



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

1030 Seminary Street, Suite B
Napa, California 94559
Phone: (707) 259-8645
Fax: (707) 251-1053
www.napa.lafco.ca.gov

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

August 4, 2014

Agenda Item No. 7a (Action)

July 24, 2014

TO: Local Agency Formation Commission

FROM: Brendon Freeman, Analyst

SUBJECT: Borrette Lane No. 9 Annexation to the Napa Sanitation District

The Commission will consider a proposal initiated by landowner petition to annex a 0.43 acre incorporated parcel to the Napa Sanitation District. The subject parcel is located at 1018 Borrette Lane in the City of Napa. The purpose of the proposal is to allow the existing single-family residence to connect to the District's public sewer infrastructure. The proposal is exempt from the California Environmental Quality Act (CEQA) under California Code of Regulations Section 15319(a).

Local Agency Formation Commissions (LAFCOs) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH") to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving proposed changes of organization, such as boundary changes, consistent with adopted policies and procedures pursuant to California Government Code (G.C.) Section 56375. LAFCOs are authorized to exercise broad discretion in establishing conditions in approving changes of organization as long as they do not directly regulate land use, property development, or subdivision requirements.

A. Recommendation

Staff recommends the Commission adopt the draft resolution included as Attachment One to this report approving the proposal as submitted with standard approval conditions.

B. Background

LAFCO of Napa County ("Commission") has received a petition for proposal from an interested landowner requesting the annexation of 0.43 acres of incorporated territory within the City of Napa ("City") to the Napa Sanitation District (NSD). The territory proposed to be annexed represents one entire residential parcel located at 1018 Borrette Lane and identified by the County Assessor's Office as 041-490-007. The subject parcel is developed with a four-bedroom, 2,117 square foot single-family residence built in 1977. An aerial map of the territory proposed to be annexed follows.

Joan Bennett, Vice Chair
Councilmember, City of American Canyon

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

Brian J. Kelly, Chair
Representative of the General Public

Greg Pitts, Commissioner
Councilmember, City of St. Helena

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

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

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

Laura Snideman
Executive Officer



C. Discussion

Agency Profile

NSD was formed in 1945 as a dependent enterprise district to provide public sewer service for the City and the surrounding unincorporated area. NSD provides sewer service to most of Napa along with several surrounding unincorporated areas, including Silverado, Napa State Hospital, and the Napa County Airport. NSD currently serves 31,865 residential customers with an estimated resident service population of 86,991.¹

¹ The resident service projection based on the 2014 California Department of Finance population per household estimate (2.73) assigned to Napa County and multiplied by the number of residential sewer connections within NSD (31,865). NSD also serves 4,409 non-residential customers, including industrial and commercial users.

Proposal Purpose

The underlying purpose of the proposal before the Commission is to extend permanent public water service to the existing single-family residence located at 1018 Borrette Lane. The residence currently receives sewer services through a private onsite septic system. Consideration of the service needs and related impacts associated with the future development of the subject lots are incorporated into the following analysis section.

D. Analysis

Legislative Policies / Mandated Factors for Consideration

G.C. Sections 56668 and 56668.3 require the Commission to consider 16 specific factors anytime it reviews proposals for change of organization or reorganization involving special districts. No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs in considering boundary changes in context to locally adopted policies and practices.

(1) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent areas, during the next 10 years.

The affected territory lies within a residential area consisting of low to moderate density housing and part of the “Browns Valley” neighborhood designation under the City General Plan. The affected territory is developed with one single-family residence. The current assessment value of the affected territory totals \$657,900.

The affected territory is legally uninhabited given there are under 12 registered voters based on the most recent list provided by County Elections. Topography within the affected territory slopes upward to the west with a peak elevation of 11 feet above sea-level. Browns Valley Creek runs through the northeast portion of the affected territory. Proposal approval is not expected to induce any new development within the foreseeable future given that the affected territory is already built-out.

(2) The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

The need for municipal services within the affected territory is limited to public sewer for the existing single-family residence. Core municipal services already provided to the affected territory by the City include water, fire, emergency medical, police, roads, and garbage collection; all at levels deemed adequate given current and planned uses as contemplated in the City’s General Plan and Zoning Ordinance. An analysis of the availability and adequacy of sewer services needed to accommodate and support current and probable future needs within the affected territory follows.

- **Sewer Service**

The affected territory currently receives sewer service through an onsite septic system. It is estimated the current daily sewer flow generated from the affected territory is 210 gallons on average and increases by two and one-half to 525 gallons during peak periods. These current flow estimates represent less than one one-hundredth of a percent of NSD’s current system demand. These estimates would have negligible impacts on NSD’s sewer system as depicted in the following table.

NSD Baseline <u>Without</u> Annexation of the Affected Territory (Amounts in Gallons)			
System Avg. Day Capacity	Average Day Demand	Peak Day Demand	System Peak Day Capacity
15,400,000	6,709,120	33,722,800	126,200,000

NSD Adjusted <u>With</u> Annexation of the Affected Territory (Amounts in Gallons)			
System Avg. Day Capacity	Average Day Demand	Peak Day Demand	System Peak Day Capacity
15,400,000	6,709,330	33,723,325	126,200,000

(3) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on local governmental structure.

The proposal would recognize and strengthen existing social and economic ties between NSD and the affected territory. These ties were initially established in 1975 when the Commission included the affected territory in NSD’s sphere of influence, marking an expectation the site would eventually develop for urban type uses and require public sewer from the region’s sole service provider, the District.

(4) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in G.C. Section 56377.

The proposal is consistent with the Commission’s policies as codified under its General Policy Determinations. This includes consistency with the City General Plan designation of *Single-Family Residential 40* for the affected territory, avoidance of premature conversion of agricultural uses, and consistency with NSD’s adopted sphere of influence. The affected territory does not qualify as “open-space” under LAFCO law and therefore does not conflict with G.C. Section 56377. Specifically, the affected territory is not substantially unimproved and devoted to an open-space use under the County or City General Plan.

(5) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.

The affected territory does not qualify as “agricultural land” under LAFCO law. Specifically, the affected territory is not used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program.

(6) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The proposal is parcel-specific and includes all of the property identified by the County of Napa Assessor’s Office as 041-490-007. Commission approval would include a condition requiring the applicant to submit a map and geographic description of the approved action in conformance with the requirements of the State Board of Equalization. The submitted map and geographic description would be subject to review and possible edits by the Executive Officer before filing.

(7) Consistency with the city or county general plans, specific plans, and adopted regional transportation plan.

The proposal would provide permanent public sewer service to the affected territory. The availability of this municipal service is consistent with Napa’s General Plan, which designates the affected territory for single-family residential uses (*Single-Family Residential – 40*), as well as Napa’s Zoning Ordinance, which assigns a zoning standard of *Residential Single – 20*. The Metropolitan Transportation Commission’s regional transportation plan (RTP) was updated in 2009 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2035. No projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

(8) The sphere of influence of any local agency affected by the proposal.

The affected territory is located entirely within NSD’s sphere of influence, which was comprehensively updated by the Commission in August 2006.

(9) The comments of any affected local agency or other public agency.

Staff provided notice of the proposal to all subject agencies and interested parties as required under LAFCO law on April 29, 2014. No comments were received.

(10) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

Information collected and analyzed in the Commission's recent municipal service review on NSD concluded the District has established adequate administrative controls and capacities in maintaining appropriate service levels. This includes regularly reviewing and amending – as needed – NSD's two principal user fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) connection fees and (b) user fees. The connection fee is currently \$8,723 and serves as NSD's buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive sewer service. The annual user fee for a single-family unit is currently \$470 and is intended to proportionally recover NSD's ongoing maintenance and operation expenses.

(11) Timely availability of water supplies adequate for projected needs as specified in G.C. Section 65352.5.

Proposal approval would not generate new water demand for Napa. Information provided in the UWMP identifies Napa's available water supplies are more than sufficient in accommodating current annual demands – 13,883 acre-feet during normal and multiple dry year conditions. Napa's available water supplies, however, are deficient under current estimated single dry years. Napa, accordingly, has established conservation efforts within its UWMP to address the projected deficiency during single dry years. These factors provide reasonable assurances of Napa's ability to continue effectively accommodating water demands within the affected territory in accordance with G.C. Section 65352.5.

(12) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.

The proposal would not impact any local agencies in accommodating their regional housing needs. The affected territory is already located entirely within Napa's jurisdictional boundary, and as a result, all potential units tied to the land are assigned to the City by the Association of Bay Area Governments.

(13) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

The landowner of 1018 Borrette Lane is the petitioner seeking the annexation. There are no other landowners or registered voters within the affected territory.

(14) Any information relating to existing land use designations.

See analysis on page five of this report.

(15) The extent to which the proposal will promote environmental justice.

There is no documentation or evidence suggesting the proposed annexation will have any implication for environmental justice in Napa County.

(16) For annexations involving special districts, whether the proposed action will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.

Proposal approval would benefit current and future landowners as well as residents by providing permanent access to public sewer service. Public sewer service eliminates the need for a septic system in an urban area in which any failings would create a public health and safety threat for immediate and adjacent residents. Finally, establishing permanent public sewer service eliminates set-aside land requirements previously dedicated to the septic system.

Other Considerations

- ***Property Tax Agreement***

Revenue and Taxation Code Section 99(b)(6) requires adoption of a property tax exchange agreement by affected local agencies before the Commission can consider a proposed boundary change.² With this in mind, staff provided notice to NSD and the County of the proposed jurisdictional change affecting both agencies and the need to apply a property tax exchange to the proceedings. Both agencies confirmed a master property tax agreement adopted in 1980 shall apply to the proposal if approved by the Commission. This master property tax agreement specifies no exchange or redistribution of property tax revenues will occur as a result of annexations to NSD.

- ***Environmental Review***

The Commission serves as lead agency for the annexation as it relates to complying with the provisions of CEQA. Staff has determined the annexation is a “project” subject to CEQA and has reviewed available exemptions for applicability. The annexation is categorically exempt from further environmental review under California Code of Regulations, Title 14, Section 15319(a). This code section exempts annexations of areas containing existing structures developed to their maximum allowable density.

- ***Conducting Authority Proceedings***

The affected territory is uninhabited under LAFCO law and all landowners have consented to the proposal. NSD has also consented to the annexation. Conducting authority proceedings, accordingly, may be waived under G.C. Section 56663.

Attachments:

- 1) Draft Resolution Approving the Proposal
- 2) Application Materials

² Revenue and Taxation Code 99(b)(5) states property tax exchanges for jurisdictional changes affecting the service areas or service responsibilities of districts shall be negotiated by the affected county on behalf of the districts.

RESOLUTION NO. ____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MAKING DETERMINATIONS**

**BORRETTE LANE NO. 9 ANNEXATION TO
THE NAPA SANITATION DISTRICT**

WHEREAS, the Local Agency Formation Commission of Napa County, hereinafter referred to as the “Commission,” is responsible for regulating boundary changes affecting cities and special districts under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, an application by Lafferty Communities, landowner, proposing the annexation of territory to the Napa Sanitation District has been filed with the Commission’s Executive Officer, hereinafter referred to as “Executive Officer,” in a manner provided by law; and

WHEREAS, the proposal seeks Commission approval to annex approximately 0.4 acres of incorporated land within the City of Napa to the Napa Sanitation District and represents one entire parcel located at 1018 Borrette Lane and identified by the County of Napa Assessor’s Office as 041-490-007; and

WHEREAS, the Executive Officer reviewed said proposal and prepared a written report, including her recommendations thereon; and

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

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on said proposal on August 4, 2014; and

WHEREAS, the Commission considered all the factors required by law under Sections 56668 and 56668.3 of the California Government Code; and

WHEREAS, the Commission found the proposal consistent with the sphere of influence established for the Napa Sanitation District; and

WHEREAS, the Commission determined to its satisfaction that all owners of land included in said proposal consent to the subject annexation; and

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission serves as lead agency for the annexation and has determined the annexation is a “project” subject to CEQA. The annexation is categorically exempt from further environmental review under California Code of Regulations, Title 14, Section 15319(a). This code section exempts annexations of areas containing existing structures developed to their maximum allowable density; and

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

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report.
2. The Commission serves as lead agency for the annexation as it relates to complying with the provisions of CEQA. Staff has determined the annexation is a “project” subject to CEQA and has found the annexation is categorically exempt from further environmental review under California Code of Regulations, Title 14, Section 15319(a). This code section exempts annexations of areas containing existing structures developed to their maximum allowable density. The Commission’s findings are based on its independent judgment and analysis. The records upon which these findings are made are located at the Commission office at 1030 Seminary Street, Suite B, Napa, California 94559.
3. The proposal is APPROVED.
4. This proposal is assigned the following distinctive short-term designation:

**BORRETTE LANE NO. 9 ANNEXATION TO
THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the attached map and is more precisely described in the attached Exhibit “A”.
6. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
9. The proposal shall be subject to the terms and conditions specified in the attached Exhibit “B.”
10. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56663(c).
11. Recordation is contingent upon receipt by the Executive Officer of the following:

(a) Payment of any and all outstanding fees owed to the Commission and/or other agencies involved in the processing of this proposal.

(b) Written confirmation by Napa Sanitation District that its terms and conditions outlined in Exhibit "B" have been satisfied.

12. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on the August 4, 2014, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSTAIN: Commissioners

ABSENT: Commissioners

Recorded by: _____
Kathy Mabry
Commission Secretary

Exhibit "A"
BORRETTE LANE NO. 9 ANNEXATION TO THE NAPA SANITATION DISTRICT
GEOGRAPHIC DESCRIPTION

All that certain real property situated in portion of the Napa Rancho, Township 5 North, Range 4 West, Mount Diablo Base and Meridian, in the City of Napa, County of Napa, State of California, described as follows:

Beginning at the northeasterly corner of the Partrick Road / Borrette Lane District Annexation to the Napa Sanitation District recorded September 28, 1994 in Document Number 1994-0033934, Official Records of Napa County;

Thence, (1) South 70° 00' 00" East 4.35' feet;

Thence, (2) South 09° 45' 00" East 29.04 feet;

Thence, (3) South 84° 45' 00" East 36.30 feet;

Thence, (4) South 54° 15' 00" East 44.22 feet;

Thence, (5) North 78° 30' 00" East 62.70 feet;

Thence, (6) South 04° 15' 00" East 68.64 feet;

Thence, (7) South 05° 30' 00" West 56.76 feet;

Thence, (8) South 40° 00' 00" East 16.16 feet; to the northeastern most point of the Borrette Lane No. 5 District Annexation to Napa Sanitation District recorded March 9, 2004 in Document Number 2004-0008816, Official Records of Napa County;

Thence, (9) along said Borrette Lane No. 5 District boundary North 88° 41' 00" West 156.70 feet to a point on the aforementioned Partrick Road / Borrette Lane District Annexation;

Thence, (10) leaving said Borrette Lane No. 5 District Annexation to Napa Sanitation District and continuing northerly along the Partrick Road / Borrette Lane District Annexation North 01° 19' 00" East 180.54 feet to the Point of Beginning, containing 0.43 acres of land more or less.

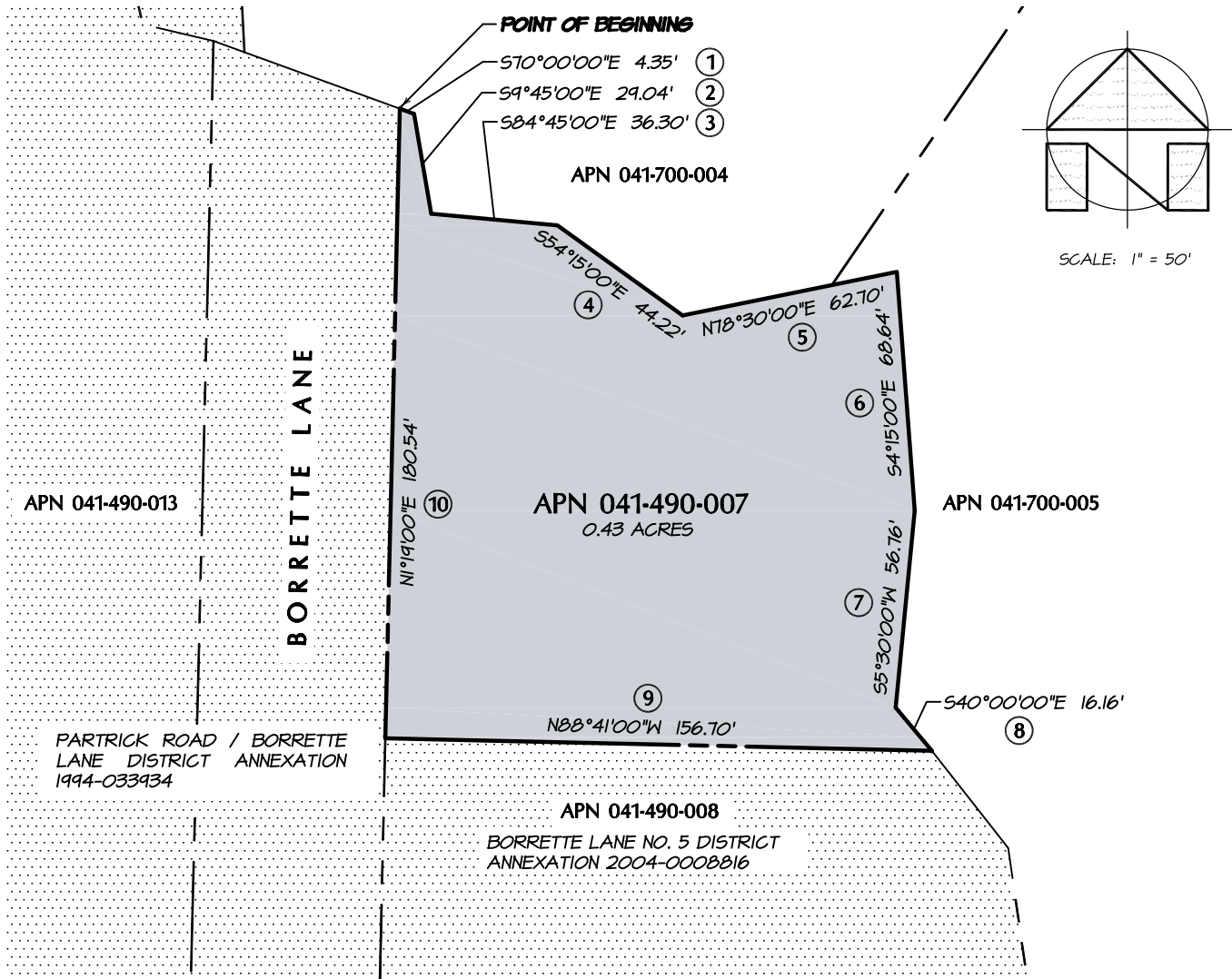
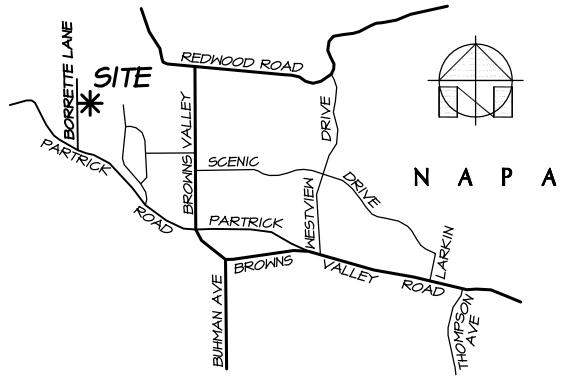


EXHIBIT "B"
MAP DELINEATING THE BOUNDARY OF
BORRETTE LANE NO. 9 ANNEXATION
TO THE NAPA SANITATION DISTRICT

SCALE: 1" = 50'

LEGEND:

- AREA TO BE ANNEXED AREA : 0.43± ACRES
 ZONE : RS-20
- EXISTING NAPA SANITATION DISTRICT AREA



LOCATION MAP
 NO SCALE

BARTELT
ENGINEERING
 CIVIL ENGINEERING · LAND PLANNING
 1303 Jefferson Street, 200 B, Napa, CA 94559
 Tel: 707-258-1301 · Fax: 707-258-2926
 · www.barteltengineering.com ·

Job No. 13-05
 June 2014

EXHIBIT "B"

TERMS AND CONDITIONS

BORRETTE LANE NO. 9 - DISTRICT ANNEXATION ANNEX-000012

APN: 041-490-007

Address: 1018 Borrette Lane

1. Upon and after the effective date of said annexation, the Territory, all inhabitants within such Territory, and all persons entitled to vote by reason of residing or owning land with the Territory, shall be subject to the jurisdiction of the Napa Sanitation District, hereinafter referred to as "the District"; shall have the same rights and duties as if the Territory had been a part of the District upon its original formation; shall be liable for the payment of principal, interest, and any other amounts which shall become due on account of any outstanding or then authorized by thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations and codes of the District, as now or hereafter amended.
2. The property owner hereby agrees to abide by all codes, rules and regulations of the District governing the manner in which sewers shall be used, the manner of connecting thereto, and the plumbing and drainage in connection therewith.
3. In the event that pursuant to rules, regulations or codes of the District, as now or hereafter amended, the District shall require any payment of a fixed or determinable amount of money, either as a lump sum or in installments, for the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of the District, such payment will be made to the District in the manner and at the time as provided by the rules, regulations or codes of the District, as now or hereafter amended.
4. The property owner agrees that prior to connection to the facilities of the District; property owner shall pay all applicable fees and charges to the District associated with connection of the property in accordance with the computation of regular capacity charges and charges in effect at the time paid. The property owner further agrees to pay the regular permit and inspection charges in effect at the time paid for the connection to be made to the District's system.
5. The property owner shall deposit with the District an annexation fee of \$250.00 to reimburse the District engineering, legal, and all other costs incurred by the District in preparing and examining maps and plans, legal descriptions, agreements and other documents associated with processing subject annexation

6. The property owner shall file with LAFCO a check in the amount of \$300 made payable to the State Board of Equalization.
7. The property owner shall pay to the County of Napa Assessor's Office a Mapping Services Fee of \$125.
8. The property owner shall pay to LAFCO of Napa County an amount of \$125 for updating the County's GIS database.
9. The property owner further agrees to pay such annual sewer service fees to the District as may be established, from time to time, by the rules and regulations of the District which are of universal application within the District. Property owner hereby authorizes the District to collect such charges on the tax roll pursuant to California Health and Safety Code section 5473 and specifically waive any right to challenge the District's ability to do so because the Property is outside of the District Boundaries.
10. No change in the facilities to be connected to the District's system shall be made without first having given written notice to the District that such change is to be made. No additional connections shall be connected to the facilities of the Napa Sanitation District without having first given written notice to the District that such additional facilities are to be connected to the system. Prior to making any such change in facilities or to the addition of any units to the District's system, the property owner shall pay to the District such additional inspection, capacity, and annual fees which may then be established by the Board of Directors of the District.
11. The property owner shall eliminate any privately owned sewage disposal system(s) located on the subject property to the Napa County Division of Environmental Health requirements.
12. The property owner shall install a 4-inch public sanitary sewer lateral from the existing 8-inch sewer main in Borrette Lane to the subject parcel property line.
13. The property owner shall submit a Plan of the aforesaid sanitary sewer improvements prepared by a registered civil engineer, conforming to District standards, and post the appropriate Labor and Materials and Faithful Performance Bonds guaranteeing said installations.
14. All sewer work performed in the public right of way shall be performed by a Class A licensed contractor who bonds the public work with the District. The contractor shall pay to the District public lateral inspection fees and sanitary sewer main inspection fees based on the inspection rates in effect at the time construction permits are issued.
15. The property owner shall pay to the District the private lateral inspection fee in effect at the time at the time of construction for each dwelling unit located on the property.

16. The property owner shall agree to conditions 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, and 15, and fulfill conditions 5, 6, 7 and 8 prior to the District's issuance of a letter to LAFCO authorizing recordation of subject annexation, and in no case more than 1 year after LAFCO's adoption of a resolution approving subject annexation, unless extended by LAFCO. Any extensions granted shall in total not exceed 1 year.

FORM B

Date Filed: 4/29/14
Received By: BF

PETITION FOR PROPOSAL

For Filing with the Local Agency Formation Commission of Napa County

A proposal for a change of organization made by a landowner or registered voter shall be initiated by petition. The petition shall state the nature of the proposal and all associated proposed changes of organization. It shall also state the reason for the proposal and enumerate and include supporting information as required under Government Code Section 56700. The petition must be submitted to the Executive Officer for filing within 60 days after the last signature is affixed. Applicants are encouraged to use this form.

Nature of Proposal and All Associated Changes of Organization:

Connect existing sanitary sewer from residence to existing Napa Sanitation District sanitary sewer main located in Borrette Lane.

Description of Boundaries of Affected Territory Accompanied by

Map: Annexation of APN 041-490-007 to the Napa Sanitation District.

Reason for Proposal and Any Proposed Conditions:

Existing septic system is located within a creek setback.

Type of Petition:

Landowner

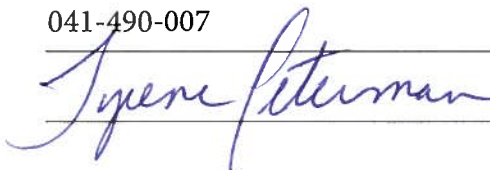
Registered Voter

Sphere of Influence Consistency:

Yes

No

If Landowner Petition, Complete the Following:

- 1) Name: Tyrene Peterman
Mailing Address: 330 Mission Bay Blvd. North #403, San Francisco, CA 94158
Assessor Parcel: 041-490-007
Signature:  Date: 4-28-14
- 2) Name: _____
Mailing Address: _____
Assessor Parcel: _____
Signature: _____ Date: _____
- 3) Name: _____
Mailing Address: _____
Assessor Parcel: _____
Signature: _____ Date: _____

If Registered Voter Petition, Complete the Following:

- 1) Name: _____
Mailing Address: _____
Resident Address: _____
Signature: _____ Date: _____
- 2) Name: _____
Mailing Address: _____
Resident Address: _____
Signature: _____ Date: _____
- 3) Name: _____
Mailing Address: _____
Resident Address: _____
Signature: _____ Date: _____

Date Filed: 4/29/14
 Received By: BF

JUSTIFICATION OF PROPOSAL
 Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name Tyrene Peterman

Contact Person	Agency/Business (If Applicable)		
Address	<u>330 Mission Bay Blvd. North #403</u>	<u>San Francisco</u>	<u>94158</u>
	Street Number	Street Name	City Zip Code
Contact:	<u>312-933-8278</u>	<u>tyrene.peterman@issgovernance.com</u>	
	Phone Number	Facsimile Number	E-Mail Address

B. Applicant Type (Check One)

Local Agency
 Registered Voter
 Landowner

II. PROPOSAL DESCRIPTION

A. Affected Agencies

<u>Napa Sanitation District</u>	<u>1515 Soscol Ferry Rd., Napa, CA 94558</u>
Name	Address
Name	Address
Name	Address

Use Additional Sheets as Needed

B. Proposal Type (Check as Needed)

<input checked="" type="checkbox"/> Annexation	<input type="checkbox"/> Detachment	<input type="checkbox"/> City Incorporation	<input type="checkbox"/> District Formation
<input type="checkbox"/> City/District Dissolution	<input type="checkbox"/> City/District Merger	<input type="checkbox"/> Service Activation (District Only)	<input type="checkbox"/> Service Divestiture (District Only)

C. Purpose Statement: (Specific)

The project will include connection of the existing residence to the existing Napa Sanitation District sewer main in Borrette Lane.

III. GENERAL INFORMATION

A. Location:	1018 Borrette Lane	041-490-007	0.43
	Street Address	Assessor Parcel Number	Acres
	Street Address	Assessor Parcel Number	Acres
	Street Address	Assessor Parcel Number	Acres
	Street Address	Assessor Parcel Number	Acres
	Total Location Size (Including Right-of-Ways)		0.43 Acres

B. Landowners

- (1) Assessor Parcel Number : 041-490-007 Name: Tyrene and Rose Peterman
Mailing Address: 330 Mission Bay Blvd. North #403
Phone Number: 312-933-8278 E-mail: tyrene.peterman@issgovernance.com
- (2) Assessor Parcel Number : _____ Name: _____
Mailing Address: _____
Phone Number: _____ E-mail: _____
- (3) Assessor Parcel Number : _____ Name: _____
Mailing Address: _____
Phone Number: _____ E-mail: _____
- (4) Assessor Parcel Number : _____ Name: _____
Mailing Address: _____
Phone Number: _____ E-mail: _____

Use Additional Sheets As Needed

C. Population:

- (1) Total Number of Residents 2
- (2) Total Number of Registered Voters 0

D. Land Use Factors

- (1a) County General Plan Designation: N/A
- (1b) County Zoning Standard: N/A
- (2a) Applicable City General Plan Designation: SFR-40
- (2b) Applicable City Rezoning Standard: RS-20

E. Existing Land Uses
(Specific)

Single family residence

F. Development Plans

- (1a) Territory Subject to a Development Project? Yes No

(1b) If Yes, Describe Project: N/A

(1c) If No, When Is Development Anticipated? N/A

G. Physical Characteristics

(1) Describe Topography:

Flat residential city lot.

(2) Describe Any Natural Boundaries:

Existing creek runs along northerly and easterly boundary.

(3) Describe Soil Composition and Any Drainage Basins:

Cole Silt Loam

(4) Describe Vegetation: Lot consists of typical urban type landscaping with riparian

type vegetation along the creek corridor.

H. Williamson Act Contracts
(Check One)

Yes

No

IV. GOVERNMENTAL SERVICES AND CONTROLS

A. Plan For Providing Services

(1) Enumerate and Describe Services to Be Provided to the Affected Territory:

Water, sewer and utility services currently serve the existing parcel.

(2) Level and Range of Services to Be Provided to the Affected Territory:

New sewer lateral to be constructed from residence to existing sewer main in
Borrette Lane.

(3) Indication of When Services Can Feasibly Be Extended to the Affected Territory:

N/A

(4) Indication of Any Infrastructure Improvements Necessary to Extend Services to the Affected Territory:

None

(5) Information On How Services to the Affected Territory Will Be Financed:

N/A

Use Additional Sheets As Needed

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(1) Lead Agency for Proposal: LAFCO
Name

(2) Type of Environmental Document Previously Prepared for Proposal:

- Environmental Impact Report
- Negative Declaration/Mitigated Negative Declaration
- Categorical/Statutory Exemption: _____
Type
- None

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

See Napa Sanitation District terms and conditions.

Use Additional Sheets As Needed

B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence:

(Does not include affected landowners or residents)

(1) Recipient Name: Paul Bartelt, Bartelt Engineering
Mailing Address: 1303 Jefferson St. #200B Napa, CA 94559
E-Mail: paulb@barteltengineering.com

(2) Recipient Name: _____
Mailing Address: _____
E-Mail: _____

(3) Recipient Name: _____
Mailing Address: _____
E-Mail: _____

VII. CERTIFICATION

I certify the information contained in this application is correct. I acknowledge and agree the Local Agency Formation Commission of Napa County is relying on the accuracy of the information provided in my representations in order to process this application proposal.

Signature: Tyrene Peterman
Printed Name: Tyrene Peterman
Title: Land Owner
Date: 11-28-14

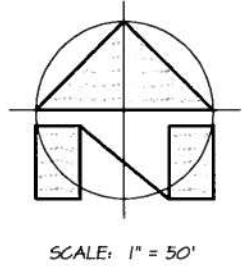
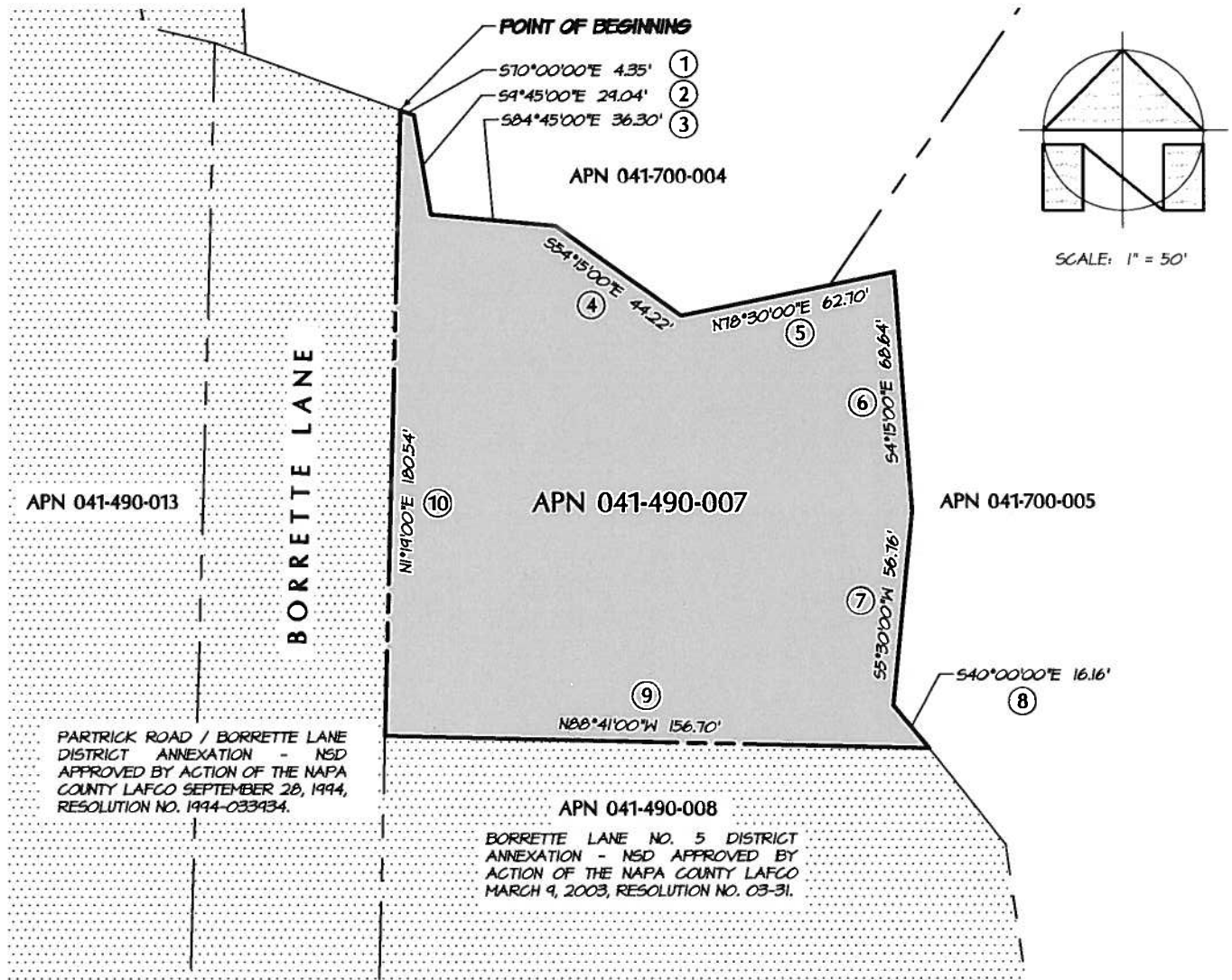
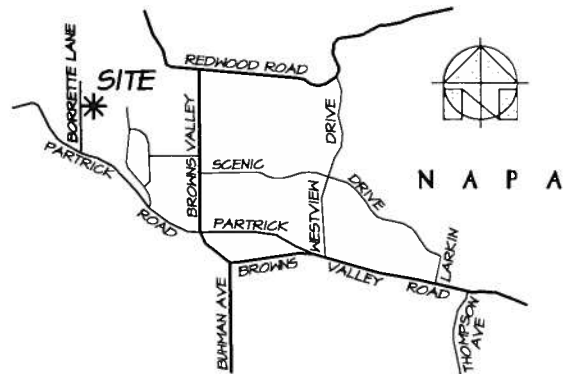


EXHIBIT "B"
MAP DELINEATING THE BOUNDARY OF
BORRETTE LANE NO. 9 ANNEXATION
TO THE NAPA SANITATION DISTRICT

SCALE: 1" = 50'

LEGEND:

- AREA TO BE ANNEXED AREA : 0.43± ACRES
ZONE : RS-20
- EXISTING NAPA SANITATION DISTRICT AREA



LOCATION MAP
NO SCALE

1 2014-04-10 10:00 AM
 2 1303 JEFFERSON STREET, NAPA, CA 94559
 3 TEL: 707-258-1301 FAX: 707-258-2926
 4 WWW.BARTELTENGINEERING.COM
 5
 6
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50

BARTELT
ENGINEERING
 CIVIL ENGINEERING · LAND PLANNING
 1303 Jefferson Street, 200 B, Napa, CA 94559
 Tel 707-258-1301 · Fax 707-258-2926
 · www.barteltengineering.com ·

Job No. 13-05
 April 2014

Exhibit "A"
BORRETTE LANE NO. 9 ANNEXATION TO THE NAPA SANITATION DISTRICT
GEOGRAPHIC DESCRIPTION

All that certain real property situated in portion of the Napa Rancho, Township 5 North, Range 4 West, Mount Diablo Base and Meridian, in the City of Napa, County of Napa, State of California, described as follows:

Beginning at the northeasterly corner of the Partrick Road / Borrette Lane District Annexation to the Napa Sanitation District;

Thence, (1) South 70° 00' 00" East 4.35' feet;

Thence, (2) South 09° 45' 00" East 29.04 feet;

Thence, (3) South 84° 45' 00" East 36.30 feet;

Thence, (4) South 54° 15' 00" East 44.22 feet;

Thence, (5) North 78° 30' 00" East 62.70 feet;

Thence, (6) South 04° 15' 00" East 68.64 feet;

Thence, (7) South 05° 30' 00" West 56.76 feet;

Thence, (8) South 40° 00' 00" East 16.16 feet; to the northeastern most point of the Borrette Lane No. 5 District Annexation to Napa Sanitation District filed under Resolution No. 03-31, March 9, 2004, Napa County Records;

Thence, (9) along said District boundary North 88° 41' 00" West 156.70 feet to a point on the aforementioned Partrick Road / Borrette Lane District Annexation;

Thence, (10) leaving said Borrette Lane No. 5 District Annexation to Napa Sanitation District and continuing northerly along the Partrick Road / Borrette Lane District Annexation North 01° 19' 00" East 180.54 feet to the Point of Beginning, containing 0.43 acres of land more or less.

Standard Indemnification Agreement

Name of Proposal: Borrette Lane No. 9 Annexation to the Napa Sanitation District

Should the Local Agency Formation Commission of Napa County ("Napa LAFCO") be named as a party in any litigation (including a "validation" action under California Civil Code of Procedure 860 et seq.) or administrative proceeding in connection with a proposal, the applicant Tyrene Peterman and/or _____ (real party in interest: the landowner/~~registered voter~~) agree to indemnify, hold harmless, and promptly reimburse Napa LAFCO for:

1. Any damages, penalties, fines or other costs imposed upon or incurred by Napa LAFCO, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. The Napa LAFCO Executive Officer may require a deposit of funds to cover estimated expenses of the litigation. Applicant and/or real party in interest agree that Napa LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit Applicant's and/or real party in interest's obligations to indemnify and reimburse defense cost; and
2. All reasonable expenses and attorney's fees in connection with the defense of Napa LAFCO.

This indemnification obligation shall include, but is not limited to, expert witness fees or attorney fees that may be asserted by any person or entity, including the applicant, arising out of, or in connection with, the approval of this application. This indemnification is intended to be as broad as permitted by law.

Applicant and/or real party in interest may be required by Napa LAFCO to execute an additional indemnity agreement as a condition of approval for this application. Such an agreement in no way limits the effect of obligations provided under this legal indemnity.

City/District Representative

Print Name

Date



Principal Landowner Signature

Tyrene Peterman

Print Name

4-28-14

Date