Additionally, ACFPD provides fire prevention services which include plan review and inspections of new residential and commercial development. ACFPD also maintains an annual fire safety inspection program of all commercial, state mandated residential and educational facilities.

4.1 - Growth and Population Projections

The District has an estimated population according to the 2010 census of 19,601. Table 4-1 shows the population in comparison to the City of American Canyon and Napa County. The table indicates the population of the City of American Canyon is approximately 86% of the District. This figure is significant in that in order to remain a dependent district the population of the City must be at least 70% of the District population and 70% of the District must be within city limits. Given that most of the population and the boundary coincide with the city growth projections for the City should approximate growth projections for the District.

Table 4-1: ACFPD Population Estimates 2010

AGENCY	2010 POPULATION
American Canyon Fire Protection District	19,601
City of American Canyon	16,836
Napa County	136,484
Source: Neuvert GIS. 2017, City of American Canyon 2016, American Fact Finder 2017	

Table 4-2 shows projected growth of the City of American Canyon. As seen in the table American Canyon is expected to grow by about 1% annually. The estimated population in 2030 will be approximately 23,700.

Table 4-2: Population Projections for American Canyon

JURISDICTION NAME	2010	2020	2030	2040	PERCENT CHANGE			
					2010-2020	2020-2030	2030-2040	2010-2040
Napa County Total	136,484	144,200	153,100	163,700	5.7%	6.2%	6.9%	19.9%
American Canyon	19,601	21,500	23,700	26,200	10.5%	10.2%	10.5%	34.7%
Calistoga	5,155	5,300	5,500	5,600	2.8%	3.8%	1.8%	8.6%
Napa	76,915	80,700	85,100	90,300	4.9%	5.5%	6.1%	17.4%
St. Helena	5,814	6,000	6,100	6,300	3.2%	1.7%	3.3%	8.4%
Yountville	2,933	3,100	3,400	3,800	5.7%	9.7%	11.8%	29.6%
Source: City of American Canyon 2016a								

DETERMINATIONS

4.1.1 The estimated population of ACFPD is approximately 20,570 and is expected to increase at a rate nearly identical to that of the City of American Canyon. The City is expected to grow by 1% annually, so the population of ACFPD is expected to reach 23,700 by 2030.

4.2 - Disadvantaged Unincorporated Communities

In 2012, the Legislature passed Senate Bill (SB) 244, which was signed into law and became effective on January 1, 2012. The new law added a seventh area to evaluate in the MSR process. SB 244 requires identification of disadvantaged unincorporated communities that lie within ACFPD's SOI.

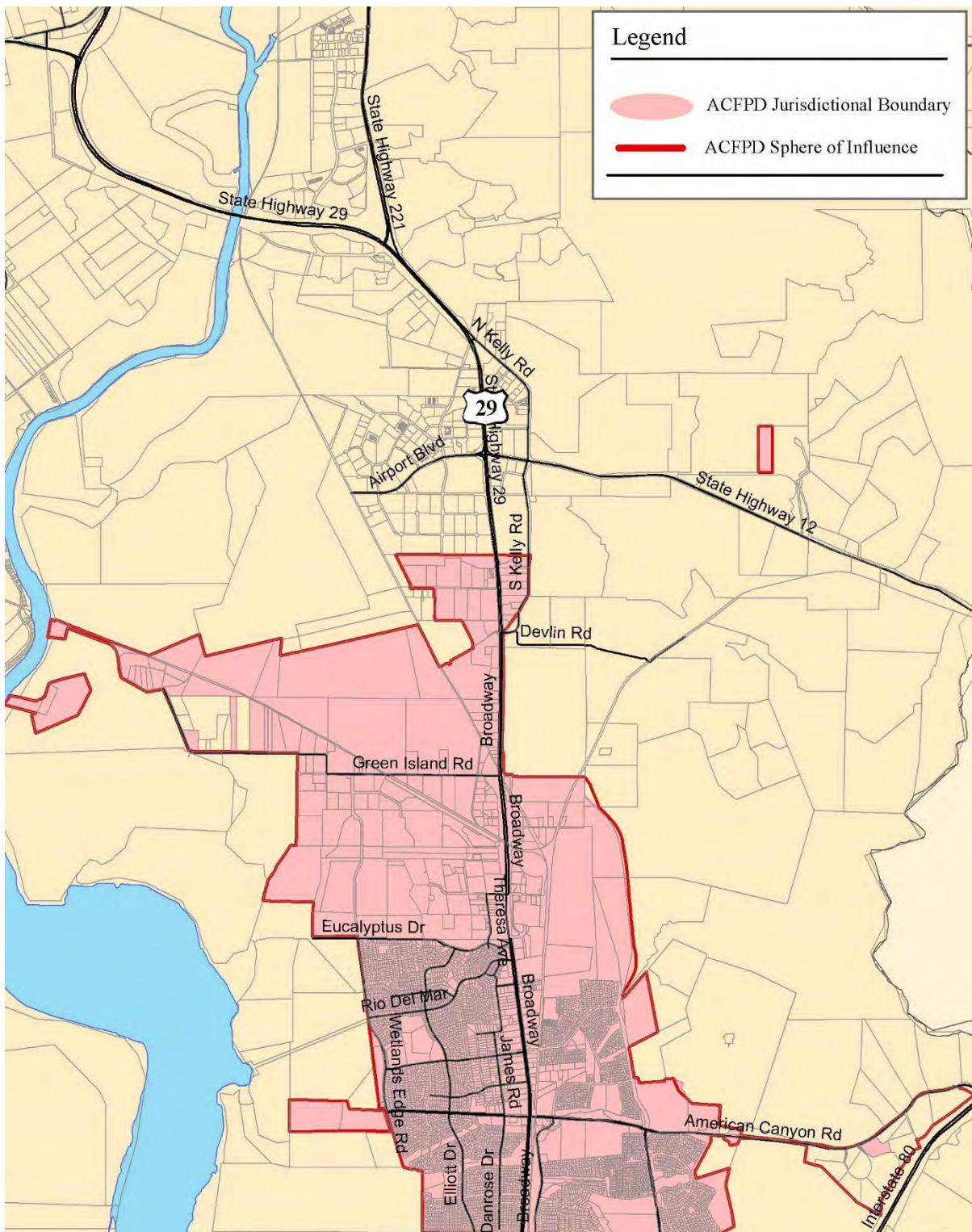
By definition CKH defines a disadvantaged unincorporated community as inhabited territory (12 or more registered voters) with a median household income of 80 percent or less of the statewide median household income.

A review of census data and the American Canyon General Plan reveals that the median household income (MHI) for the City of American Canyon, which includes most of ACFPD, was \$81,955 which exceeds the threshold of 80% of the statewide MHI.

DETERMINATIONS

4.2.1 There are no disadvantaged unincorporated communities within or contiguous to ACFPD's SOI.

Exhibit 4-1: American Canyon Fire Protection District Boundary Map



4.3 - Present and Planned Capacity of Public Facilities

ACFPD owns two fire stations and at the present time operates one fully staffed station. Fire Station 11 is located in the Public Safety Facility at 911 Donaldson Way East, east of State Highway 29. This station serves ACFPD and under automatic aid for adjacent areas within the County primarily to the east of ACFPD and the City. Fire station 11 serves the entire District as well as some areas in the southern unincorporated area of Napa County (61 square miles). The equipment housed at the station consists of 12 vehicles and some other major equipment: three Type 1 (structural) fire engines, one Type 3 (wildland) brush engine, two Type 6 brush/rescue squad engines (wildland), one 2,000-gallon water tender/pumper, one ladder truck and other command/support vehicles. ACFPD's facilities, allocation of personnel, and equipment are shown in Table 4-3.

Table 4-3: ACFPD Station Staffing and Equipment

STATION LOCATION	STAFFING	PERSONNEL	APPARATUS
Station 11 911 Donaldson Drive East of State Highway 29	Staffed 24/7 365 days/year	Minimum of one Captain and three personnel (Engineers/firefighters /one paramedic) Volunteers respond upon request to staff an additional engine as needed	Two Type 1 engines, One Reserve Engine, One Ladder Truck, One Type 3 engine, Two Type 6 brush/rescue squad engines, One Water Tender/Pumper, Two Command Pickup vehicles, other support vehicles and equipment
Source: ACFPD website - August 2017			

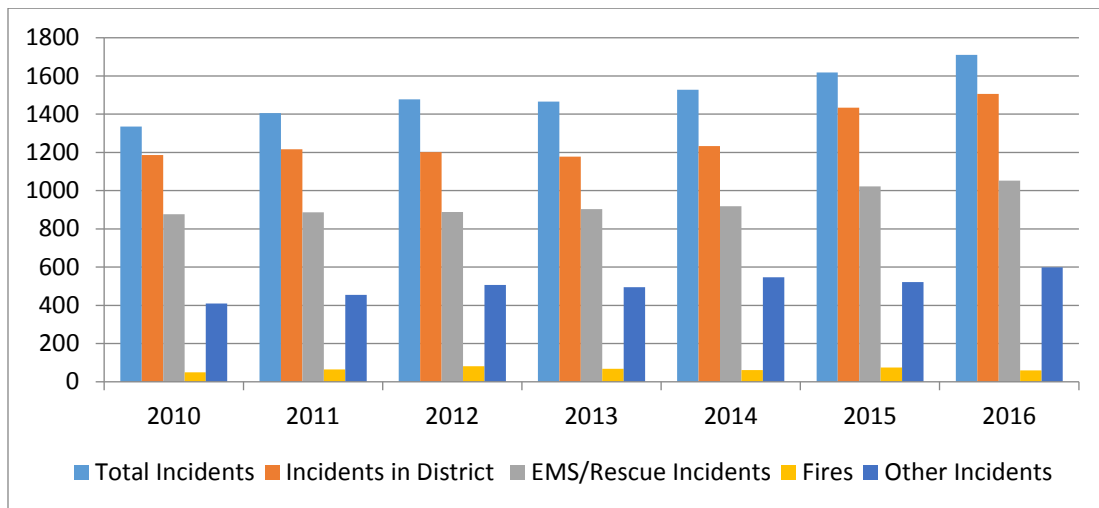
Several pieces of equipment are planned for replacement under a Capital Improvement Plan (CIP) that extends through 2030. The CIP is funded through a combination of fire fees along with an annual transfer from the general fund. Table 4-4 shows the plan for primary equipment.

Table 4-4: ACFPD Fleet Replacement Needs

APPARATUS	REPLACEMENT DUE	APPARATUS	REPLACEMENT DUE
Rescue Truck—1992 Int'l	2018	Engine 311—Type 1	2019
Engine 411— Type III Wildland	2017	Engine E211 2004 La France	2025
Engine 11 - Type I	After 2030	Ladder Truck T11	2030
F150 Pickup truck	2023	Command Pickups C1101	2029
Rescue Air/Light	2018	Command Pickups C1100 i	2025
Type 6 Brush Rescue Squad	2018		
Source: American Canyon Fire Protection Department 2017b.			

Emergency calls for service are dispatched via radio from the City of Napa Emergency Dispatch Center. Calls for service for the period 2010–2016 are shown in Exhibit 4-2 both calls within ACFPD as well as mutual or automatic aid calls outside the District. As shown below, annual calls have steadily increased. Calls for service ranged from 1,335 in 2010 to 1,710 in 2016. Annual calls for service outside ACFPD’s boundary average approximately 15% of total calls, while medical emergencies account for 62% of all calls.

Exhibit 4-2: ACFPD Calls for Service 2010-2016



Source: Weeks, Chief Glen.2017.

ACFPD’s response time goal is to respond to calls for service in less than five minutes, 90 percent of the time. In 2016, ACFPD responded within five minutes for 76% of emergency calls.

The ACFPD service area currently has an Insurance Services Office (ISO) rating of Class 2 and 2Y on a scale of 1 to 10, with 1 being the best. See Appendix C for an overview of ISO ratings.

Urban Search & Rescue (US&R) - ACFPD has the capability to handle different types of rescue situations requiring specialized equipment and training. The most frequent type of rescue emergency involves extricating people who are trapped in vehicles as the result of traffic accidents with hydraulic rescue tools. ACFPD also maintains a team of personnel who are specially trained to conduct rescue activities in permit-required confined spaces, structural collapses, trench collapses, and low and high angle rescue. This is referred to as “US&R”. The US&R team trains regularly with fire department personnel from other agencies within Napa County as a participant in the “Napa Interagency Rescue Team”. ACFPD also has two inflatable rescue boats and US&R team members are boat rescue and swift/flood water rescue qualified.

DETERMINATIONS

- 4.3.1** ACFPD provides structural, wildland fire suppression services, all types of rescue services and emergency medical services.

- 4.3.2** ACFPD owns two stations but currently operates from one fire station staffed by 20 full-time personnel for one Type 1 engine and other all-risk fire apparatus, 24 hours a day, seven days a week, all year around. ACFPD supplements this coverage with additional volunteer personnel who respond by phone when needed.
- 4.3.3** The equipment located at the Fire Station at 911 Donaldson Drive east of Highway 29 includes two Type 1 engines, one Type 3 brush engine, two Type 6 Brush units, one truck with aerial unit, one 2,000-gallon water tender/pumper, two command vehicles, and two utility pickups.
- 4.3.4** Since 2010, annual calls for service have steadily increased from 1,335 to 1,710. Annual calls are expected to increase as the City builds out.
- 4.3.5** In 2016, ACFPD units responded to 76% of all calls within five minutes. The ACFPD service area currently has an Insurance Services Office (ISO) rating of Class 2/2Y (on a scale of 1 to 10, with 1 being the best).

4.4 - Financial Ability to Provide Services

ACFPD is funded primarily by property taxes and two voter approved special assessment fees passed in the early 1980's. The special fire assessment tax rate is based upon property use, and improvements to the property. A separate Fire Mitigation Fee funds capital facility and equipment acquisition. The special fire assessment tax is an annual tax levy intended to support annual operations, whereas the fire mitigation fee is a one-time fee imposed on new development activity.

Table 4-5 shows actual revenues and expenses for the period FY 13 to FY 16. The table shows the revenues for the period have exceeded expenditures and that ACFPD has no debt service payment. Approximately 85% of the expenditures go towards personnel costs. Expenditures over the period averaged \$3,991,112 while revenues averaged \$4,461,219.

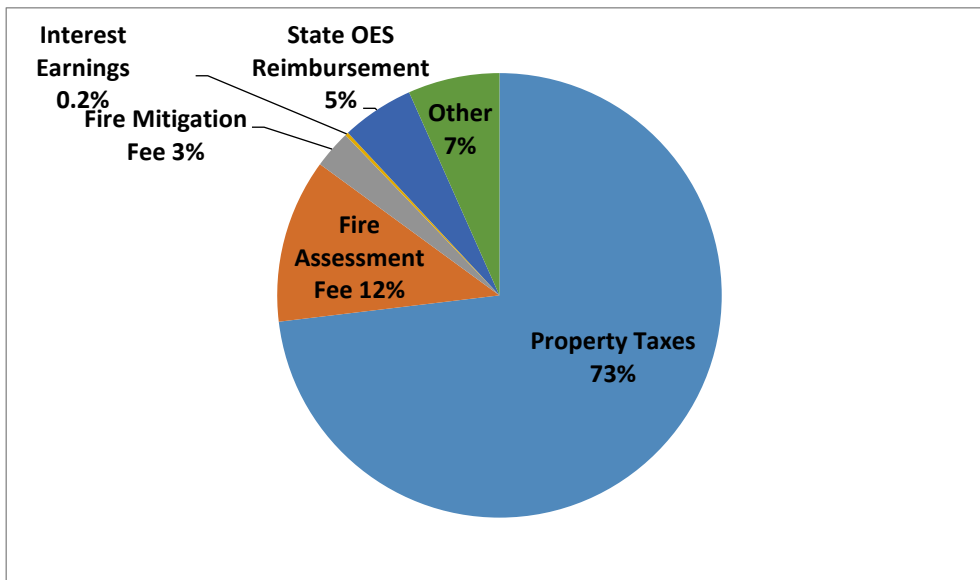
Table 4-5: ACFPD Revenues and Expenses FY13-FY16 (\$)

ACCOUNT	FY 13	FY 14	FY 15	FY 16
REVENUES				
Property Taxes	3,007,828	3,109,213	3,340,741	3,588,245
Fire Assessment Fee	337,785	588,405	596,670	606,929
Fire Mitigation Fee	13,036	830	401,335	79,858
Interest Earnings	5,609	7,839	11,727	18,522
OES Reimbursement	178,437	96,693	186,841	478,931
Other	399,067	221,478	301,411	267,447
Total Revenues	3,941,762	4,024,458	4,838,725	5,039,932
EXPENDITURES				
Personnel	2,931,711	3,303,533	3,366,604	3,764,845
Supplies & Services	830,065	510,190	591,467	472,437
Debt Service	0	0	0	0
Capital Outlay	35,166	45,915	37,593	74,921
Total Expenditures	3,796,942	3,859,638	3,995,664	4,312,203
Source: American Canyon Fire Protection District 2017				

The FY 17 budget allows for \$5,232,160 in expenditures and anticipates \$4,787,573 in revenues. The difference may be attributed to a capital outlay expense of \$787,500 most likely for apparatus replacement.

Exhibit 4-3 shows the average sources of revenues for the period FY13 to FY 16. The Exhibit shows property tax accounts for 73% of revenues and OES reimbursements for strike teams accounts for 5% on average.

Exhibit 4-3: ACFPD Sources of Revenue FY 13 to FY 16



Source: American Canyon Fire Protection District 2017

In 2016, ACFPD responded to a record number of regional fire incidents (over eight for at least two weeks each) accounting for over \$478,931 in revenues from OES. Previous years ranged from approximately \$96,000 to \$186,000. ACFPD has no debt service obligations. The Fleet Facilities and Equipment Fund purchases all district owned facilities and equipment.

DETERMINATIONS

4.4.1 Expenditures over the period FY 13 to FY 16 averaged \$3,991,112 while revenues averaged \$4,461,219. The district derives most of its revenues from property taxes, 73 percent, and two voter approved special assessment fees. The special assessment for fire accounts for 12 percent while the special assessment for Capital Facility Mitigation accounts for 2 percent. Of the total expenditures, approximately 85 percent goes to personnel costs.

4.4.2 ACFPD has no long-term debt. Facilities, equipment and capital improvements are funded through the Fleet Facilities and Equipment Fund.

4.5 - Status and Opportunities for Shared Facilities

ACFPD contributes emergency resources along with other fire departments located in the area on the basis of automatic and mutual aid agreements. ACFPD is a participant in the statewide fire and rescue mutual aid system. ACFPD also has automatic and mutual aid agreements with the County of County for CSA 3. Approximately 15% of calls for service are to areas outside ACFPD's jurisdictional boundary. ACFPD regularly responds to calls for service in unincorporated County areas as well as to the City of Vallejo, City of Napa, and Solano County. ACFPD receives dispatch services via radio from the City of Napa's Emergency Command Center.

Table 4-6 shows out of agency calls for service from the period 2013 to 2016. The table shows service calls to Napa County ranged from 111 to 128 and Vallejo 56 to 73 during that period.

Table 4-6: Out of Agency Responses 2013-2016

Out of Agency Responses					
Jurisdiction	2012	2013	2014	2015	2016
Napa County	133	128	111	111	114
City of Vallejo	68	56	73	64	72

Source: ACFPD 2013, 2014a, 2014b, 2016, 2017

Additionally, in 2016, ACFPD responded to 11 major fire disasters within the State of California providing from one to four personnel and related equipment including GIS support, water tender, and a fire engine unit.

One measure of management efficiencies is whether the district engages in long range planning activities. ACFPD has completed an Emergency Operations Plan, an annual spending plan and a five-year strategic plan with ten major objectives.

1. Maintain a response time standard of five minutes 90 per cent of the time.
2. Maintain career development programs.
3. Develop a Standard of Cover Document.
4. Improve efficiency.
5. Develop a fixed asset improvement and maintenance program.
6. Improve communication throughout the organization.
7. Update volunteer programs.
8. Update Emergency Operations Plan.
9. A cultural document that includes customer service guidelines.
10. Refine Emergency Medical Service training programs.

ACFPD also has a Joint Powers Agreement (JPA) with the City of Napa Fire Department. The JPA includes fire prevention services and after business hours Battalion Chief coverage to ACFPD. In addition to the strategic plan, ACFPD produces an annual report which identifies progress toward meeting many of these goals such as response time, customer service, and training.

DETERMINATIONS

- 4.5.1** ACFPD works cooperatively with County, state and local agencies. Through the County Fire Department, ACFPD has automatic aid agreements with CSA 3 and CALFIRE to provide coverage for the 61 square mile South County service area and other areas as needed. ACFPD also has mutual aid agreements with the City of Vallejo, and provides regional heavy rescue US&R certified response as needed.
- 4.5.2** ACFPD has automatic aid agreements and mutual aid with the Napa County Fire Department, CALFIRE, and the City of Vallejo. These agreements provide coverage for the 61 square mile South County service area and other areas as may be needed.
- 4.5.3** ACFPD maintains a JPA with the City of Napa. The JPA includes fire prevention services and after business hours Battalion Chief coverage for ACFPD.
- 4.5.4** ACFPD exhibits management efficiencies through its many long range planning activities. ACFPD recently completed a five-year strategic plan and has proceeded to accomplish those goals as documented in its annual report.

4.6 - Government Structure and Accountability

ACFPD is a dependent special district and subsidiary district with the Board of Directors consisting of the five members of the American Canyon City Council. The Board meets on the first and third Tuesday of each month. Meetings are held at 6:30 PM at 4381 Broadway Street in the City of American Canyon. Items pertaining to ACFPD are placed on a separate agenda as needed. Meetings are noticed according to the Brown Act and the public is welcome.

ACFPD maintains a website link under the City of American Canyon website. Originally formed as an independent special district in 1957, upon the incorporation of the City of American Canyon, ACFPD became a subsidiary (dependent) district with approximately 72% of its area within the City's jurisdictional boundary.

The ACFPD service model is a full-time staffed department supplemented by trained volunteer personnel. The structure of the organization is typical of many fire departments of its size and appears to be appropriate for the type of department and calls for services. Exhibit 4-4 shows ACFPD's organizational chart.

Table 4-7 shows staffing of ACFPD. There are 20 paid career staff year round including the Fire Chief and Assistant Chief, six fire captains, and 12 fire firefighter/paramedics. Volunteer personnel, averaging ten staff, respond to calls by telephone dispatch as needed. These volunteers are fully trained to provide fire response capabilities.

Table 4-7: ACFPD Total Staffing

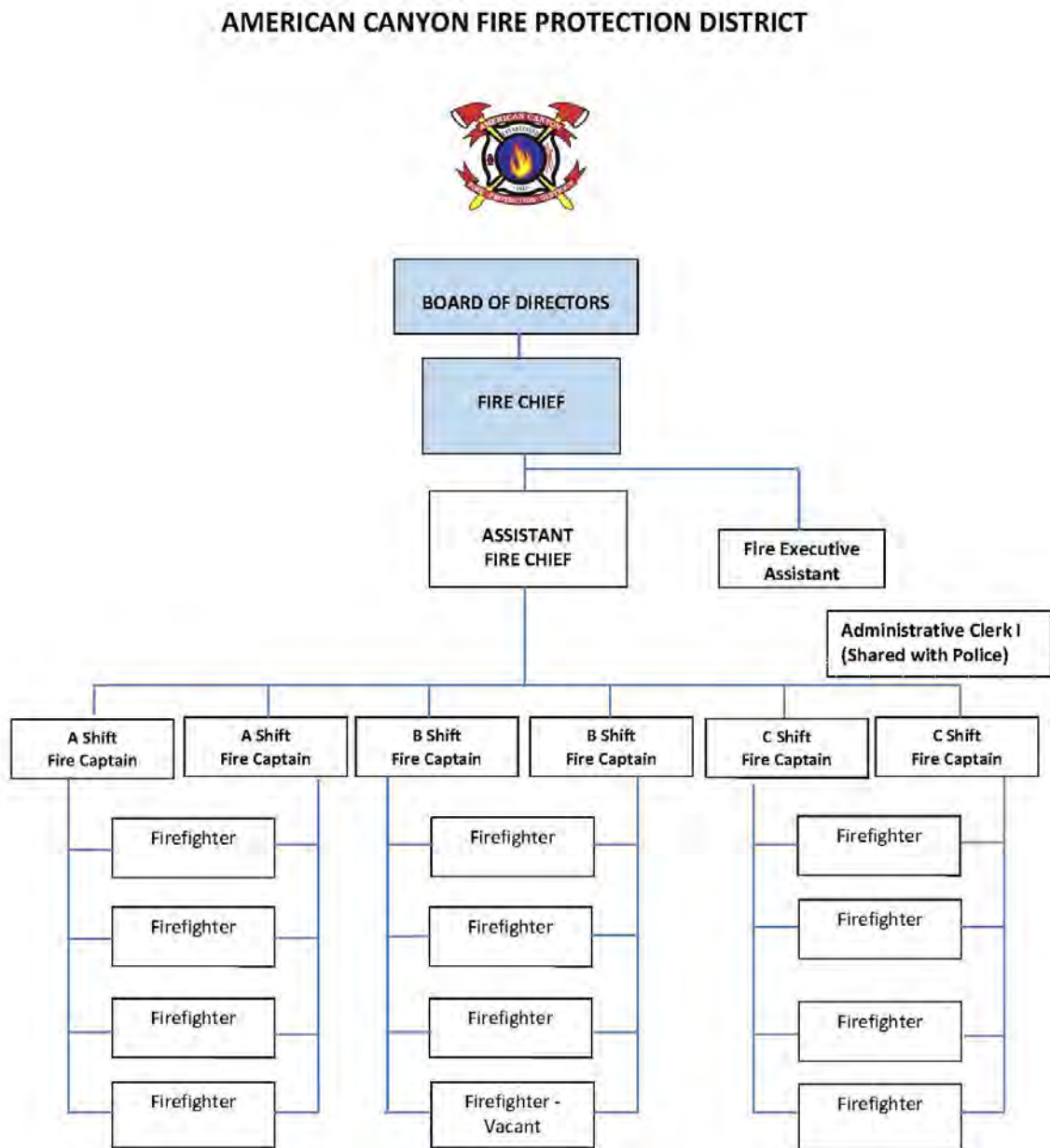
POSITION	NUMBER	STATUS
Chief	1	Administration & Command
Assistant Chief	1	Supports Chief & Command
Captains	6	6 career
Firefighter/Paramedics	12	12 career
Volunteer staffing as needed	4(P/T)	Called out as needed
Total	20	20 career personnel
Source: ACFPD 2017a		

One of the main governance issues is service to rural and open space areas adjacent to ACFPD. While the ACFPD station covers the City, the ACFPD station and additional capabilities are closer to much of the rural areas east of the City. ACFPD and the County of Napa have worked under an automatic aid agreement for many years where ACFPD responds to areas east and south of the County's fire station..

DETERMINATIONS

- 4.6.1** The five member City Council of American Canyon serves as the Board for ACFPD. They meet regularly on the first and third Tuesday of the month. ACFPD does not maintain a website but has a link on the City's website at www.cityofamericancanyon.org/city-departments/fire-district.
- 4.6.2** ACFPD's staff includes 20 career personnel which is sufficient to provide fire protection and advanced life support emergency medical services.

Exhibit 4-4: ACFPD Organizational Chart



4.7 - LAFCO Policies Affecting Service Delivery

Napa LAFCO has established policies to help meet its CKH mandates. This section identifies local LAFCO policies that may affect delivery of services by ACFPD. One of the goals of LAFCO is “encouraging orderly formation of local agencies and the efficient provision of services.” As ACFPD and County of Napa Fire Department continue to pursue cooperative services, the policies related to efficient provision of services would apply.

DETERMINATIONS

- 4.7.1** LAFCO policies for the efficient provision of services apply as guides to orderly growth and services.

4.8 - Relationship to Regional Growth Goals and Policies

ACFPD participates in mutual aid and automatic aid agreements with CALFIRE and other local departments. ACFPD sends strike teams to support efforts to suppress wildland fires in the region.

DETERMINATIONS

- 4.8.1** ACFPD participates in mutual aid and automatic aid agreements with CALFIRE and other local departments to support fire suppression in the County.

4.9 - Summary of Determinations

- 4.1.1** The estimated population of ACFPD is approximately 20,570 and is expected to increase at a rate nearly identical to that of the City of American Canyon. The City is expected to grow by 1% annually, so the population of ACFPD is expected to reach 23,700 by 2030.
- 4.2.1** There are no disadvantaged unincorporated communities within or contiguous to ACFPD’s SOI.
- 4.3.1** ACFPD provides structural, wildland fire suppression services, all types of rescue services and emergency medical services.
- 4.3.2** ACFPD owns two stations but currently operates from one fire station staffed by 20 full-time personnel for one Type 1 engine and other all-risk fire apparatus, 24 hours a day, seven days a week, all year around. ACFPD supplements this coverage with additional volunteer personnel who respond by phone when needed.
- 4.3.3** The equipment located at the Fire Station at 911 Donaldson Drive east of Highway 29 includes two Type 1 engines, one Type 3 brush engine, two Type 6 Brush units, one truck with aerial unit, one 2,000-gallon water tender/pumper, two command vehicles, and two utility pickups.
- 4.3.4** Since 2010, annual calls for service have steadily increased from 1,335 to 1,710. Annual calls are expected to increase as the City builds out.

- 4.3.5** In 2016, ACFPD units responded to 76% of all calls within five minutes. The ACFPD service area currently has an Insurance Services Office (ISO) rating of Class 2/2Y (on a scale of 1 to 10, with 1 being the best).
- 4.4.1** Expenditures over the period FY 13 to FY 16 averaged \$3,991,112 while revenues averaged \$4,461,219. ACFPD derives most of its revenues from property taxes (73%) and two voter approved special assessment fees. The special assessment for fire accounts for 12% while the special assessment for Capital Facility Mitigation accounts for 2%. Approximately 85% of expenditures go toward personnel costs.
- 4.4.2** ACFPD has no long-term debt. Facilities, equipment and capital improvements are funded through the Fleet Facilities and Equipment Fund.
- 4.5.1** ACFPD works cooperatively with County, state and local agencies. Through the County Fire Department it has automatic aid agreements with CSA 3 and CALFIRE to provide coverage for the 61 square mile South County service area and other areas as needed. It also has mutual aid agreements with the City of Vallejo, and provides regional heavy rescue US&R certified response as needed.
- 4.5.2** ACFPD has automatic aid agreements and mutual aid with the Napa County Fire Department, CALFIRE, and the City of Vallejo. These agreements provide coverage for the 61 square mile South County service area and other areas as may be needed.
- 4.5.3** ACFPD maintains a JPA with the City of Napa. The JPA includes fire prevention services and after business hours Battalion Chief coverage for ACFPD.
- 4.5.4** ACFPD exhibits management efficiencies through its many long range planning activities. ACFPD recently completed a five-year strategic plan and has proceeded to accomplish those goals as documented in its annual reports.
- 4.6.1** The five member City Council of American Canyon serves as the Board for ACFPD. They meet regularly on the first and third Tuesday of the month. ACFPD does not maintain a website but has a link on the City website at www.cityofamericancanyon.org/city-departments/fire-district.
- 4.6.2** ACFPD staff includes 20 career personnel which is sufficient to provide fire protection and advanced life support emergency medical services.
- 4.7.1** LAFCO policies for the efficient provision of services apply as guides to orderly growth and services.
- 4.8.1** ACFPD participates in mutual aid and automatic aid agreements with CALFIRE and other local departments to support fire suppression in the County.

5: COUNTY SERVICE AREA 3

County Service Area (CSA) law allows for two types of CSAs. Some counties treat CSAs as just another special district. Others, like Napa County, treat CSAs as merely financing devices of the county government. CSA 3 is organized under the County Service Area Law in California Government Code Sections 25210.1–25217.4. Originally formed by the County Board of Supervisors in 1979, the agency funds fire suppression and prevention, rescue, hazardous materials (first response), and basic/advanced emergency medical care as well as median landscaping, street lighting, and various street maintenance services. CSA 3 contracts out for street maintenance. CSA 3 partially funds the Napa County Fire Department, which has an agreement with CALFIRE. CSA 3’s jurisdictional boundary is approximately 2.7 square miles or 1,742 acres, and includes unincorporated properties of predominantly commercial and industrial land uses as well as the Napa County Airport area.

5.1 - Growth and Population Projections

Based on the 2010 census, CSA 3’s resident population is seven. CSA 3 is zoned industrial and public institutional for the Napa County Airport. The only remaining development planned for the area would be industrial, so the projected population is expected to remain at seven in the foreseeable future.

DETERMINATIONS

- 5.1.1** The estimated current population of seven is expected to remain unchanged as the any development would be expected to be industrial consistent with the zoning.

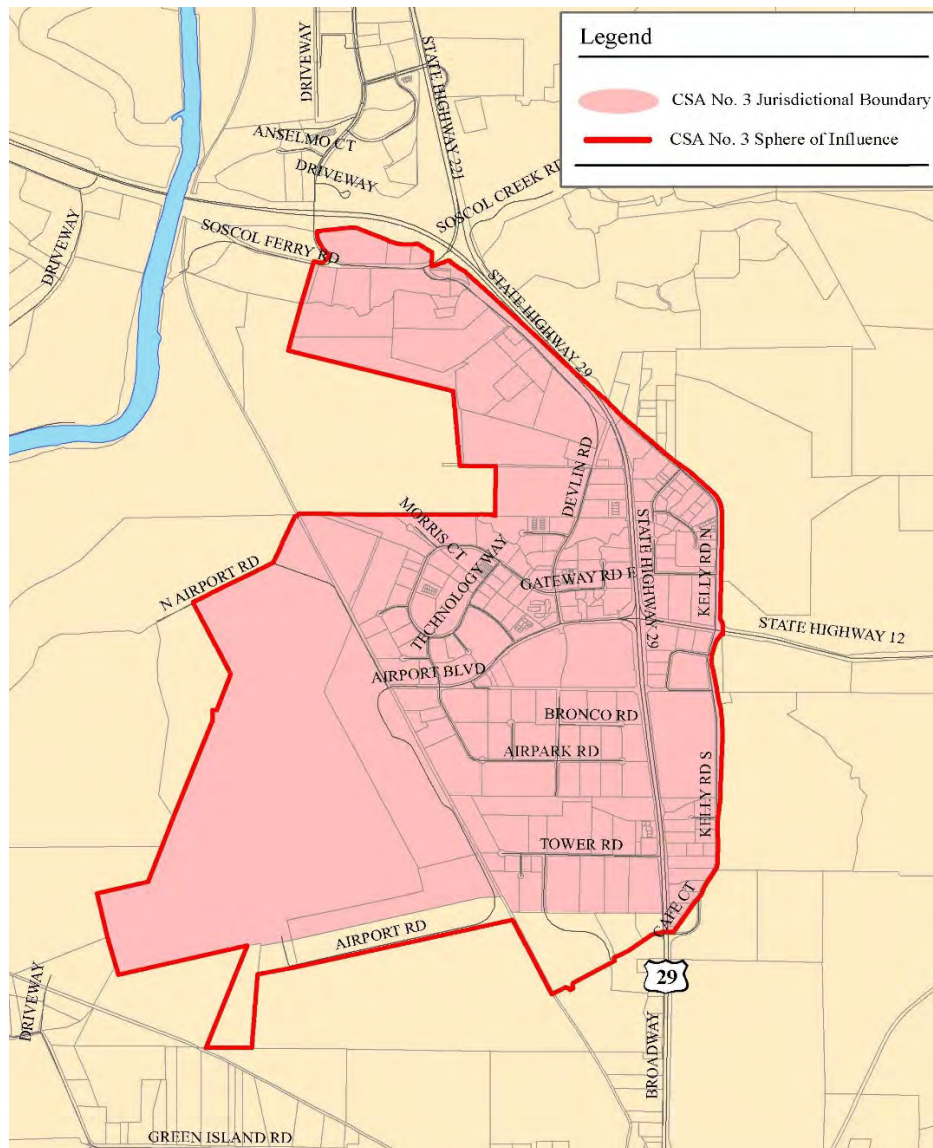
5.2 - Disadvantaged Unincorporated Communities

Senate Bill (SB) 244 requires identification of disadvantaged unincorporated communities that lie within CSA 3’s SOI or proposed SOI. CKH defines a disadvantaged unincorporated community as inhabited territory (12 or more registered voters) with a median household income of 80 percent or less of the statewide median household income. As discussed in the previous section, there are only CSA 3 has an estimated population of seven. Therefore, there are no disadvantaged unincorporated communities in CSA 3.

DETERMINATION

- 5.2.1** There are no disadvantaged unincorporated communities within or contiguous to CSA 3’s SOI.

Exhibit 5-1: CSA 3 Boundary Map



5.3 - Present and Planned Capacity of Public Facilities

CSA 3 is a dependent special district that funds fire suppression, street sweeping, street landscaping, and street lighting services through special assessments. Napa County administers CSA 3 and uses a variety of contract services, including Napa County Fire for fire services and separate contracts for street sweeping, street lighting and landscape maintenance services.

CSA 3 provides services within three “zones” that overlap in designation and by type of service provided. Zone 1, Exhibit 5-2, is the portion of CSA 3 that receives street landscaping services from the District. As shown, the services area includes most of CSA 3 and Napa County Airport.

Zone 2, Exhibit 5-3, is the area that is assessed for fire protection services from Napa County Fire and the State of California CALFIRE.

The Napa County Fire Department operates one station within the boundaries of CSA 3. The station is located at 1555 Airport Boulevard, west of State Route 29. This station serves the 61 square mile South County area and includes a HazMat response vehicle to serve the area, the engines, a HazMat truck/trailer, and a pickup. Several pieces of equipment are planned for replacement. Table 5-1 summarizes the replacement plan.

Table 5-1: Napa County Fire Apparatus Replacement Schedule

APPARATUS	STATUS
HazMat Truck/trailer	Replace in 2018
Engine—Type III Wildland	Rotate unit as needed
Engine—Type I	Replace in Spring 2018
Pickup truck	Replace in Spring 2018
Source: Personal Communication Chief Biermann 2017	

Emergency calls for service are dispatched via radio from CALFIRE’s St. Helena Emergency Command Center located at 1199 Big Tree Road, St. Helena, CA 94574. Calls for service have ranged from 105 to 118 between 2014 and 2016.

Napa County Fire reported 69% of 105 total calls for service were for non-fire incidents in 2014. In 2016, the last full year for which information was available, 79% of 118 total calls for service were for non-fire incidents. Calls were from the entire area of Napa County Fire that includes CSA 3.

Average response time to a fire or medical emergency call in the Napa County Fire Station area is seven minutes and five seconds. The Napa County Fire area, which includes CSA 3, currently has an ISO rating of Class 6 on a scale of 1 to 10, where 1 is the best.

Zone 3, Exhibit 5-4, is assessed for street sweeping and street lighting services. As shown, Zone 3 includes all of CSA 3’s jurisdictional boundary. Services are provided by an independent contractor.

Exhibit 5-2: CSA 3 Zone 1

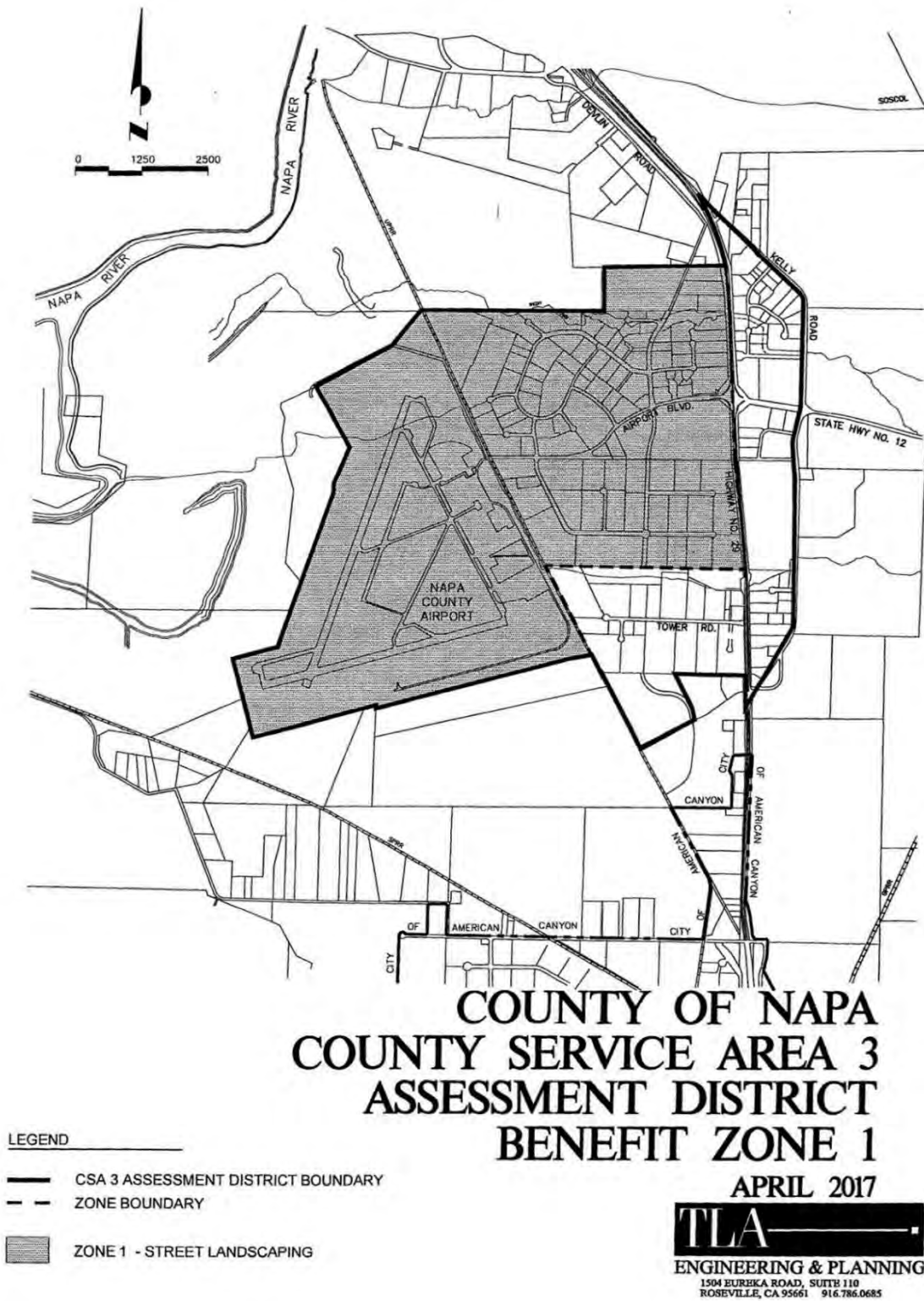
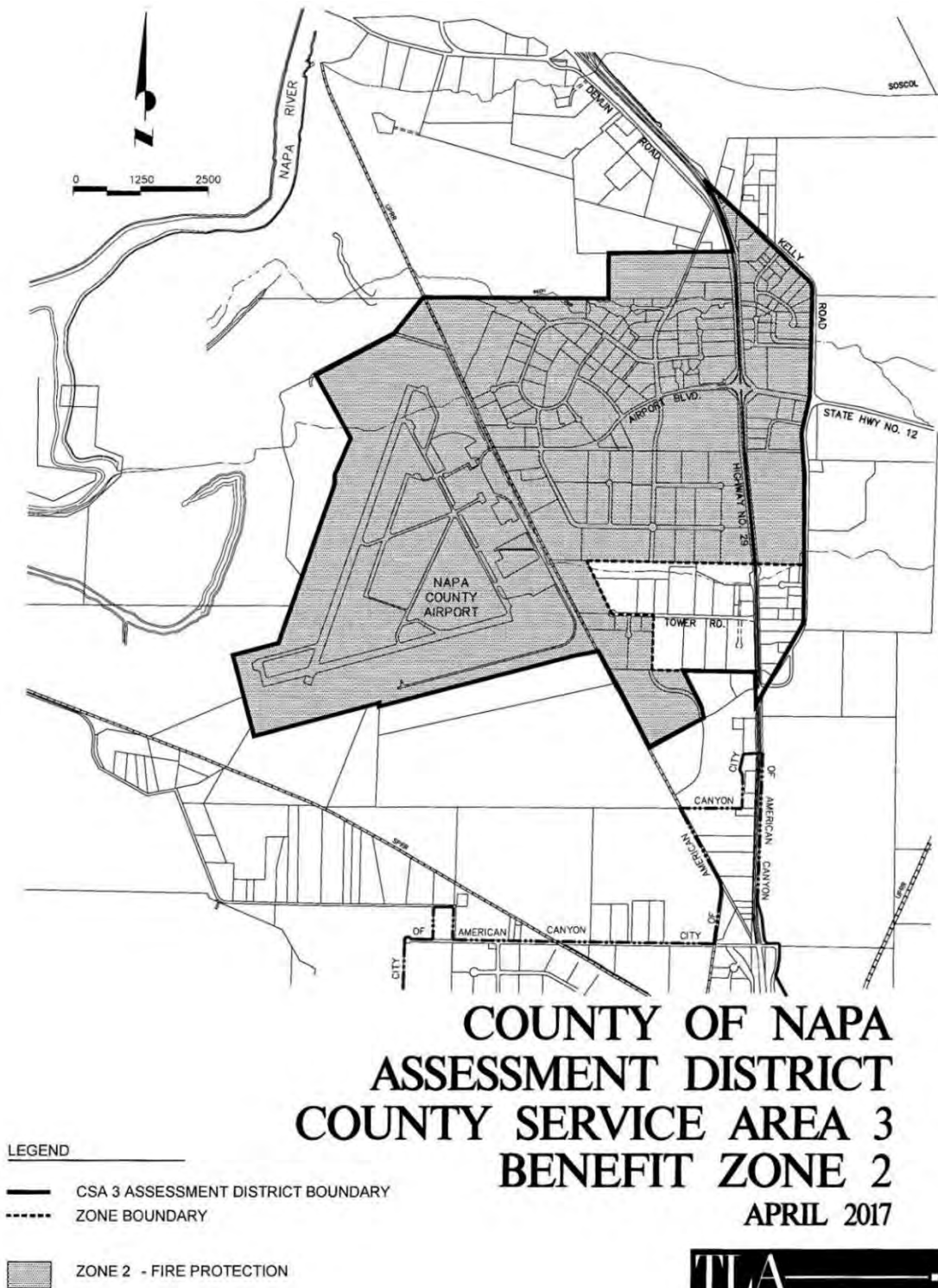
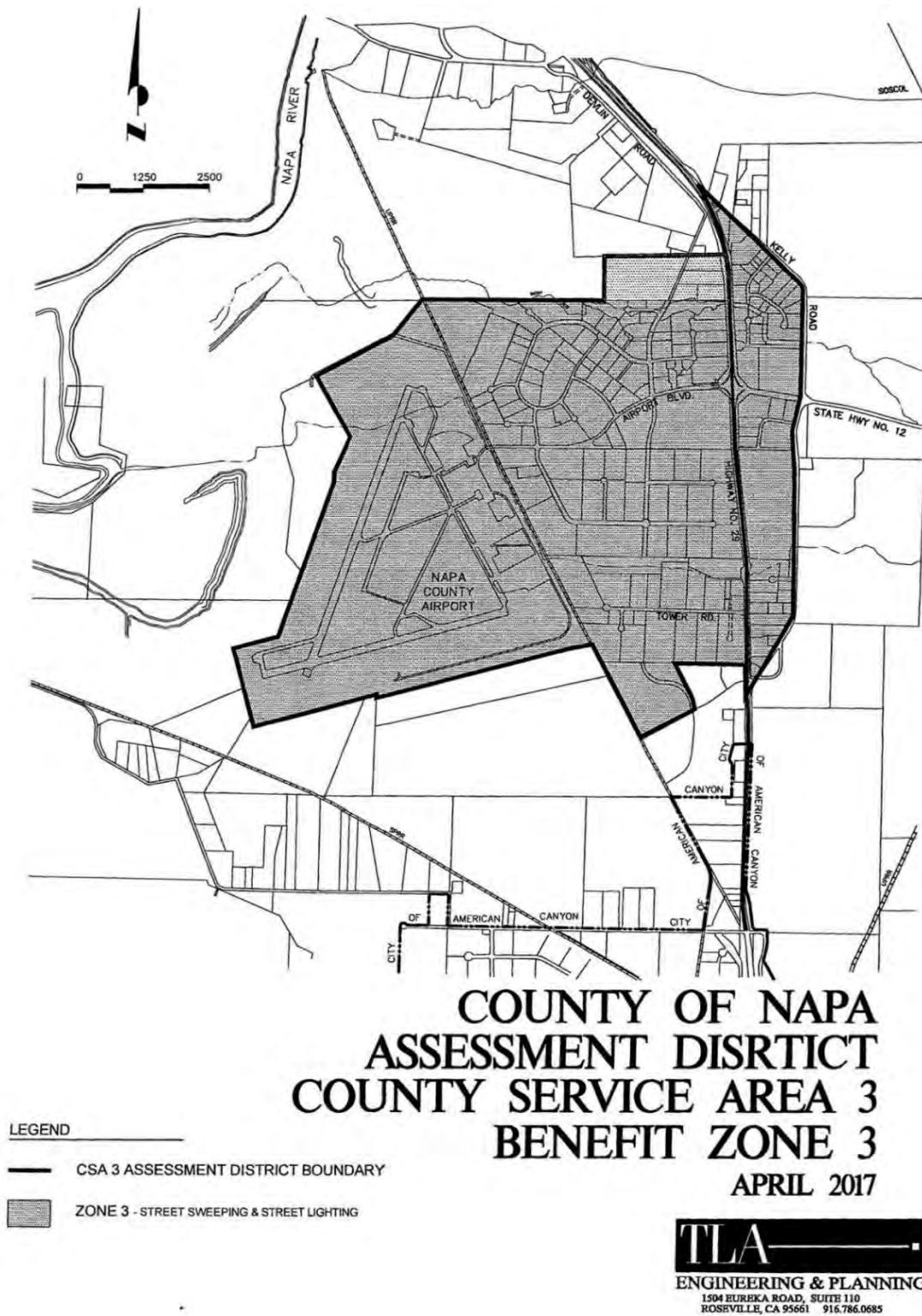


Exhibit 5-3: CSA 3 Zone 2



TLA
 ENGINEERING & PLANNING
 1504 EUREKA ROAD, SUITE 110
 ROSEVILLE, CA 95661 916.786.0685

Exhibit 5-4: CSA 3 Zone 3



DETERMINATIONS

- 5.3.1** CSA 3 is a dependent special district that funds fire suppression and street services such as street sweeping, street landscaping, and street lights through special assessments.
- 5.3.2** CSA 3 has no facilities of its own. However, Napa County Fire has a fire station which serves 61 square miles including all of CSA 3.

5.4 - Financial Ability to Provide Services

CSA 3 is funded primarily by two special assessments. One of the assessments, the special fire tax, was passed by voters in 1997 as part of the development process. The assessment is based upon the use of the property and improvements and with an annual adjustment based upon the Engineering News Record formula for the San Francisco area. Another separate assessment funds street services and administration but is a much smaller amount.

Fire Station 27 serves the entire unincorporated area of south Napa County (61 square miles). The expenses of operating Station 27 are proportioned to CSA 3 (33.3 %) and to the Countywide Fire Fund (66.7 %), based upon calls for service and area served calculations as described in the Annual Engineer's Report. The assessment is calculated assuming buildout of the District. Since CSA 3's jurisdictional boundary is not fully built out, the total assessment collected is less than what is needed to fully fund services. The difference is supplied by the County. The County supplement varies based upon the calls for service and revenues generated as well as the budgeted needs. From FY 13 to FY 18, the supplement ranged from \$44,752 to \$110,445. The supplement has been planned to decrease over time as CSA 3's boundary is developed.

The total annual CSA 3 budget is approximately \$400,000. Table 5-2 summarizes revenues and expenditures for FY 13 to FY 17. The revenue sources are special assessments, one for fire and one for streets. Expenditures are primarily allocated to Napa County Fire for fire services and the County Public Works Department which may contract for street sweeping and landscaping as well as utilities such as street lighting. Table 5-2 shows there has been a surplus all five years, indicating CSA 3 has adequate funding based on assessment revenue and the County contribution.

Table 5-2: CSA 3 Revenues and Expenses FY 13 to FY 17

FIRE	FY 13	FY 14	FY 15	FY 16	FY 17	AVERAGE
Revenues	\$367,041	\$367,013	\$395,039	\$409,243	\$429,462	\$393,559
Expenses	\$359,131	\$327,623	\$371,135	\$400,533	\$271,221	\$345,929
Surplus	\$7,910	\$39,390	\$23,904	\$8,709	\$158,241	\$47,631
STREETS	FY 13	FY 14	FY 15	FY 16	FY 17	AVERAGE
Revenues	\$75,598	\$76,275	\$76,941	\$75,881	\$75,418	\$76,023
Expenses	\$42,712	\$46,529	\$44,610	\$52,384	\$50,766	\$47,400
Surplus	\$32,886	\$29,746	\$32,331	\$23,497	\$24,652	\$28,623
Source: Napa County, 2015–2017.						

Ratio of Reserves or Fund Balance to Annual Expenditures

CSA 3 maintains a reasonable fund balance for the size of area and services provided. The costs in the Streets Services portion have consistently been below estimated annual costs and a reserve balance has been developed currently estimated at \$170,000. The Fire Services section has an estimated reserve balance of \$490,000.

Annual Debt Service Expenditures to Total Annual Expenditures

CSA 3 has no debt service obligations. The County Consolidated Fire Fund purchases all County-owned facilities and equipment. CALFIRE provides its own additional fire engine for fire season services.

Capital Improvement Program

The County has historically administered any required Capital Improvement Projects in CSA 3 through the Public Works Department for Streets and the County Fire Department for fire services. CSA 3 contributes an amortized amount for cost of equipment and the fire station repairs.

DETERMINATIONS

- 5.4.1** CSA 3's operating budget is approximately \$400,000 per year. Services are funded through two voter-approved special assessments, one for fire and one for streets. CSA 3 funds a portion of Napa County Fire for fire services to the South County Region.
- 5.4.2** Since the fire assessment is calculated based on full buildout, which has not yet been achieved, the assessment revenue is supplemented by the County to cover costs for fire protection in CSA 3's jurisdictional boundary.
- 5.4.3** CSA 3 has no long-term debt. Financing and capital improvements are funded through County Public Works and Fire Department budgets.

5.5 - Status and Opportunities for Shared Facilities

CSA 3 has a relatively small service area totaling approximately 2.7 square miles. CSA 3 minimizes administrative costs and relies on the County Department of Public Works for the District's administration. CSA 3 has no facilities of its own, so there are no opportunities for shared facilities.

DETERMINATIONS

5.5.1 CSA 3 has no facilities of its own, so there are no opportunities for shared facilities.

5.6 - Government Structure and Accountability

CSA 3 is administered by Napa County and the Board of Directors consists of the five members of the Board of Supervisors elected to four-year staggered terms. The Board generally meets on Tuesdays of each month but no more than four times a month. Items pertaining to CSA 3 are placed in a separate agenda as needed. Meetings are noticed according to the Brown Act and the public is welcome. CSA 3 does not maintain a separate website, but it has a link on the County Department of Public Works website at www.countyofnapa.org/publicworks/csa.

One of the main governance considerations is fire protection service to rural and open space areas near and adjacent to CSA 3 and ACFPD. While the Napa County Fire station covers the 61 square mile South County area, ACFPD has its station and additional capabilities closer to most rural areas. The two agencies have an automatic aid agreement such that ACFPD responds to unincorporated areas east and south of the County's station.

DETERMINATIONS

5.6.1 The County Board of Supervisors serves as the Board of Directors for CSA 3. It consists of five members elected at large to four-year staggered terms. The Board generally meets each Tuesday of each month but no more than four times a month. CSA 3 does not maintain a website, but it has a link on the County Department of Public Works website at www.countyofnapa.org/publicworks/csa.

5.6.2 Napa County Fire and ACFPD have automatic and mutual aid agreements that provide fire service coverage within CSA 3's jurisdictional boundary.

5.7 - LAFCO Policies Affecting Service Delivery

Napa LAFCO has established policies to help meet its CKH mandates. This section identifies local LAFCO policies that may affect delivery of services by CSA 3. One of the goals of LAFCO is "encouraging orderly formation of local agencies and the efficient provision of services." As CSA 3 and ACFPD continue to pursue cooperative services, the policies related to efficient provision of services would apply.

DETERMINATIONS

5.7.1 LAFCO policies for the efficient provision of services apply.

5.8 - Relationship to Regional Growth Goals and Policies

CSA 3 is responsible for funding services to Napa County Airport, one of the smaller regional airports in the Bay Area. The operation of and services provided to the airport industrial area would not be affected by the development of the Priority Development Area (PDA) in the City of American Canyon or the PDA in the City of Napa. The street maintenance and fire suppression services that are funded by CSA 3 could be important in maintaining the Napa County Airport as a center for goods movement in Napa County with its implication on jobs, housing, the overall economy of the region, and air quality.

- 5.8.1** CSA 3 funds fire and street maintenance services which are important in operating the Napa County Airport. The Airport is part of the network of facilities essential for goods movement in Napa County.

5.9 - Summary of Determinations

- 5.1.1** The estimated current population of seven is expected to remain unchanged, since any development would be expected to be industrial uses, consistent with the zoning.
- 5.2.1** There are no disadvantaged unincorporated communities within or contiguous to CSA 3's SOI.
- 5.3.1** CSA 3 is a dependent special district that funds fire suppression and street services such as street sweeping, street landscaping, and street lights through special assessments.
- 5.3.2** CSA 3 has no facilities of its own. However, Napa County Fire has a fire station which serves 61 square miles including all of CSA 3.
- 5.4.1** CSA 3's operating budget is approximately \$400,000 per year. Services are funded through two voter-approved special assessments, one for fire and one for streets. CSA 3 funds a portion of Napa County Fire for fire services to the South County Region.
- 5.4.2** Since the fire assessment is calculated based on full buildout, which has not yet been achieved, the assessment revenue is supplemented by the County to cover costs for fire protection in CSA 3.
- 5.4.3** CSA 3 has no long-term debt. Financing and capital improvements are funded through the County Public Works Department and County Fire Department budgets.
- 5.5.1** CSA 3 has no facilities of its own, so there are no opportunities for shared facilities.
- 5.6.1** The County Board of Supervisors serves as the Board of Directors for CSA 3. It consists of five members elected at large to four-year staggered terms. The Board generally meets each Tuesday of each month but no more than four times a month. CSA 3 does not maintain a website, but it has a link on the County Department of Public Works website at www.countyofnapa.org/publicworks/csa.

- 5.6.2** Napa County Fire and ACFPD have automatic and mutual aid agreements that provide fire service coverage within CSA 3's jurisdictional boundary.
- 5.7.1** LAFCO policies for the efficient provision of services apply.
- 5.8.1** CSA 3 funds services which are important in operating the Napa County Airport. The Airport is part of the network of facilities essential for goods movement in Napa County.

6: SPHERE OF INFLUENCE CONSIDERATIONS

This chapter includes sphere of influence (SOI) recommendations and analysis for each agency. CKH requires LAFCO to adopt an SOI for each city and special district in the County. An SOI is defined in Government Code Section 56076 as “a plan for the probable physical boundary and service area of a local agency or municipality as determined by the Commission.” LAFCO must make determinations with respect to the following factors when amending, establishing, reviewing, or updating an SOI:

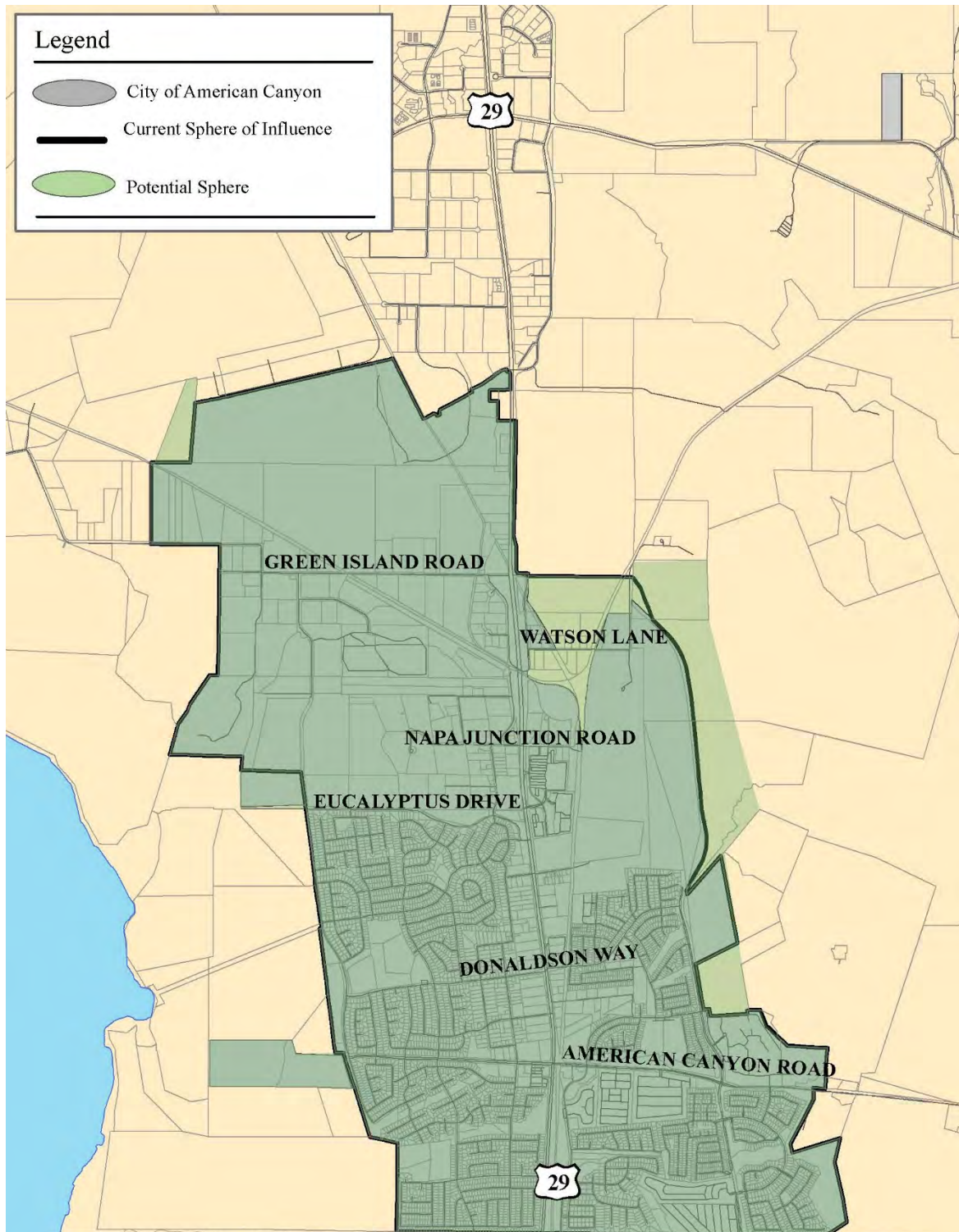
- **Present and planned land uses in the area, including agricultural and open space lands.** This consists of a review of current and planned land uses based on planning documents to include agricultural and open-space lands.
- **Present and probable need for public facilities and services.** This includes a review of the services available in the area and the need for additional services.
- **Present capacity of public facilities and adequacy of public services provided by the agency.** This section includes an analysis of the capacity of public facilities and the adequacy of public services that the agency provides or is authorized to provide.
- **Social or economic communities of interest.** This section discusses the existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency. These are areas that may be affected by services provided by the agency or may be receiving services in the future.
- **Present and probable need for services to disadvantaged unincorporated communities.** The Commission must consider services to disadvantaged unincorporated communities which are defined as inhabited areas within the SOI whose median household income is less than or equal to 80 percent of the statewide median income.

The following sections provide recommendation and discussion of each of the determination required to update the SOIs for the City of American Canyon, the American Canyon Fire Protection District (ACFPD), and County Service Area (CSA) 3.

6.1 - City of American Canyon

The City of American Canyon encompasses approximately six square miles at the southern end of Napa County. The City’s jurisdictional boundary extends to Solano County and the City of Vallejo to the south, the Napa County Airport to the north, and the Sulphur Springs mountains to the east. The City’s SOI was originally established by LAFCO at the time of the City’s incorporation in 1992. Exhibit 6-1 shows the City’s jurisdictional boundary, current SOI, and a potential SOI based on the City’s urban limit line (ULL).

Exhibit 6-1: City of American Canyon Potential Sphere of Influence



The City and County agreed to a ULL in 2008, which is in force until 2030. Given that the ULL is legally binding until 2030 and in fact is the ultimate boundary of the City, it may be appropriate for the Commission to initiate an expansion of the City's SOI to include some or all of the remaining portions of the ULL that are not already within the City's SOI. However, it has been LAFCO's practice to defer any SOI expansions until such time that specific land uses within the affected territory are known. Therefore, it is recommended the Commission affirm the existing SOI as part of this review. If expansion of the City's SOI is to occur in the future, it is recommended the City first identify specific land uses through the General Plan and pre-zoning processes, which would involve addressing the requirements of CEQA with the City as lead agency.

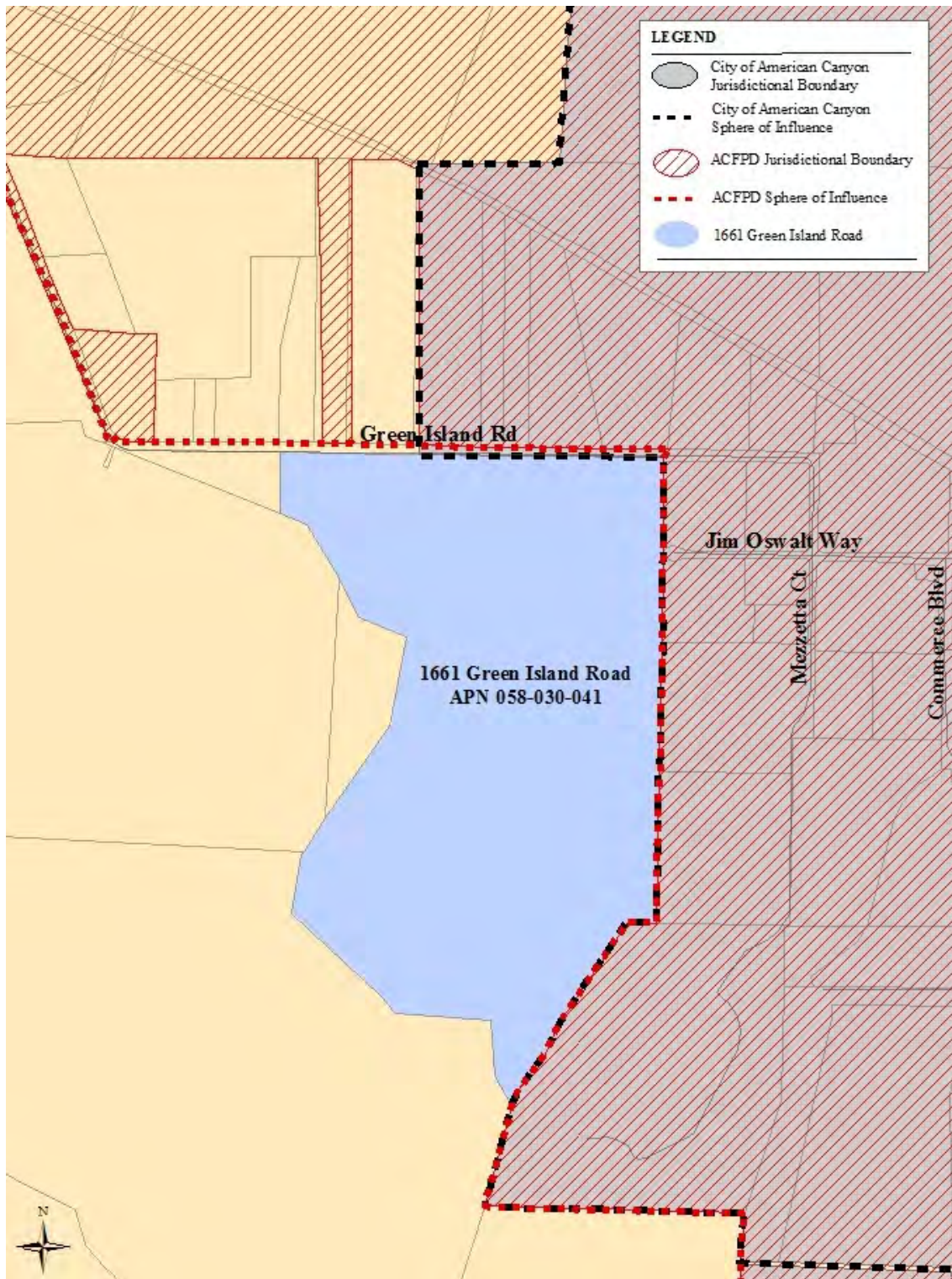
The City and ACPFD have jointly submitted a formal request to the Commission for an SOI expansion involving a vineyard property located at 1661 Green Island Road (APN 058-030-041) that is located to the immediate west of the City's jurisdictional boundary, SOI, and ULL. The request is included as Appendix D. A map of the requested SOI amendment is provided as Exhibit 6-2. This property is currently planted with a vineyard and designated as Agriculture, Watershed, and Open Space in the County General Plan. In order to annex APN 058-030-041, the City would first have to amend the ULL with agreement from the County and voter approval. Further, Napa LAFCO policies direct the Commission to designate SOIs to guide orderly urban development in a manner that prevents the premature conversion of agricultural lands. Finally, correspondence from the Napa County Farm Bureau is included as part of Appendix B, which communicates opposition to the potential annexation of the subject parcel to the City. With all of this in mind, it would be appropriate to defer consideration of an expansion to the City's SOI to include APN 058-030-041 until after the parcel has been included within the ULL. This process would also involve the City or the County serving as lead agency to address the requirements of CEQA for the potential SOI expansion and annexation.

Additionally, there has been some discussion regarding the possible annexation to the City of a separate vineyard property that is contiguous to the City's jurisdictional boundary and the northeast portion of the ULL (APN 057-090-065). The Napa County General Plan envisions redesignating the property to industrial uses if Newell Drive is extended through the property to South Kelly Road (Napa County General Plan 2008 Update, Policy AG/LU-40), which could significantly alleviate traffic congestion on Highway 29 relative to other proposals (see Appendix A). In order to annex APN 057-090-065, the City would have to amend the ULL with agreement from the County so an expansion of the sphere to include this property could be considered at that time. This process would also involve the City and/or the County serving as lead agency to address the requirements of CEQA for the potential SOI expansion and annexation.

DETERMINATIONS

- **Present and planned land uses in the area, including agricultural and open space lands.** Most of the area within the City's SOI is built out. There are still some vacant and underutilized parcels that could be developed. There are approximately 72 acres of low density residential parcels, three acres of medium density residential parcels, and 43 acres of mixed use parcels within the City's jurisdictional boundary. Within these parcels there are 531 lower income lots and 122 moderate and above income lots. In addition, there is the planned Watson Ranch project, which includes 309 acres of primarily farmland and wetlands in addition to an abandoned cement plant. At present the Watson Ranch area is hayfields and wetlands. The project will add approximately 1,200 single family residences and a 200-room hotel along with mixed use development.
- **Present and probable need for public facilities and services.** Development of any parcels within the City's SOI would require municipal services. The American Canyon Fire Protection District already provides fire services within the City's SOI and ULL through automatic and mutual aid agreements. The SOI and ULL falls entirely within the water and sewer service areas that the City acquired when it was incorporated. The Watson Ranch project will require additional services related to parks, streets, sidewalks, and bike trails.
- **Present capacity of public facilities and adequacy of public services provided by the agency.** The addition of 1,200 homes in Watson Ranch will require some modification to the City's existing infrastructure. It will require larger water mains, upsized sewer lines, two water storage tanks, and a recycled water line. The water treatment plant and the wastewater treatment plant will have sufficient capacity. The City will more than likely hire additional police officers to maintain the ratio of 1.2 sworn officers per thousand residents.
- **Social or economic communities of interest.** There are no social or economic communities of interest that are relevant to any potential amendments to the City's SOI.
- **Present and probable need for services to disadvantaged unincorporated communities.** There are no disadvantaged unincorporated communities within or contiguous to the City's SOI based on available median household income data.

Exhibit 6-2: Map of 1661 Green Island Road



6.2 - American Canyon Fire Protection District

The American Canyon Fire Protection District (ACFPD) provides fire protection services to approximately 4,395 acres including all of American Canyon's jurisdictional boundary as well as some areas to the north and east of the City. As shown in Exhibit 4-1, ACFPD's jurisdictional boundary extends to the Napa River to the west, the City of Vallejo to the south, and Interstate 80 to the east. ACFPD's service area includes a variety of areas and uses including residential, growing commercial and industrial facilities, and rural areas.

One of the main governance considerations is service to rural and open space areas adjacent to ACFPD. While the ACFPD station covers the City, ACFPD has its station and additional capabilities closer to much of the rural areas east of the City. ACFPD and the County of Napa have worked under an automatic aid agreement for many years where ACFPD responds to unincorporated areas east and south of the County's fire station. While there is merit to ACFPD and the County discussing future SOI changes that may also involve County Service Area 3, staff recommends the Commission affirm ACFPD's SOI with no changes.

DETERMINATIONS

- **Present and planned land uses in the area, including agricultural and open space lands.**
ACFPD's SOI predominantly overlaps with the City of American Canyon with limited exceptions. Present and planned land uses are consistent with the City's General Plan land use designations and the City's ULL for incorporated areas, and the County's General Plan land use designations for unincorporated areas.
- **Present and probable need for public facilities and services.** All lands within ACFPD's SOI receive fire protection services from ACFPD and the County through mutual and automatic aid agreements.
- **Present capacity of public facilities and adequacy of public services provided by the agency.**
ACFPD opened its station at 911 Donaldson Way East in July 2007 and continues to maintain the station located at 225 James Road with intentions, at some time in the future, to staff it as a second station. ACFPD has made major investments in apparatus and equipment in order to provide service within its SOI. ACFPD has a capital equipment replacement plan which included replacing two wildland firefighting apparatus in 2017. ACFPD's capital plan provides for the ongoing replacement of all apparatus and equipment including, rescue equipment, and two rescue boats. These purchases were partially made because of the needs within ACFPD's service response area, which includes lands located outside ACFPD's SOI through mutual and automatic aid agreements. Annual calls for service since 2010 averaged approximately 1,500, of which 15% involve emergencies outside ACFPD's SOI. ACFPD is well equipped to handle these annual service call levels and, in 2016, responded in less than five minutes 76% of the time. Further, ACFPD's ISO rating is 2/2Y on a scale of 1 to 10, where 1 is the best.

- **Social or economic communities of interest.** There are two social or economic communities of interest in ACFPD's SOI. One is the City of American Canyon, which comprises 87% of ACFPD's jurisdictional boundary. The other community of interest is the Napa County Airport Industrial Area, which is to the north of ACFPD's SOI. The Airport Industrial Area is served by County Service Area 3 through a contract with the Napa County Fire Department, which has an automatic aid agreement with ACFPD. The southeast corner of the Airport Industrial Area in the vicinity of Tower Road is within ACFPD boundaries.
- **Present and probable need for services to disadvantaged communities.** There are no disadvantaged unincorporated communities within or contiguous to ACFPD's SOI based on available median household income data.

6.3 – County Service Area 3

CSA 3 primarily serves the Napa County Airport Industrial Area and any future development will be in the industrial area already in CSA 3's current boundary. Since there is no anticipated expansion of services provided by CSA 3 beyond the current SOI, the recommendation is to affirm the current SOI with no changes.

DETERMINATIONS

- **Present and planned land uses in the area, including agricultural and open space lands.** Lands within CSA 3's SOI are unincorporated and designated as the South County Industrial area and zoned by the County as Industrial and Public Institutional. The Public Institutional portion contains the Napa County Airport. The City of American Canyon is located to the south and the City of Napa is located to the north, both of which are zoned Urban Residential. Areas to the east and west of CSA 3 are zoned Agricultural Watershed. It is anticipated current zoning will remain unchanged in the foreseeable future.
- **Present and probable need for public facilities and services.** There is no anticipated development outside and immediately adjacent to CSA 3. Therefore, there is no present nor probable need for services outside CSA 3's SOI.
- **Present capacity of public facilities and adequacy of public services provided by the agency.** CSA 3 has the capacity to serve areas within its jurisdictional boundary and SOI. Since all public services in the area are contracted out, any changes can be accommodated in existing contracts. In addition, there are mutual and automatic aid agreements with neighboring fire agencies to provide full fire protection service coverage. Services are funded primarily through special assessments and supplemented by the County.
- **Social or economic communities of interest.** The City of American Canyon is a community of interest located immediately south of CSA 3. The City of American Canyon receives fire services from the American Canyon Fire Protection District and provides its own street maintenance services.
- **Present and probable need for services to disadvantaged unincorporated communities.** There are no disadvantaged unincorporated communities within or contiguous to CSA 3's SOI based on available median household income data.

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APPENDIX A:
“Improving Traffic Flow On The Highway” Staff Report March 28, 2017

MARCH 28, 2017
WORKSHOP**SUBJECT**

Update on Strategy to "Improving Traffic Flow on the Highway."

SUBMITTED BY

Jason B. Holley, P.E. Public Works Director
Brent Cooper, AICP, Community Development Director
Dana Shigley, City Manager

BACKGROUND AND ISSUES

After considerable community outreach in 2013, the City Council adopted a community Vision Statement. Soon after, the City Council also adopted its first Strategic Plan consisting of seven strategic focus areas, numerous strategies and their respective goals in support of the new Vision Statement. As time passed, the City accomplished many of the stated initiatives and the Strategic Plan was updated by the Council in Spring 2016.

The updated Strategic Plan includes a Focus Area for "Transportation". Specifically, it strives to: "Improve the City's transportation network to mitigate traffic and enhance the quality of life for the community".

A key Strategy in support of the Transportation Focus Area is: "Improving Traffic Flow on the Highway". The workshop tonight is an opportunity for the community to receive an update on the City's progress on implementing this Strategy. Specifically, the following Strategic Plan Goals in support of it:

- Goal TR-3: "Construct improvements to Highway 29 at Napa Junction."
- Goal TR-4: "Ensure signal timing along Highway 29 is maximized using the most advanced technology available."
- Goal TR-2: "Construct improvements to Theresa/Eucalyptus."
- Goal ED-5: "Construct final leg of Devlin Road."
- Goal TR-5: "Seek to obtain funding and construct Newell extension to Highway 29."
- Goal TR-1: "Seek and obtain funding for highway widening consistent with the Highway 29 corridor study and Broadway District Specific Plan".

The first three Goals (TR-2, 3, and 4) pertain to smaller, discrete highway intersection projects. The next three goals (ED-1, TR-5, and TR-1) pertain to the implementation of more costly, long-term regional initiatives.

HIGHWAY INTERSECTION PROJECTS

Goal TR-3: "Construct improvements to Highway 29 at Napa Junction." - The "SR29/Napa Junction Road Intersection Improvements Project – Phase 2 (TR17-0200)" is part of the FY2016-17 Capital Budget. Design of the project is complete and the City has obtained an Encroachment Permit from Caltrans. This Project is scheduled to go out to bid in April. Construction should be complete by the end of 2017. The Project will add two additional westbound turn lanes and widen the radius of the corners. The new

turn-lanes will increase capacity of the westbound approach, thereby reducing the amount of green time needed to serve the anticipated traffic volumes. The green time will be shifted to the north-south phase, thereby increasing through capacity and decreasing congestion. The corners will be widened to reduce potential conflicts between large trucks turning off the highway and vehicles waiting on the side street. The improvements are required as part of the Napa Junction III development and staff anticipates bringing an item to Council in April related to this project.

Goal TR-4: "Ensure signal timing along Highway 29 is maximized using the most advanced technology available." – Phase 1 of this project was completed in 2015. It implemented a coordinated signal timing plan in order to maximize consistent green times on the mainline. Currently the signal controllers use GPS clocks to "synchronize their watches" and then implement a sequenced timing plan from the same starting point each day. Unfortunately, this method is not always reliable and it difficult to know if the sequencing is performing as intended.

The next phase, "The "SR29 Signal Interconnect Project (TR15-0300)" is part of the FY2016-17 Capital Budget. This project physically connects each signal controller together in a series with wires and then designates one as the master controller. The master controller will ensure that all other controllers are operating the desired signal timing plan. In addition, detection cameras placed at each intersection will count objects as they pass-through. This video will provide a continuous counting of vehicles and feedback such a stopping time, etc. Staff is also exploring the addition of adaptive controller technology (such as Rhythm Engineering's™ "InSync" platform). This technology uses the data provided by the video to make adaptive changes in signal sequencing and timing in response to changing traffic conditions. This technology has demonstrated a measurable reduction in traffic congestion on highly-travelled roadways such as the highway.

The design of this next phase is complete and staff plans to submit an application for an Encroachment Permit from Caltrans shortly. This Project is scheduled to go out to bid in summer 2017. Construction should be complete by the end of 2017.

✓ Next Step: No Council action is needed on these two projects at this time. Both are in process and staff will return to the City Council as needed.

Goal TR-2: "Construct improvements to Theresa/Eucalyptus." - Design of the "Eucalyptus Dr. Realignment Project (TR13-0400)" is on hold pending conclusion on the Watson Ranch Specific Plan. In spring 2016, the California Transportation Commission unilaterally postponed state funding for this project until FY 2021-22.

Other projects not currently in the Strategic Plan

Other efforts either completed or planned include:

- Improving the Westbound Donaldson Way intersection at Highway 29. This effort, completed a couple years ago, significantly improved wait times and traffic flow from Vintage Ranch to the highway.
- The Commerce Blvd. connection to Eucalyptus Drive will be completed as part of the Clarke Ranch and Napa Junction School projects. This will provide a second access point into the Green Island area.

- The completion of class one bike trails continues to be a priority. The Kimberly Bay trail connection is currently in design and may be ready for funding by the end of the year. We recently completed one key link in the Vine Trail (Silver Oak) and another link will be completed with Devlin and Green Island Roads.
- The Bay Trail extension north continues to be elusive, with challenges from the Napa County Airport and State Fish and Wildlife.

NORTH/SOUTH CONNECTIONS

Since before the City's incorporation, all residents of Napa County have struggled with a lack of transportation alternatives to SR29. The result has been an ever-increasing level of traffic congestion as development in Napa County and the North Bay has increased. There are numerous reasons for the increased congestion, not the least of which is a County-wide housing-jobs imbalance. Simply put, most non-governmental jobs in Napa County are in the hospitality and agricultural industry. Many of these jobs are seasonal and pay modestly. This stands in stark contrast to the price of housing which is very high, primarily due to a lack of supply. In short, most residents of Napa County love living here, but relatively few are lucky enough to also work near where they live. And those that work in Napa County are more likely than not to live elsewhere (the NVTa Travel Behavior Study estimates there are 90,000 trips per day in Napa County that originate or conclude outside Napa County). The City Council has, for many years, advocated that any significant improvement to traffic congestion on Highway 29 through American Canyon will require a full range of improvements and policy changes, including investment in workforce housing in Napa County and improved transit and non-motorized options (of particular note, the Vine Trail and Bay Trail connections) in addition to improved highway and road connectivity.

In many respects, the lack of alternatives to SR29 mirrors the City's own water supply situation. In this case, the City relies almost solely on the State Water Project – which has a less than desirable reliability and over which the City has no control. Likewise, due to lack of funding and too many priorities, Caltrans provides a less than desirable level of service for operations and aesthetics on the highway. The City has limited ability to manage the highway, but similarly must work within Caltrans regulations and highly constrained funding to guide its future. And more importantly, neither the Legislature nor the California Transportation Commission has prioritized capital projects to increase capacity on SR29 and it seems unlikely they will do so anytime in the near future.

Nevertheless, SR29 is the central artery serving the life-blood of the North Bay economic engine. It is the *primary connection* between Napa County and southern Solano County, the East Bay and South Bay, and Central San Joaquin Valley. The current traffic congestion constrains economic development for all of Napa County. To exert leadership on the future of SR29, the Council is wisely investing in an initiative to increase capacity of highway by adding an additional travel lane in each direction. Much like the Alternative Intake Project (AIP) will set the stage for increased reliability and capacity for future City water customers, the "6-Lane Broadway Boulevard" will also increase roadway capacity by increasing the number of vehicle travel lanes from 4 to 6. Importantly, this increased capacity will benefit all Napa residents and improve economic growth in the region.

The analogy between water supplies and transportation systems goes much deeper than just the highway. Beyond just the AIP (i.e. highway), the Council has also begun to invest significant resources to *diversify* its water portfolio altogether. First, it has chosen to advance regionally significant recycled water projects as part of its award-winning Zero Water Footprint Policy. Secondly, the Council has

chosen to invest in a share of a new state-wide surface water storage system (Sites Reservoir). Much in the same way it is diversifying its water portfolio, the Council has also begun to help diversify the region's north-south transportation systems. This is primarily through the addition of two new roadway connections (1) Devlin Road (on the west side of SR29) and (2) Newell Drive (on the east side of SR29). Here too, the City is part of a broader coalition of public and private interests striving to accomplish these shared goals.

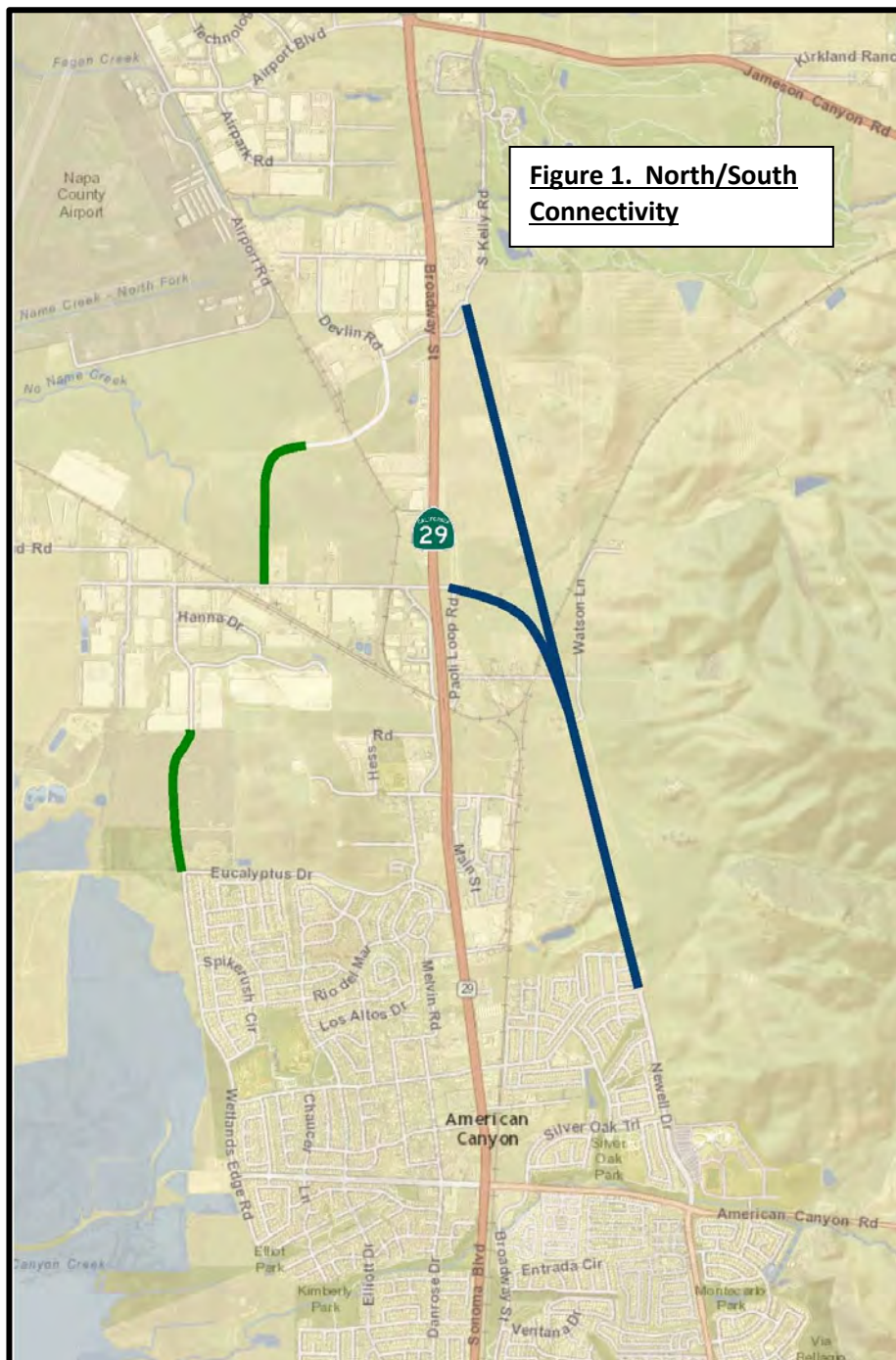


Figure 1. North/South Connectivity

Each of these three routes is critical for improved circulation in and around south Napa County. The Devlin Road connection can carry approximately 5,000-10,000 cars and trucks per day and will serve local commuters and internal traffic to the airport/Green Island Road industrial areas, removing these trucks from the highway. The extension of Newell Drive, serving an additional 5,000-10,000 cars per day, will be driven by American Canyon residents, but will primarily serve daily commuters traveling from cities to the south into Napa for their employment. Finally, Highway 29 will continue to serve as the primary commuter, visitor and resident artery from Solano County to Napa and points north. The highway, currently carrying up to 50,000 cars per day, also serves as American Canyon's "front door" to the region and is one of our potential economic engines.

This report explores in detail the opportunities and challenges facing Highway 29 improvements, as well as the two Highway alternatives: Newell Drive and Devlin

Road. Figure 1 shows these three connections.

HIGHWAY WIDENING

Goal TR-1: "Seek and obtain funding for highway widening consistent with the Highway 29 corridor study and Broadway District Specific Plan". - Implementation of the Broadway District Specific Plan, including highway widening to 6 lanes, will require local, regional, state and other funding. It is helpful to break the project down into subcomponents by potential funding source. For example, certain outside funding sources often can only be used for non-motorized improvements, while others may only be used to improve transit improvements. Local monies typically can be used on a wider range of improvements. In this regard, the City is at the forefront of local revenue generation through the Council's 2014 adoption of a Traffic Impact Fee (TIF) that for the first time in Napa County provides for the collection of fees from developers to cover their proportionate share of costs to widen the highway. (It is noteworthy that Napa County is now currently updating its Circulation Element and also considering the potential for a county-wide traffic impact fee.) Thus, much like solving a jig-saw puzzle, the funding strategy is to acquire various sources - each paying only for the improvements allowed - and then to combine them to build a complete project that accommodates *all users* on highway.

The 6-lane "Urban Arterial" proposed in the Broadway District Specific Plan will provide for pedestrian, bicycle and transit modes of travel that currently don't exist on the highway. It will also include the most advanced signal timing technology and *avant-garde* form-based zoning codes that will incentivize a new residential mixed-use development along the corridor. Figure 2 below depicts how the 6 - Lane Urban Arterial might look once completed and Table 1 below compares the features of this concept against the existing conditions.

Figure 2 - Proposed 6-Lane Urban Arterial

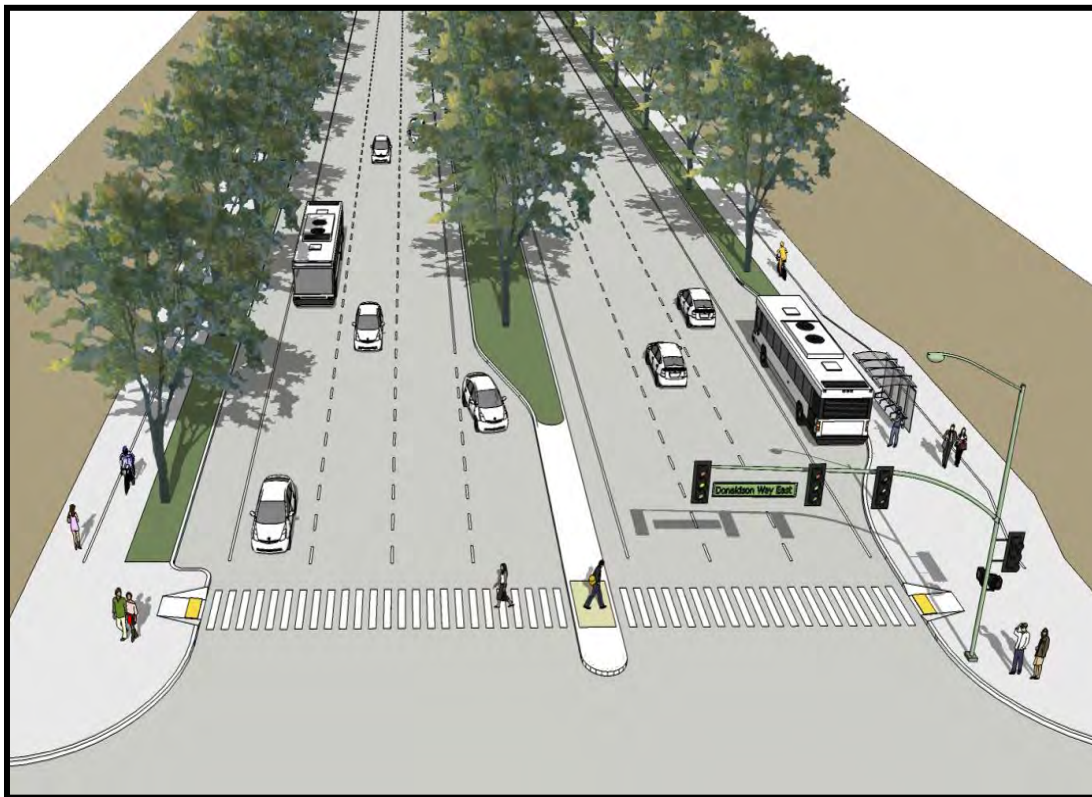


Table 1 – Contrast between existing 4-Lane Rural Highway and proposed 6-Lane Urban Arterial

	Existing	Planned
Road Classification	4-Lane Rural Highway	6-Lane Urban Arterial
Posted Speed	55 mph	35 mph
Number of Lanes ⁶	2	3
Lane Width	12-feet	11-feet
Non-Peak Travel Time	77 seconds	122 seconds
Pedestrian Facilities	No	Yes
Bicycle Facilities	No	Yes
Transit Facilities	No	Yes
On-Street Parking	No	Yes
Landscaping	No	Yes
Underground Utilities	No	Yes
Coordinated Signals	Yes	Yes
PDA Development	No	Yes

It is important to note the planned 6-lane Urban Arterial is the *cornerstone* of the implementation of the Broadway District Specific Plan. The planned widening is consistent with all current City and County General Plans, as well as the Napa Valley Transportation Authority's (NVTa) *Highway 29 Corridor Study* - all which solicited significant public input and resulted in community consensus.

Moreover, the Plan embodies a *sustainable community strategy* as dictated by SB375 (Steinberg) and seeks to locate housing near employment centers served by non-motorized transportation options. As a key component to the "Bay Area Sustainable Community Strategy", the Association of Bay Area Governments (ABAG) in association with the Metropolitan Transportation Commission (MTC) and Bay Area Air Quality Management District (BAAQMD) initiated a program for local agencies to establish Priority Development Areas (PDAs) that provide higher density housing in close proximity to employment and transit. In 2010, the ABAG approved the City designation of approximately 225 acres adjacent to Highway 29 as a Mixed Use Corridor Priority Development Area (PDA). The PDA - including the widening the highway - is now the focus of the Broadway District Specific Plan. In short, the term "highway widening" is not limited to just new vehicle travel lanes, but rather it represents the all-encompassing prospect of accommodating *all users* (pedestrians, bicyclists, transit and vehicles).

Funding Strategy

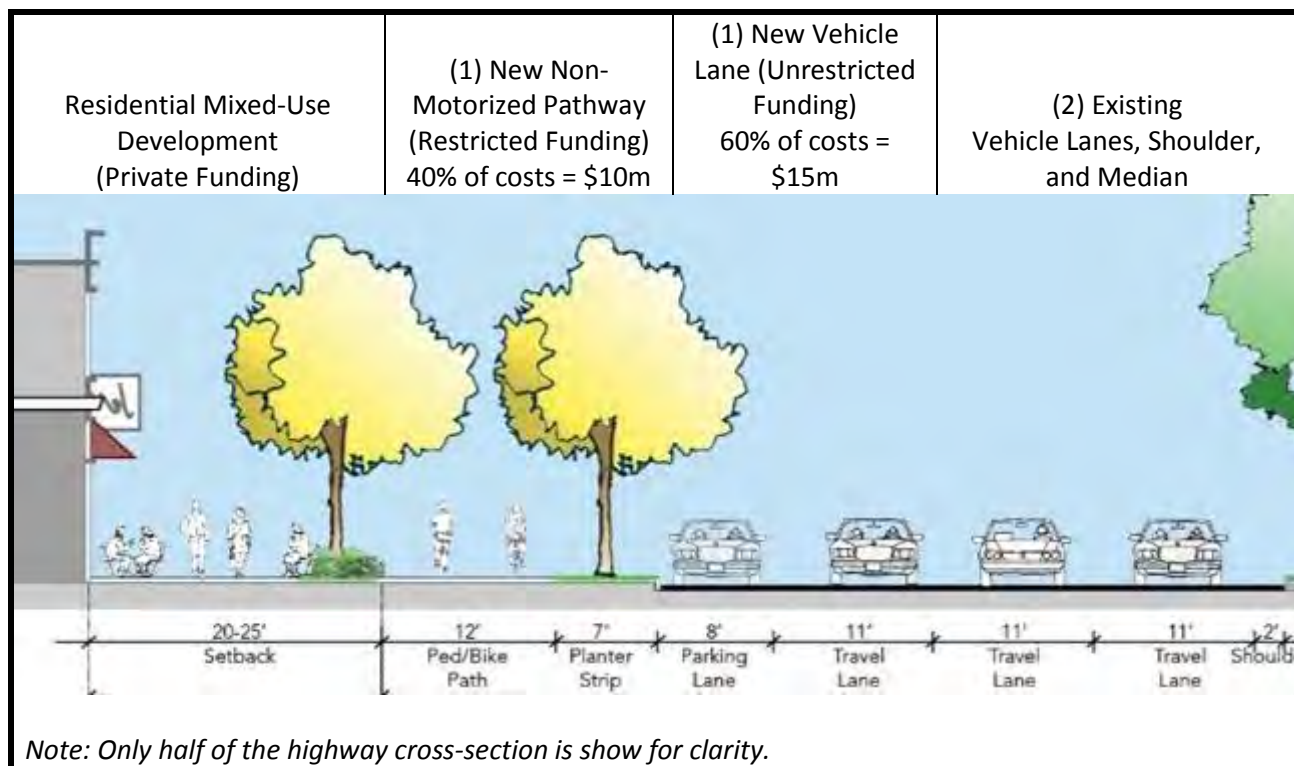
The estimated cost to implement planned highway improvements within the PDA is approximately \$25M (from American Canyon Road to Napa Junction Road). The funding strategy is to leverage *restricted* funds to build as much infrastructure as possible (within allowable uses) and augment it with unrestricted funds and private capital. For example, NVTa is in the process of soliciting MTC's consideration to include certain (non-motorized) elements of the highway widening for funding from the potentially new Regional Measure 3 (RM3). Other funding sources such as OBAG3 would be eligible for these non-motorized elements too. Likewise both FTA and TDA-4 funding is available for transit improvements. Thus, elements such as the curb/gutter, landscaping, utility undergrounding, Class I Bikeway, and enhanced pedestrian crossings all have identified potential funding sources. Combined, these items represent approximately 40% (or \$10.0M) of the overall cost of the planned improvements.

Funding sources for a new vehicle travel lane are much more limited - the most likely choice is local Traffic Impact Fee. Thus, elements such earthwork, asphalt paving and striping also have identified

potential funding sources. Combined, these items represent about 60% (or \$15M) of the overall cost of the planned improvements. Our current TIF program can fund most of the needed resources for this component of the project. Frontage improvement along private property such as pathways, landscaping and gathering areas will all be funded through private capital once properties redevelop. Thus, through the strategic integration of the anticipated future restricted funds and accumulated local impact fees, implementation of the planned improvements is a reasonably foreseeable outcome.

Lastly, It's worth noting recent survey work indicates relatively little new right-of-way is needed to widen the highway in between intersections. This will be further verified once the horizontal layout begins in conjunction with development of the Specific Plan Line.

Figure 3 - Funding Strategy for Highway Widening



Despite recent concerns expressed by NVTa staff, City staff does not believe a change in direction is warranted. Given our funding strategy, level of community support for the project, considerable need for additional capacity, and desire for economic growth, we recommend the City proceed with the Broadway District Specific Plan already underway. Planning for the pedestrian/non-motorized improvements, landscaping and land use as benefits of the project without adding the additional lanes is not feasible nor consistent with considerable community feedback received on the plan.

✓ Next Steps:

- Identify existing Caltrans right-of-way (Complete).
- Circulate Broadway District Specific Plan and Draft EIR for comment (fall 2017).
- Solicit Feedback/Approval on Plan/DIER from Caltrans (summer - fall 2017).
- Council Approve Plan/Final EIR (spring 2018).
- Bay Area voters approve Regional Measure 3 (fall 2018)
- Develop Specific Plan Line and Master Project Sequencing (fall 2017 - spring 2019).

HIGHWAY ALTERNATIVE – DEVLIN ROAD

Goal ED-5: “Construct final leg of Devlin Road.” – It is a noteworthy accomplishment that only two of the seven segments that make up Devlin Road remain unfinished today. Once complete, Devlin Road will provide a parallel alternative route on the west side of SR29 (from Soscol Ferry Road to Green Island Road.) Over the last two decades, Napa County completed five segments (Segments A, B, C, D, and F) and they will construct a sixth segment (Segment E) in 2018.

Design of the final segment is underway in conjunction with the City’s “Devlin Road Segment H Project (TR 14-0100),” shown below in Figure 4. Design of Segment H is part of the City’s FY2016-17 Capital Budget and is 40% complete. Environmental review and permitting is underway and staff continues to negotiate property acquisition needed for the road. Segment H is scheduled to go out to bid in late fall 2017 after regulatory permits are obtained. Construction is anticipated to be completed by the end of 2018.

✓ Next Step: No further Council action is needed at this time. Project is on-going and staff will return to the City Council as needed.

Figure 4. Devlin Road Segment H



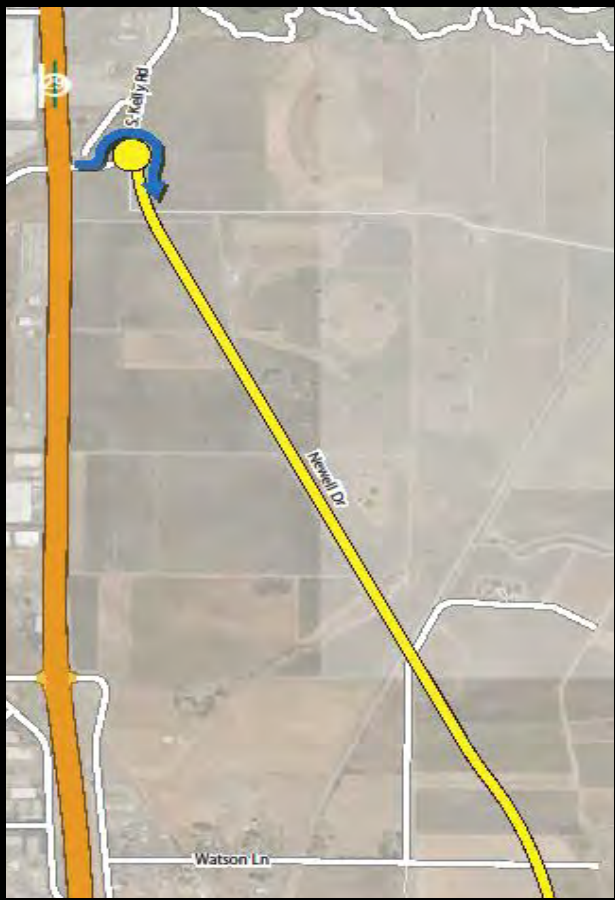
HIGHWAY ALTERNATIVE – NEWELL DRIVE

Goal TR-5: “Seek to obtain funding and construct Newell extension to Highway 29.” – Eventually Newell Drive will provide a parallel alternative route on the east side of SR29. The road is comprised of three segments – two of which are located in the City and one is located in the unincorporated County. While the most southerly segment (from American Canyon Road to Donaldson Way East) was completed with the Vintage Ranch development and the middle segment will be completed over the next decade in conjunction with the Watson Ranch development, completion of the northern segment (partially located in the County) remains less certain.

Alignment Choices

There also remains uncertainty about potential roadway alignment. Table 2 identifies characteristics of 3 potential alignments.

Table 2. Alignment Options for Northern Segment of Newell Drive

Option	#1 Paoli Loop Road	#2 Paoli Loop Road / Green Island Road	#3 South Kelly Road
	Option #1 is currently contemplated in both the County and City’s General Plan Circulation Element. Without intersection improvements, the signalized at-grade intersection at SR29 may create significant backups on the highway southbound during afternoon peak hours as motorists trying to make their way to southbound Newell Drive via existing Paoli Loop Rd.	Option #2 replaces the current at-grade intersection with an interchange that provides direct access to Newell Drive and Green Island Road. This option would be the most costly and would impact properties on the west side of the highway.	Option #3 would route Newell Drive north to a new roundabout intersection at South Kelly Rd. Although it would cost less than Option #2, this option would require the largest amount of agricultural property acquisition and could have the largest long-term O&M cost. This route would travel through land currently owned by the Hess family and operated as a vineyard.
			

Option	#1 Paoli Loop Road	#2 Paoli Loop Road / Green Island Road	#3 South Kelly Road
Length	4,100 feet	4,100 feet	7,400 feet
Structures	(1) Railroad overcrossing	(1) Railroad overcrossing (1) Highway Interchange	(1) Railroad overcrossing (1) Creek bridge
Highway Intersection	NB: Right-in, Right-out Only SB: Via Paoli Loop	Traffic study is needed to determine the best way to accommodate anticipated north and southbound traffic at the highway intersection. Options range from a signalized intersection to a grade-separated "Single Point Urban Interchange"	Realignment of South Kelly Road and Roundabout
ROW East of SR29	Partial acquisition from six agricultural properties.	Partial acquisition from six agricultural properties.	Partial acquisition from six agricultural properties.
ROW West of SR29	None	Full acquisition of up to four industrial properties on west side of SR29	None
Estimated Cost	\$30M	\$40 - \$75M	\$50M
Caltrans Approval Required?	Yes	Yes	No

Funding Challenges Options #1 and #2

Because the Newell Drive extension will be a city/county owned and maintained road, we do not anticipate any state or federal funding will be available for construction, including the interchange. Funding must be provided by some combination of existing city/county funds and fees/exactions from future developers. As noted, the southern segment of Newell Drive was completed by the developer of the Vintage Ranch Development and the City is working with the developer of the Watson Ranch project to construct the Newell Drive extension along the boundaries of the Watson Ranch project. This leaves the segment roughly from Watson Lane to Paoli Loop/Green Island Road and the appropriate highway connection (for Options #1 and #2) with no immediately identified funding source.

The proposed alignment for Options #1 and #2 will impact six parcels currently zoned for agricultural uses and not in the City limits. These property owners would be able to provide the required Right of Way and construct their share of the road extension IF they have the necessary zoning and other resources to develop their property and generate revenues. This will likely require the City to annex the area south of Watson Lane into the City limits and zone the property for commercial, industrial, or other appropriate uses. With this complete, the property owners could be required to fund their share of the road extension as they develop their parcels.

✓Possible Next Step: Begin the process of annexing the area south of Watson Lane. Meet with LAFCo. Meet with residents in the area. Determine appropriate zoning.

Another option would be for the City to use its TIF program. The current TIF program does not include any funding for the Newell Drive extension project. The Council could consider increasing the TIF to include all or a portion of the Newell Drive extension. This could potentially double the current TIF amount, from \$577 per trip to \$900 - \$1,500 per trip. The TIF is paid by developers building projects anywhere in the City (not just along Newell Drive) and this may have a dampening effect on development along the highway corridor, as our TIF fees will be quite high¹.

✓Possible Next Step: Return to the Council with information about including Newell Drive extension in the TIF.

Finally, we could request the County participate in construction of this last segment, as it will be partially in their jurisdiction and, most importantly, will serve primarily commuters and tourists from Solano County and other areas headed north to Napa and beyond.

✓Possible Next Step: Meet with County staff to determine the County's interest in participating in this project. (Note: meeting is already scheduled for March 30.)

Additional Land Use and Funding Challenges with Option #3

Option #3, extending Newell Drive to South Kelly Road, would require the new road to travel through land currently owned by the Hess family and operated as a vineyard.

In 2008, the City entered into a Memorandum of Understanding (MOU) with the County Board of Supervisors regarding the City's ultimate Year 2030 boundary and water allocation policies outside the City limits but within the Napa County Airport Business Park. The MOU required American Canyon residents to approve an urban limit line through an initiative process. Around the same time, the County adopted a new General Plan that placed the Hess Vineyard outside the proposed urban limit line

¹ This does not include any increase in the TIF for the \$20M Rio Del Mar undercrossing of the railroad as identified in the Watson ranch Specific Plan. Adding this to the TIF would increase the per trip fee by an additional \$400.

and noted that the property may be considered for industrial use if Newell Drive is extended through this property to South Kelly Road.

The urban limit line initiative easily qualified for election and was adopted by the City Council. At that time, residents were concerned that industrial development of the Hess Vineyard in the County was not in their interests, so the initiative redirected the future Newell Drive alignment from connecting at South Kelly Road to Green Island Road at SR29. This avoided the possibility that City efforts to extend Newell Drive would result in the Hess Vineyard converting to any zoning other than agricultural.

Table 3. Impacts of Land Use Choices for Hess Vineyard Parcels

Policy Issue	Hess Vineyard Options			
	Remains Ag Use in County	Converts to Industrial Use in County	Converts to Industrial Use and is annexed to the City	Alternative Use and is annexed to the City
City Urban Limit Line (ULL)	No Change	No Change	Requires change to MOU with County and an approved voter initiative to amend the ULL	Requires change to MOU with County and an approved voter initiative to amend the ULL
City Sphere of Influence (SOI)	No Change	No Change	City approves General Plan Amendment, Rezoning, and environmental review. LAFCO must approve the SOI amendment.	City approves General Plan Amendment, Rezoning, and environmental review. LAFCO must approve the SOI amendment.
General Plans	No Change required for either City or County General Plan	County may need to amend its Land Use Plan and change zoning	City would amend the General Plan Land Use Element to designate the property for industrial uses and amend the Circulation Element to realign Newell Drive to South Kelly Road	City would amend the General Plan Land Use Element to designate the property for industrial uses and amend the Circulation Element to realign Newell Drive to South Kelly Road
Annexation	No Change	No Change	Requires ULL, SOI, General Plan, and pre-zoning tasks plus LAFCO approval of the annexation into City Limits (which will include the areas surrounding Watson Lane as well).	Requires ULL, SOI, General Plan, and pre-zoning tasks plus LAFCO approval of the annexation into City Limits (which will include the areas surrounding Watson Lane as well).
American Canyon Potable Water service	No Change	No potable water service unless LAFCO approves it with City's consent	Would be located in City limits with City water service	Would be located in City limits with City water service
Possible Funding sources for extension of Newell Drive	Possible County Traffic Impact Fee (TIF)	County Traffic Impact Fee (TIF), Frontage Improvements and exactions on future developers	City TIF, Possible County Traffic Impact Fee (TIF), Frontage Improvements and exactions on future developers	City TIF, Possible County Traffic Impact Fee (TIF), Frontage Improvements and exactions on future developers

Today, there is renewed interest in exploring whether north-south traffic demand could be accommodated more efficiently if Newell Drive connected to South Kelly Road. Since the County's general plan says that this alignment may allow the Hess Vineyard to be converted to industrial uses, it raises numerous policy issues, such as whether converting the Hess Vineyard to industrial use is a good idea and if so, whether it should occur in the City or the County and whether industrial is the highest and best use for this property. Table 3, on the previous page, identifies the policy implications of leaving the Hess Vineyard in the County as agricultural; allowing it to be converted industrial in the County; allowing it to be converted to industrial inside the City; and an Alternative use developed in the City.

As noted previously, the property owner can be required to construct segments of Newell Drive improvements and/or pay fees for the project, but this is only effective if they develop their property and generate revenues. Their ability to do this will depend on economic conditions, property owner investment plan, third party property owner cooperation, zoning (ag vs. industrial), availability of potable water, and the jurisdiction (City vs. County).

In order to maximize opportunity for the Hess family to sell or develop their land and pay for some or all of the road extension, numerous policy changes will be required from the City, County and voters. Without these changes, it is unlikely that the property owners will be able to fund road development and all costs for construction will be borne by other City and County resources (TIF, etc.).

The Hess Vineyard does not extend all the way to South Kelly Road, so the Newell Drive extension requires coordination with another landowner whose property would remain the County regardless of whether the Hess Vineyard is annexed into the City.

✓Possible Next Steps:

- Preliminary discussions with all property owners impacted by the Newell Drive extension
- The City negotiates a new Urban Limit Line MOU with the County
- American Canyon Citizens adopt an Urban Limit Line amendment initiative
- The City amends the General Plan to reflect the new alignment to South Kelly Road
- The County amends their General Plan to reflect the new alignment to South Kelly Road
- The City Prezones the Property
- LAFCO approves a sphere of influence amendment and annexation
- With zoning in place, the property owner and City can determine final road design.

It is not possible at this time to predict whether any of these steps would be successful. In addition, should it all be successful, there is no certainty that market demand would favor developing the property at that time or that a future property owner wouldn't keep the land vacant as a long term investment.

Likewise, assuming the property could be developed in the County as industrial has an uncertain outcome because LAFCO would have to approve City water service. It is not certain whether the City would agree to provide water service or that LAFCO laws would allow City water service when the water demand is not related to a public health emergency.

✓Possible Next Step: Meet with County staff to determine the County's interest in extending Newell Drive to South Kelly Road. (Note: meeting is already scheduled for March 30.)

NEXT STEPS

Solving long-term traffic circulation challenges takes money, time, and regional cooperation. Mostly, though, solving these challenges requires planning, creativity and perseverance. The many segments of Devlin Road took a decade to complete and cooperation from several regional partners. The Highway 29 improvement project and Newell Drive extension are not any different. We need to be committed to our plans and continue making forward progress, just as we have for the last five years.

Throughout this report we have offered the Council some suggestions about possible next steps. The Council is welcome to use these, or offer other direction. Staff has direction and is already proceeding with projects related to Highway 29. Thus, of particular interest to staff is the Council's interests the alignment of Newell Drive extension.

**APPENDIX B:
Comments Received During Public Review Periods**

Appendix B is reserved for inclusion of all comments submitted on the draft report by affected agencies and members of the public during the formal public review periods. Draft versions of this report were made available for public review and comment during the following dates:

- January 26, 2018, through March 9, 2018
- July 31, 2018, through September 7, 2018
- September 24, 2018, through November 9, 2018

No written comments were submitted to Napa LAFCO during any of the dates listed above. However, one comment letter was submitted by the Napa County Farm Bureau on July 19, 2018, and is included.



NAPA COUNTY
FARM BUREAU

ATTACHMENT 5

RECEIVED

JUL 23 2018

NAPA COUNTY
LAFCO

July 19, 2018

Board of Supervisors
County of Napa
1195 Third Street, 3rd Floor
Napa, CA 94559

Dear Board of Supervisors:

On July 18, 2018, the Napa County Farm Bureau Board of Directors took under advisement the issue of annexation of 1661 Green Island Road to the City of American Canyon. After careful consideration, the Board of Directors voted unanimously to oppose annexation of the parcel to the City of American Canyon.

The Napa County Farm Bureau has studied this issue closely. We have received information from the interested parties and realize the inherent issues with the parcel. We recognize that the owners of the parcel believe the parcel is no longer viable for agricultural use and wish to annex the parcel into the City of American Canyon. However, we strongly disagree that the parcel is no longer viable for agricultural use. While grape growing may be the property owners' preferred use, it is certainly not exhaustive of all other forms of agriculture that can be conducted on the property. In accordance with Farm Bureau's land use policies, we believe annexing this parcel to the City of American Canyon sets a very unwise precedent for agricultural zoning in Napa County and we remain strongly opposed to its annexation.

Thank you for your time and attention to this matter.

Sincerely,

Johnnie White
President
Napa County Farm Bureau

cc: **Brendon Freeman, LAFCO**
Minh Tran, County of Napa
David Morrison, County of Napa
Jason Holley, City of American Canyon

APPENDIX C: ISO Rating Overview

To help establish appropriate fire insurance premiums for residential and commercial properties, insurance companies need reliable, up-to-date information about a community's fire-protection services. ISO provides that information through the Public Protection Classification (PPC) program.

ISO collects information on municipal fire protection efforts in communities throughout the United States. In each of those communities, ISO analyzes the relevant data using a Fire Suppression Rating Schedule (FSRS). The FSRS evaluates four primary categories of fire suppression: (1) fire department; (2) emergency communications; (3) water supply; and (4) community risk reduction. The FSRS includes standards set by the National Fire Protection Association (NFPA). ISO then assign a rating from Class 1 to 10. Class 1 generally represents superior property fire protection, and Class 10 indicates that the area's fire-suppression program doesn't meet ISO's minimum criteria.

By classifying communities' ability to suppress fires, ISO helps the communities evaluate their public fire-protection services. The program provides an objective, countrywide standard that helps fire departments in planning and budgeting for facilities, equipment, and training. Further, by securing lower fire insurance premiums for communities with better public protection, the PPC program provides incentives and rewards for communities that choose to improve their firefighting services.

Changes to ISO ratings are generally based on changes to nationally accepted standards developed by organizations such as the National Fire Protection Association (NFPA), the Association of Public Communications Officials (APCO), and the American Water Works Association (AWWA). When these organizations change their standards, the ISO evaluation changes as well, providing up-to-date information helping fire department's and public officials better understand the successes of their effectiveness efforts and their needs for improvements. These changes can have a significant impact on the price of insurance and the effectiveness of coverage. In general, a lower PPC score translates to a lower insurance premium, as a low score indicates a lower risk for serious fire damage.

APPENDIX D:
**City of American Canyon and American Canyon Fire Protection District Joint Sphere of
Influence Amendment Request**

William D. Ross
Karin A. Briggs
David Schwarz

Kypros G. Hostetter
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File No: 199/6 & 199/3

April 2, 2018

VIA ELECTRONIC MAIL
bfreeman@napa.lafco.ca.gov

Brendon Freeman, Executive Officer
Napa County LAFCO
1030 Seminary Street, Suite B
Napa, CA 94559

Re: South County Regional MSR/SOI Update; City of American Canyon and
American Canyon Fire Protection District; Request for Inclusion of Green Island
Vineyard Property

Dear Mr. Freeman:

This communication is furnished on behalf of the City of American Canyon ("City") and the American Canyon Fire Protection District ("District") as a supplement to their prior comments on the Draft South County Municipal Services Review and Sphere of Influence update ("South County MSR/SOI").

Based on recent communications and conversations with the owners of the Green Island Vineyard, a parcel located immediately west of the current City and District boundaries at the termination of Green Island Road, the City and District request the inclusion of the Green Island Vineyard property within the Spheres of Influence of the City and the District.

There are several reasons for this request, including that it will further the orderly development of both the City and the District, will provide for the most efficient delivery of municipal services to the Green Island Vineyard property, but most importantly is the agreed participation of the Green Island Vineyard property in an extensive capital improvement project of the City, the Green Island Road Community Facilities District ("the Green Island CFD").

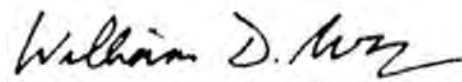
The Green Island CFD provides for extensive renovation of Green Island Road and needed resources for the extension of Devlin Road, which will be of regional transportation benefit.

In summary, the Green Island Vineyard property is requested for inclusion in the Sphere

Brendon Freeman, Executive Officer
Napa County LAFCO
April 2, 2018
Page 2

of Influence of the City and District.

Very truly yours,

A handwritten signature in black ink, appearing to read "William D. Ross". The signature is fluid and cursive, with the first name "William" being more prominent.

William D. Ross,
City Attorney
District Counsel

WDR:jf

cc: The Honorable Leon Garcia, Mayor
City Council, City of American Canyon
Diane Dillon, District 3 Supervisor (via her Aide Nelson Cortez)
Belia Ramos, District 5 Supervisor (via her Aide Jesus Tijero)
Jason Holley, Interim City Manager
Glen Weeks, District Chief
David Gilbreth, Esq.