



Local Agency Formation Commission
LAFCO of Napa County

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

December 3, 2007
Agenda Item No. 10b

November 26, 2007

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Current and Future Proposals (Information)

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

Current Proposals

Staff is currently processing two proposals for future consideration by the Commission. A summary of these proposals follows.

Wilkins Avenue Reorganization

This application has been submitted by the City of Napa and proposes the annexation of approximately 0.77 acres of unincorporated territory. Staff has reorganized the application to account for automatic detachment proceedings involving County Service Area No. 4. The subject territory comprises one parcel with an existing single-family residence and is located on Wilkins Avenue south of its intersection of Shetler Avenue. The purpose of the annexation is to facilitate the future division and development of the subject territory under the land use authority of the City. (Assessor Parcel Number 046-271-023)

Status: Staff is awaiting the submittal of an application fee.

Golden Gate Drive/Foster Road Reorganization

This application has been submitted by the City of Napa and proposes the annexation of approximately 144 acres of unincorporated territory. Staff has reorganized the application to account for automatic detachment proceedings involving County Service Area No. 4. The subject territory comprises six parcels and public right-of-way portions of Foster Road and Golden Gate Drive. The subject territory is located south of Imola Avenue between Foster Road and Golden Gate Drive. Existing uses include three single-family residences, grazing fields, and an equestrian complex operated by the Napa Valley Horseman's Association. The purpose of the annexation is to facilitate the future subdivision and development of the subject territory under the land use authority of the City. (Assessor Parcel Numbers: 043-062-006; 043-062-008; 043-102-001; 043-102-016; 043-102-015; and 043-062-005)

Jack Gingles, Chair
Mayor, City of Calistoga

Juliana Inman, Commissioner
Councilmember, City of Napa

Cindy Coffey, Alternate Commissioner
Councilmember, City of American Canyon

Brad Wagenknecht, Vice-Chair
County of Napa Supervisor, 1st District

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

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

Brian J. Kelly, Commissioner
Representative of the General Public

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Status: Staff continues to evaluate the proposal with respect to addressing the 14 service factors required for consideration under Government Code §56668. In addition, a property tax agreement between the City and County must be completed before the Commission can consider the proposal. The 60-day negotiation period for the agencies to enter into an agreement ends on December 28, 2007. If an agreement is not reached within the 60-day negotiation period, it is my understanding of Revenue and Taxation Code that the following steps are triggered:

- 1) The City and County shall mutually select a third-party consultant to perform an independent fiscal analysis estimating all the tax revenues that will be derived from the subject territory. This period shall not exceed 30 days.
- 2) If no agreement can be reached during the independent fiscal analysis, the City and County shall mutually select a mediator. This period shall not exceed 30 days.
- 3) If no agreement can be reached during the mediation period, the City and County shall mutually select an arbitrator to determine the property tax exchange. The arbitrator's determination is non-binding and will be made within a period not to exceed 30 days.

The annexation proceedings shall be terminated within 150 days (March 27, 2008) from the notice by the Auditor's office unless one of the periods listed above is extended by mutual agreement.

Future Proposals

Staff is aware of two specific proposals that will be submitted to LAFCO in the near future. A summary of these proposals follows.

Trancas Crossing Park (City of Napa)

The City of Napa has initiated a planning process to develop a 33-acre unincorporated parcel north of the intersection of Trancas Street and Old Soscol Avenue for a public park. Current planning activities to date have included the preparation of an initial study and mitigated negative declaration as part of a draft master plan. It is expected that the City Council will consider approving these documents as well as rezoning the subject territory in December. In order to carryout the proposed project, LAFCO approval is required to concurrently annex and add the subject territory to the City's sphere of influence. Additionally, depending on the final master plan, LAFCO approval may be required to concurrently annex and add the subject territory to the Napa Sanitation District's sphere of influence.

**American Canyon High School and American Canyon Middle School
(City of American Canyon and American Canyon Fire Protection District)**

The Napa Valley Unified School District has initiated a planning process to construct a high school and new middle school to serve the City of American Canyon. The subject territory comprises two unincorporated parcels located at the northeast intersection of American Canyon Road and Newell Drive. Current planning activities to date have included the preparation of an initial study and notice to prepare an Environmental Impact Report. In order to carryout the proposed project, LAFCO approval is required to annex the proposed high school site to the City of American Canyon and the American Canyon Fire Protection District. LAFCO approval is also required to concurrently annex and add the proposed middle school site to the City and District's sphere of influence.

In addition, please note the County of Napa has initiated a planning process to consider an application by Pacific Union College (PUC) to develop 380 new residential units in the unincorporated community of Angwin. The proposed project also anticipates the development of a 20-unit inn and approximately 55,000 square feet of commercial space. Current planning activities to date have included preparing a notice to prepare an Environmental Impact Report. The current description for the proposed project suggests existing water and wastewater facilities operated by PUC will be expanded and utilized to serve the development. However, it is my understanding that the project may evolve to include the establishment of a special district to provide certain public services, including water and wastewater. LAFCO approval would be needed to form a new special district. With this in mind, I have informed the County of LAFCO's potential role in approving a portion of the project in a letter dated November 14, 2007. A copy of the letter is attached.

Attachments:

- 1) Letter dated November 14, 2007 from LAFCO to the County of Napa



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November 14, 2007

Kirsty Shelton, Planner III
Conservation, Development, and Planning
County of Napa
1195 Third Street, Suite 210
Napa, California 94559

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report: Pacific Union College/Triad Development Plan

Ms. Shelton:

Thank you for the opportunity to comment on the above-referenced Notice of Preparation (NoP). The project description contemplates a development that will include a total of 380 new residential units, 20-unit inn, and 55,000 square feet of commercial uses. The project description suggests existing water and wastewater facilities operated by the Pacific Union College (PUC) will be expanded and utilized in serving the proposed development.

Private utilities, such as the water and wastewater services operated by PUC, are outside the jurisdiction of the Commission. However, it is my understanding that the project may evolve to include the establishment of a special district to provide certain public services to support the proposed project, including water and wastewater. If the establishment of a special district becomes part of the project, the following comments apply.

- The Draft Environmental Impact Report (DEIR) should state that Commission approval is required to carryout the portion of the project relating to the formation of a special district. The DEIR should identify the type of special district (i.e., community services district, county service area, etc.) to be established and the specific public services that will be provided. The DEIR should also reference the factors the Commission must consider in establishing a special district, including the location of the jurisdictional boundary and sphere of influence, under California Government Code §56668 and §56425, respectively.

If you have not done so, I respectfully request that you send the NoP to Wes Maffei, General Manager of the Napa County Mosquito Abatement District, and Leigh Sharp, Manager of the Napa County Resource Conservation District, for comment. Although these agencies may not be asked to approve portions of the project, I strongly advise that the expertise of their staffs be sought during the preparation of the DEIR.

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Letter to the County of Napa
November 14, 2007
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Thank you again for the opportunity to comment on the NoP. Should you have any questions, I may be reached by phone at (707) 259-8645 or by e-mail at ksimonds@napa.lafco.ca.gov.

Sincerely,

Keene Simonds
Executive Officer

cc: Wes Maffei, Manager, Napa County Mosquito Abatement District
Leigh Sharp, Manager, Napa County Resource Conservation District