



Local Agency Formation Commission
LAFCO of Napa County

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December 7, 2009
Agenda Item No. 9b (Discussion)

November 30, 2009

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer
Brendon Freeman, Analyst

SUBJECT: Current and Future Proposals
The Commission will receive a report regarding current and future proposals.
The report is being presented to the Commission for information.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 delegates Local Agency Formation Commissions (LAFCOs) with regulatory and planning duties to coordinate the logical formation and development of cities and special districts. This includes approving proposed jurisdictional boundary changes and requests to provide new or extended extraterritorial services. LAFCOs are also responsible for establishing, updating, and modifying cities and special districts' spheres of influence.

A. Discussion

There are currently six active proposals on file with LAFCO of Napa County ("Commission"). A summary of these active proposals follows.

Silverado Trail/Zinfandel Lane Annexation to the City of St. Helena

The City of St. Helena proposes the annexation of approximately 100 acres of unincorporated territory located northwest of the intersection of Silverado Trail and Zinfandel Lane. The affected territory consists of one entire parcel and a portion of a second parcel, which are both owned and used by St. Helena to discharge treated wastewater from an adjacent treatment plant through a spray irrigation system. Both subject parcels are located outside the City's sphere of influence. Rather than request concurrent amendment, St. Helena is proposing only the annexation of a portion of the second parcel to ensure the affected territory is non-contiguous to its incorporated boundary and therefore eligible for annexation under G.C. Section 56742. This statute permits a city to annex non-contiguous land it owns and uses for municipal purposes without consistency with its sphere of influence. However, if sold, the statute requires the land to be automatically detached from the city. The two subject parcels are identified by the County Assessor as 030-240-017 (portion) and 030-250-018.

Juliana Inman, Vice Chair
Councilmember, City of Napa

Lewis Chilton, Commissioner
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

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

Brad Wagenknecht, Commissioner
County of Napa Supervisor, 1st District

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

Brian J. Kelly, Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

Status: Staff has completed its review of the proposal. However, the City has filed a request with the Commission to delay consideration of the proposal in order to explore a separate agreement with the County to extend the current Williamson Act contract associated with the affected territory.

Linda Vista Avenue No. 20 Annexation to Napa Sanitation District

This application has been submitted by John and Kathleen Bradbury to annex 0.81 acres of incorporated territory within the City of Napa to Napa Sanitation District. The affected territory comprises one parcel identified by the County Assessor as 007-293-005 and includes a single-family residence currently dependent on an onsite septic system to hold and discharge sewage. The purpose of the proposal is to annex the affected territory into NSD to establish public sewer service for the existing single-family residence.

Status: Staff recently issued a request for review and comment to local agencies on the proposal. Staff will complete its analysis of the proposal once the comment period has ended. Staff will also prepare and circulate an initial study assessing the potential environmental impacts associated with the annexation as required under the law. Staff anticipates the proposal will be presented to the Commission for consideration at its February meeting.

Jefferson Street No. 9 Annexation to Napa Sanitation District

This application has been submitted by Tom Harding to annex 0.68 acres of incorporated territory within the City of Napa to Napa Sanitation District. The affected territory comprises one parcel and an associated right-of-way portion of Jefferson Street. The subject parcel is identified by the County Assessor as 038-581-002 and includes a single-family residence. Due to a failing septic system, the District recently requested and the Chair approved as allowed under policy an outside service agreement authorizing the agency to temporary extend public sewer service to the affected territory while annexation proceedings are completed.

Status: Staff recently issued a request for review and comment to local agencies on the proposal. Staff also recently prepared and circulated an initial study assessing the potential environmental impacts associated with the annexation as required under the law. Staff anticipates the proposal will be presented to the Commission for consideration at its February meeting.

**Big Ranch Road No. 4 Annexation to Napa Sanitation District/
Napa Sanitation District Outside Service Agreement No. 2**

An application has been submitted by Rosemary Hafeli to annex 1.1 acres of incorporated territory within the City of Napa to Napa Sanitation District. The affected territory comprises one parcel and an associated right-of-way portion of Big Ranch Road. The subject parcel is identified by the County Assessor as 038-170-006 and includes a single-family residence. The County's Environmental Management Department recently performed an onsite review and determined the septic system has failed and poses a public health risk. Given annexation proceedings require a minimum of two to three months to complete, a separate application was filed by the District to temporary extend public sewer service to the affected territory through an outside service agreement. It is

expected the Chair will approve the outside service agreement prior to the meeting as allowed under policy due to the urgent threat to public safety. The Commission will be required to ratify the Chair's approval at the next meeting.

Status: Staff recently issued a request for review and comment to local agencies on the annexation proposal. Staff will complete its analysis of the annexation proposal once the comment period has ended. Staff will also prepare and circulate an initial study assessing the potential environmental impacts associated with the annexation as required under the law. Staff anticipates the annexation proposal will be presented to the Commission for consideration at its February meeting.

Formation of the Villa Berryessa Water District

This application has been submitted by Miller-Sorg Group, Inc. The applicant proposes the formation of a new special district under the California Water District Act. The purpose in forming the new special district is to provide public water and sewer services to a planned 100-lot subdivision located along the western shoreline of Lake Berryessa. A tentative subdivision map for the underlying project has already been approved by the County. The County has conditioned recording the final map on the applicants receiving written approval from the United States Bureau of Reclamation to construct an access road and intake across federal lands to receive water supplies from Lake Berryessa. Based on their own review of the project, the Bureau is requesting a governmental agency accept responsibility for the construction and perpetual operation of the water and sewer systems serving the subdivision.

Status: Staff is currently awaiting a response to an October 2008 request for additional information.

Staff is aware of three proposals that are expected to be submitted to the Commission in the near future. A summary of these future proposals follows.

St. Regis Resort Project

The City of Napa has initiated a planning process to develop approximately 93 acres of land comprising four parcels located along Stanly Lane in the Stanly Ranch area. The proposed project is intended to accommodate a 245-room luxury resort with a commercial vineyard. Commission approval will be needed to annex the affected territory to Napa Sanitation District for the purpose of extending public sewer service.

Status: The City accepted comments on the Draft Environmental Impact Report (DEIR) prepared for the project through October 15, 2009. Staff submitted written comments on the DEIR on September 17, 2009 as previously provided to the Commission.

American Canyon High School and American Canyon Middle School Project

The Napa Valley Unified School District (NVUSD) has initiated a multi-phased planning process to construct a 2,200-student high school and 530-student middle school to serve the City of American Canyon. The project site is located at the northeast intersection of American Canyon Road and Newell Drive. NVUSD recently approved a final environmental impact report for the project. As part of the proposed project, Commission approval is required to annex the proposed high school site (45 acres) to American Canyon and the American Canyon Fire Protection District. Commission approval is also required to concurrently annex and add the proposed middle school site (17 acres) to both the City and District's spheres of influence. The Commission may also consider modifying the proposal to include the concurrent detachment of the affected territory from CSA No. 4.

Status: It appears this proposal will be brought to the Commission in phases. The first phase appears to involve NVUSD proposing annexation of the high school site to the District in the next few months. Additional phases of this project will likely be brought to the Commission over the next year.

American Canyon Town Center Project

The City of American Canyon has initiated a planning process to develop approximately 100 acres of land comprising three parcels located southeast of the intersection of Highway 29 and South Napa Junction Road. The proposed project includes the development of 600 to 650 new residential units along with a mixture of commercial, retail, and public uses. Current planning activities completed to date include the preparation of a notice of preparation for a draft environmental impact report. As part of the proposed project, Commission approval is required to annex two of the three affected parcels totaling 70 acres into American Canyon. Commission approval is also required to annex one of the three affected parcels totaling 37 acres to the American Canyon Fire Protection District. The Commission may also consider modifying the proposal to include the concurrent detachment of the affected territory from CSA No. 4.

Status: The City has placed this project on administrative hold since July 2007.

B. Commission Review

The Commission is invited to review and discuss any of the current or future proposals identified in this report.

Attachments: none