

Frequently Asked Questions: Protest Hearing – Further Continuance

Paoli Loop/Watson Lane Reorganization

What is the protest hearing?

It is a legally required public hearing to receive written protests, objections, testimony, or other evidence regarding the Napa LAFCO-approved annexation of the Paoli Loop/Watson Lane area to the City of American Canyon and concurrent detachment from County Service Area #4 (the “Reorganization”), with outcomes determined by protest thresholds. The protest hearing is part of “Conducting Authority Proceedings” required by law.

The City of American Canyon submitted the application to Napa LAFCO for the Reorganization, and it was approved by Napa LAFCO on June 1, 2026, subject to the outcome of the Conducting Authority Proceedings.

Is the protest hearing conducted before the full Napa LAFCO Commission?

No. Pursuant to law and the Napa LAFCO Policy on Conducting Authority Proceedings, the Napa LAFCO Executive Officer has been delegated the ability to schedule and hold protest hearings.

When and where is the rescheduled protest hearing?

New date and time: Tuesday, November 10, 2026, at 2:00 p.m.

Location: Napa LAFCO Office, 1754 Second Street, Suite C, Napa, California 94559; phone: (707) 259-8645.

What is being proposed?

Annexation of approximately 89 acres near Paoli Loop and Watson Lane to the City of American Canyon to facilitate planned industrial development and the Newell Drive extension, approved by Napa LAFCO on June 1, 2026, as part of Resolution No. 2026-09.

Who may submit a protest?

Any person who owns land (or is an agent of an owner of land) or is registered to vote within the annexation area may submit a written protest.

How do I submit a written protest?

You may submit a written protest by mail or in person to the Napa LAFCO Executive Officer at 1754 Second Street, Suite C, Napa, CA 94559, or by email to charlie.livingston@napa.lafco.ca.gov, provided it is received before the close of the hearing on November 10, 2026. Otherwise, it must be submitted in person at the hearing on November 10, 2026.

What must a valid protest include?

To be considered valid, a written protest must:

- Be in writing.
- Be received before the close of the public hearing on November 10, 2026, commencing at 2:00 p.m., to be counted. Protests received after this time will not be counted.
- State whether it is made by a registered voter, landowner or agent of a landowner. A qualifying individual who is both a landowner and a registered voter in the affected area may submit both types of written protests.
- Have a handwritten signature on paper. Electronic signatures will not be valid.
- Also include, after the handwritten signature, the date upon which the person signed the protest.
- For registered voters, the written protest must indicate the person's place of residence, giving street number or other designation sufficient to enable the place of residence to be readily ascertained.
- For landowners, the written protest must include an Assessor Parcel Number or other description adequate to identify the land owned.
- For an agent of an owner of land, the written protest must include written authorization by the owner to act as agent with respect to the land.

It is sufficient to state, "I hereby protest the annexation." It is not necessary to give reasons.

Can I email my protest?

Yes. Written protests may be scanned and submitted as email attachments to charlie.livingston@napa.lafco.ca.gov, but they must still meet all validity requirements, including a handwritten signature and date of signature.

Do I have to attend the hearing to preserve my protest?

No. Attendance is not required to submit a valid protest.

What is a continuance and what does “further continuance” mean here?

On June 22, 2026, the Executive Officer initially scheduled the protest hearing for July 13, 2026. The protest hearing was conducted on that date and, at the formal request of the City of American Canyon, the protest hearing was continued from July 13, 2026, to September 11, 2026. On July 15, 2026, the Executive Officer published and issued notices of the continued protest hearing to registered voters and landowners in the affected territory pursuant to law.

The protest hearing has been further continued to November 10, 2026, at the formal request of the City of American Canyon. “Further continued” means the hearing date has been moved again; the hearing will now occur on November 10, 2026, at 2:00 p.m. at the Napa LAFCO office.

Why was the protest hearing conducted on September 11, 2026, when the Executive Officer was unavailable?

The protest hearing was conducted on September 11, 2026, for the following reasons:

1. The protest hearing on the proposal was initially noticed and held by the Executive Officer on July 13, 2026. At that time, the City of American Canyon requested a continuance, and the matter was continued to September 11, 2026. On July 15, 2026, the Executive Officer published and provided notice to registered voters and landowners in the affected area of the new September 11, 2026, hearing date. The Executive Officer’s unavailability did not occur until after August 27, 2026. Pursuant to Government Code section 57050, the hearing may be continued from time to time but not to exceed 60 days from the date specified for the hearing in the notice. September 11, 2026, was 60 days after July 13, 2026. Members of the public should not be deprived of an opportunity to be heard on September 11, 2026, when a formal public hearing was previously noticed and published for that date.

2. The conduct of the protest hearing is a ministerial function that can be performed by Napa LAFCO staff with the assistance of legal counsel and presided over by the Chair of the Commission. Pursuant to Napa LAFCO Policy on Establishing the Officers of the Commission, the duties of the Chair include presiding over Napa LAFCO meetings. The Executive Officer’s ministerial functions may be performed by Napa LAFCO officers and staff when the Executive Officer is not available, and the functions must be performed. Otherwise, Napa LAFCO business would grind to a halt.

3. Pursuant to Napa LAFCO Policy on Conducting Authority Proceedings, even if the Executive Officer was available for the protest hearing, there would be no final determination made concerning the value of any written protests at the September 11, 2026, protest hearing. The protests will be subsequently reviewed by the Assessor-Recorder-County Clerk in accordance with the law and Napa LAFCO Policy, as well as by the Napa LAFCO Interim Executive Officer. Final action concerning the written protests shall occur at a noticed public meeting of the full Napa LAFCO Commission.

Why was the protest hearing further continued?

The City of American Canyon formally requested that the protest hearing be further continued due to the unavailability of the Executive Officer. Members of the public present at the protest hearing also expressed objection based on the unavailability of the Executive Officer. While additional reasons were presented by the City for its request for a continuance, the protest hearing was continued based on the unavailability of the Executive Officer.

Does the Further Continuance to November 10, 2026 (Which is More than 60 days from the Initial July 13 Protest Hearing) Impact the Validity of the Proceedings?

No. Pursuant to Government Code section 57050, the hearing may be continued from time to time but not to exceed 60 days from the date specified for the hearing in the notice. A further continued protest hearing date on November 10, 2026 is more than 60 days from the initial hearing date on July 13, 2026.

However, Government Code section 56106 provides that this time limit is considered “directory” as opposed to mandatory. As such, by law, a failure to meet this 60-day time frame does not invalidate the proceedings.

How does the continuance affect deadlines?

LAFCO will accept written protests from June 22, 2026, up to and until the close of the protest hearing on November 10, 2026; protests received after the close of the hearing will not be counted.

Is there a protest form?

Yes. An updated protest form is available and its use is voluntary. This form has been updated from previous protest forms that have been used in these proceedings to provide greater clarity on the information needed for a valid written protest.

Will previously filed protests be considered, and may I submit an updated protest?

Any written protests submitted on and after June 22, 2026, through the close of the November 10, 2026, protest hearing will be considered and evaluated for validity. Any person who previously submitted a protest using the old form has the option to re-submit the written protest using the updated form as a substitute for the previously submitted written protest.

Can I withdraw my protest?

Yes. Any person who has filed a written protest may withdraw it at any time prior to the close of the November 10, 2026 hearing by contacting the Napa LAFCO office.

What happens after valid protests are counted?

If 50% or more of registered voters in the annexation area submit valid protests, the annexation is terminated.

If at least 25% but less than 50% of registered voters protest, or if at least 25% of landowners who also own at least 25% of the assessed land value protest, the annexation goes to an election for voter confirmation.

If neither threshold is met, the annexation proceeds without an election.

How can I get copies of the reorganization resolution or related materials?

A copy of Napa LAFCO Resolution No. 2026-09 and related information can be obtained from the Napa LAFCO office using the telephone number or email provided in the notice.

Whom can I contact with questions?

Contact Interim Executive Officer David Key at (707) 259-8645 or Charlie.livingston@napa.lafco.ca.gov; staff will route inquiries to the appropriate Napa LAFCO representative.