



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 7c (Action)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer

MEETING DATE: August 6, 2018

SUBJECT: Proposed Browns Valley Road No. 13 Annexation to the Napa Sanitation District and Associated CEQA Findings

RECOMMENDATION

Adopt the resolution (Attachment One) making California Environmental Quality Act (CEQA) findings and approving the proposed annexation as modified to include the adjacent portion of public right-of-way. Standard conditions are also recommended.

SUMMARY

The Commission has received a proposal from a landowner requesting the annexation of approximately 0.6 acres of incorporated territory within the City of Napa ("City") to the Napa Sanitation District (NSD). The purpose of the proposal is to allow the existing single-family residence and one new accessory dwelling unit to connect to NSD's public sewer system. The application materials are included as Attachment Two.

The affected territory as proposed comprises one parcel located at 4190 Browns Valley Road. The County Assessor identifies the subject parcel as 041-110-019. Staff recommends the Commission modify the boundary of the affected territory to include the adjacent portion of public right-of-way to the immediate west of the parcel. The affected territory as modified is located within NSD's sphere of influence (SOI).

A map of the affected territory is provided on the following page and an aerial map of the affected territory is included as Attachment Three.

Margie Mohler, Chair
Councilmember, Town of Yountville

Scott Sedgley, Commissioner
Councilmember, City of Napa

Kenneth Leary, Alternate Commissioner
Councilmember, City of American Canyon

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

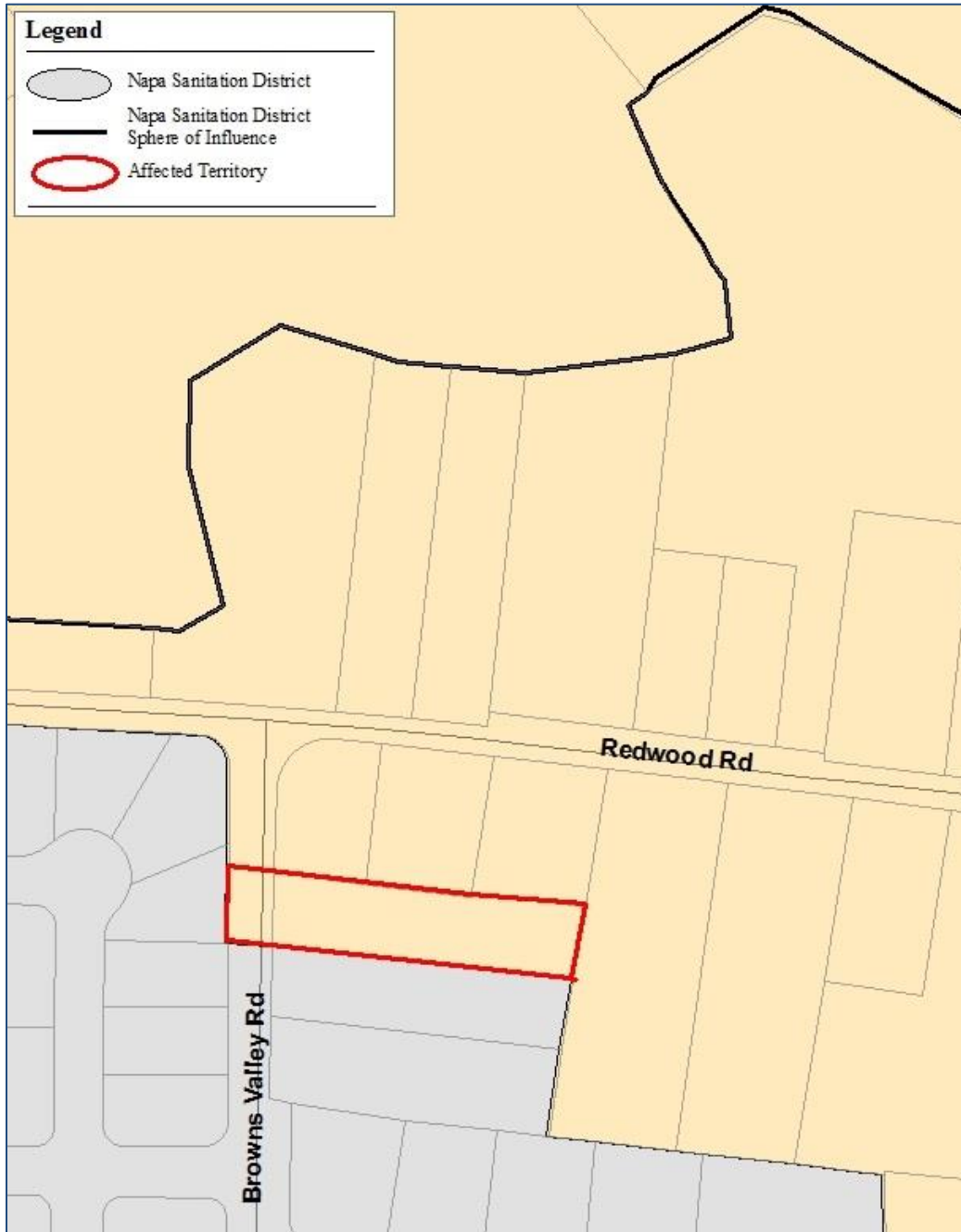
Diane Dillon, Commissioner
County of Napa Supervisor, 3rd District

Ryan Gregory, Alternate Commissioner
County of Napa Supervisor, 2nd District

Gregory Rodeno, Commissioner
Representative of the General Public

Erik Lawrence, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer



ANALYSIS

Factors for Commission Consideration

G.C. Sections 56668 and 56668.3 require the Commission to consider 17 specific factors anytime it reviews proposals for change of organization or reorganization involving annexation to a special district. No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs with respect to considering boundary changes in context with 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 is incorporated within the City's jurisdictional boundary and lies within a residential area consisting of low to moderate density housing that is designated under the City of Napa General Plan as *Browns Valley*. The affected territory is legally uninhabited given there are fewer than 12 registered voters, and is currently developed with one single-family residence. The current assessment value of the affected territory totals \$480,365.¹

The affected territory is located within the *Napa River – Lower Napa City Reach* drainage basin. Soils within the affected territory are classified as Cole silt loam, Pleasanton loam, and Yolo loam, all with zero to two percent slopes.

Approval of the proposed annexation could potentially facilitate the further development of the affected territory to include one new accessory dwelling unit based on existing zoning and General Plan designations.²

Adjacent lands to the immediate south and west of the affected territory are located within both the City and NSD's jurisdictional boundaries. Adjacent lands to the immediate north and east of the affected territory are located within the City's jurisdictional boundary, but outside NSD's jurisdictional boundary.

(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 present need for municipal services within the affected territory is limited to public sewer for the existing single-family residence and new second unit. The affected territory currently relies on a private onsite septic system. Core municipal services already provided by the City or available to the affected territory include water, fire, emergency medical, law enforcement, roads, and garbage collection; all at levels deemed adequate given current and planned uses. Proposal approval and buildout of the affected territory would result in new sewer flows totaling approximately 300 gallons per day. This amount is based on current average sewer demands within NSD of approximately 150 gallons per day per residence.

¹ The assessed value of the affected territory is \$206,148 for land and \$274,217 for structural improvements.

² At buildout, the affected territory would be expected to include a resident population of five based on the California Department of Finance's population per household estimate of 2.76 for the City of Napa.

NSD has established sufficient capacities and controls to reasonably accommodate future sewer service needs within the District's existing SOI, including projected demands at buildout within the affected territory. This statement is predicated on information collected and analyzed in the Commission's *Central County Region Municipal Service Review* adopted in 2014.³ No service deficiencies for the area were identified in the Municipal Service Review.

(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 SOI, marking an expectation the site would eventually develop for urban type uses and require public sewer from the District as the region's sole service provider.

(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 adopted policies based on the affected territory's consistency with its urban land use designations and consistency with NSD's SOI. Further, the affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377.⁴ Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

(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.

³ The *Central County Municipal Service Review* is available online at:
http://www.napa.lafco.ca.gov/uploads/documents/MSR_CentralCounty_FinalReport_2014.pdf

⁴ Specifically, the affected territory is neither substantially unimproved nor devoted to an open-space use under the County General Plan.

(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 affected territory as modified includes all of the property identified by the County of Napa Assessor's Office as 041-110-019 along with a portion of adjacent public right-of-way. The applicant has submitted a draft map and geographic description of the affected territory that is undergoing review by the County Surveyor to ensure conformance with the requirements of the State Board of Equalization.

(7) Consistency with a regional transportation plan adopted pursuant to G.C. Section 65080.

The Metropolitan Transportation Commission's regional transportation plan (RTP), *Plan Bay Area 2040*, was updated in 2017 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2040.⁵ No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

(8) Consistency with the city or county general and specific plans.

Approval of the proposal would allow for a full range of municipal services to be provided to the affected territory. The availability of these municipal services is consistent with the City's General Plan, which designates and prezones the affected territory for single-family residential uses.

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

The affected territory is located entirely within NSD's SOI, which was comprehensively updated by the Commission in October 2015.

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

Staff provided notice of the proposal and recommended modification to all affected agencies, transportation agencies, and school districts inviting comments as required under G.C. Section 56658. No comments were received.

⁵ *Plan Bay Area 2040* is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. *Plan Bay Area 2040* includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan.

(11) 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 *Central County Region Municipal Service Review* concluded NSD has established adequate administrative controls and capacities in maintaining appropriate service levels. This includes regularly reviewing and amending, as needed, NSD's two principal rates and fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) capacity charge for new connections and (b) annual service charge. The capacity charge is currently \$9,624 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 service charge for a single-family unit is currently \$676.38 and is intended to proportionally recover NSD's ongoing maintenance and operation expenses.

(12) 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 given that the affected territory already has access to public water service from the City of Napa.

(13) 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 could result in a benefit to the City with respect to achieving its fair share of the regional housing needs during the foreseeable future as a result of the potential development of one new accessory dwelling unit.⁶

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

The landowner of 4190 Browns Valley Road is the petitioner seeking annexation and sole resident within the affected territory.

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

City General Plan: *Single-Family Infill (SFR-43)*
City Zoning Ordinance: *Single-Family Residential (RS-10)*

The City General Plan land use designation for the affected territory prescribes a range of development from zero to three residential units per acre. The City's zoning assignment for the affected territory contemplates minimum lot sizes of 10,000 square feet or 0.23 acres.

⁶ A recent report with information on local regional housing needs allocations is available online at: http://www.napa.lafco.ca.gov/uploads/documents/6-4-18_5d_HousingUpdate.pdf

(16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

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

(17) 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 landowners and residents by providing permanent access to public sewer service. Public sewer service eliminates the need for septic systems in an area in which any failings could pose a public health and safety threat for immediate and adjacent residents. Establishing permanent public sewer service would also eliminate set-aside land requirements dedicated to the existing private onsite septic system that currently serves the affected territory.

Property Tax Agreement

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before LAFCO can consider a change of organization. This statute states jurisdictional changes affecting the service areas or service responsibilities of districts must be accompanied by a property tax exchange agreement, which shall be negotiated by the affected county on behalf of the districts. In 1980, the County adopted a resolution on behalf of NSD specifying no adjustment in the allocation of property taxes shall result from annexations involving the District. This resolution has been applied to all subsequent annexations involving NSD. In processing this proposal, staff provided notice to the affected agencies that the Commission would again apply this resolution unless otherwise informed. No affected agency responded with any concerns to the approach outlined by staff.

Protest Proceedings

Protest proceedings shall be waived in accordance with G.C. Section 56662(a) given that the affected territory is legally uninhabited, all landowners have provided their written consent, and no written opposition to a waiver of protest proceedings has been received by any agency.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Commission serves as Lead Agency for the proposed annexation. Staff has determined that the proposal with the recommended modification qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303(a) given that the affected territory could only be further developed with one new accessory dwelling unit following annexation to NSD.

ALTERNATIVES FOR COMMISSION ACTION

Staff has identified three alternatives for Commission consideration with respect to the proposal. These options are summarized below.

Alternative Action One (Recommended):

Adopt the draft resolution identified as Attachment One approving the proposal with the recommended modification along with standard terms and conditions.

Alternative Action Two:

Continue consideration of the proposal to a specified future meeting.

Alternative Action Three:

Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year.

ATTACHMENTS

- 1) Draft Resolution Approving the Proposal with a Modification and Making CEQA Findings
- 2) Application Materials
- 3) Aerial Map of Affected Territory

RESOLUTION NO. ____

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

**BROWNS VALLEY ROAD NO. 13
ANNEXATION TO THE NAPA SANITATION DISTRICT**

WHEREAS, an application for a proposed reorganization has been filed 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 proposal seeks Commission approval to annex approximately 0.6 acres of incorporated land to the Napa Sanitation District and represents one entire parcel located at 4190 Browns Valley Road and identified by the County of Napa Assessor’s Office as 041-110-019; and

WHEREAS, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

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

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on August 6, 2018; and

WHEREAS, the Commission considered all the factors required by law under Government Code Sections 56668 and 56668.3 as well as adopted local policies and procedures; 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. The annexation qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303(a) given that the affected territory could only be further developed with one new accessory dwelling unit following annexation to the Napa Sanitation District; 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. Staff has determined that the annexation qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303(a) given that the affected territory could only be further developed with one new accessory dwelling unit following annexation to the Napa Sanitation District. 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 with the following modification subject to completion of item number 11 below:
 - a) The affected territory is expanded to include the adjacent portion of public right-of-way on Browns Valley Road.
4. This proposal is assigned the following distinctive short-term designation:

**BROWNS VALLEY ROAD NO. 13
ANNEXATION TO THE NAPA SANITATION DISTRICT**
5. The affected territory is shown on the map and described in the geographic description 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 of the Napa Sanitation District.
10. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56662(a).

11. Recordation is contingent upon receipt by the Executive Officer of the following:
 - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
 - (b) Written confirmation by the Napa Sanitation District that its terms and conditions 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.

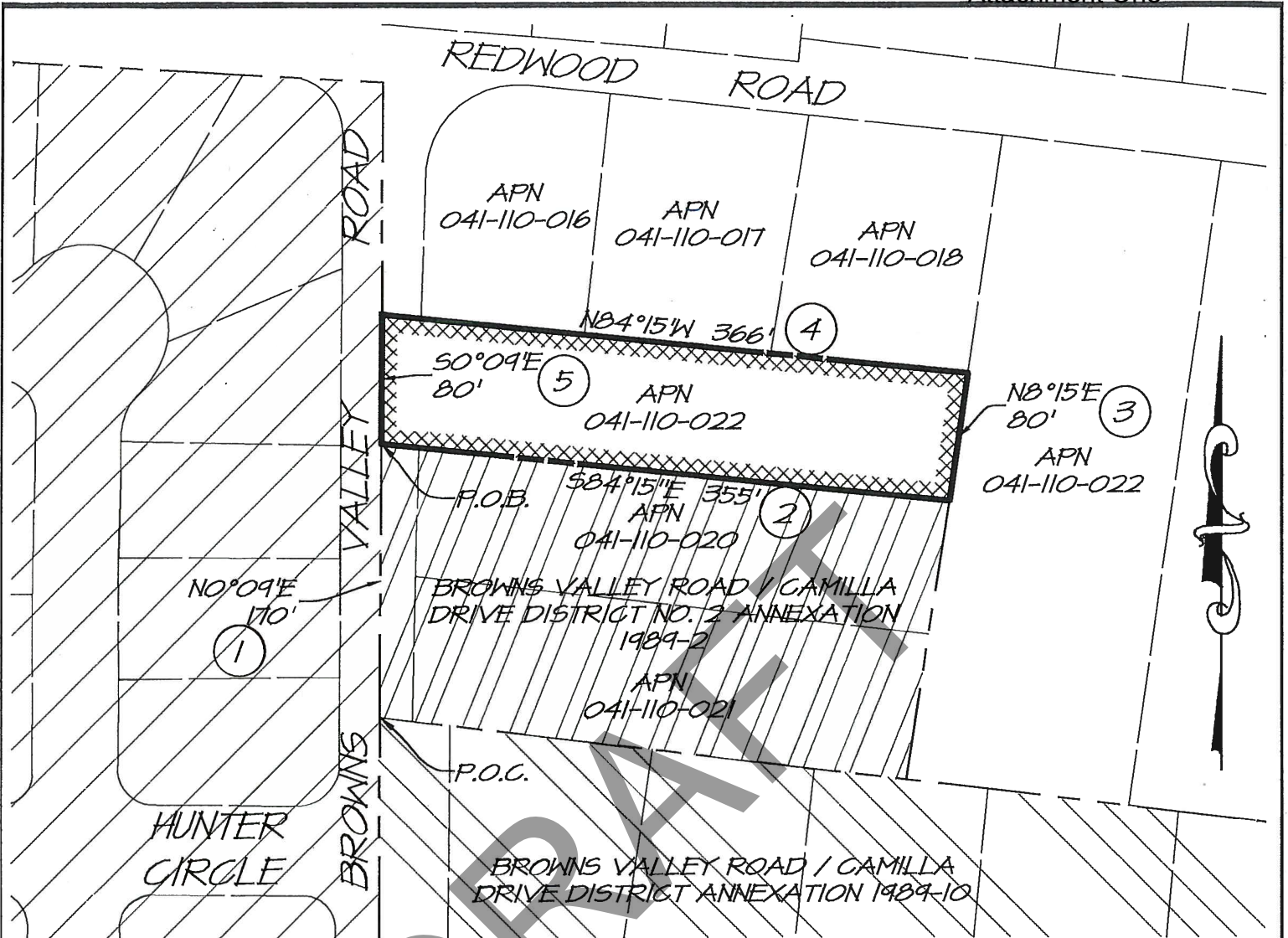
The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on August 6, 2018 by the following vote:

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

Margie Mohler
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Kathy Mabry
Commission Secretary



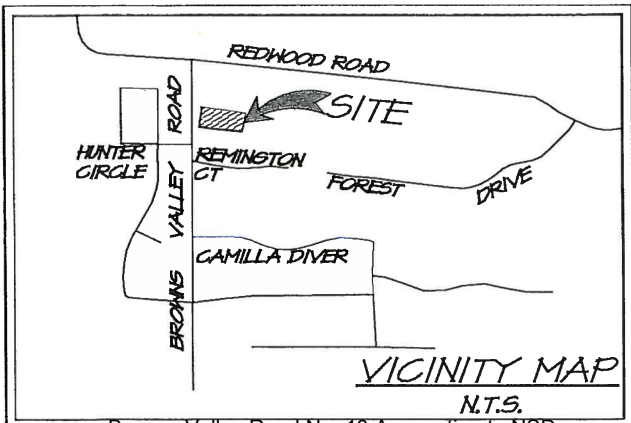
--- EXISTING NAPA SANITATION DISTRICT BOUNDARY

— PROPOSED NAPA SANITATION DISTRICT BOUNDARY

GRAPHIC SCALE



(IN FEET)
1 inch = 100 FT



Browns Valley Road No. 13 Annexation to NSD

PROJECT NO. 18-____ A
MAP DELINEATING THE
BOUNDARY OF
BROWNS VALLEY ROAD &
REDWOOD ROAD
DISTRICT No. 1
ANNEXATION
TO NAPA SANITATION
DISTRICT

DRAFT

RSA⁺	1515 FOURTH STREET NAPA, CALIF. 94559 OFFICE 707 252.3301 + www.RSAcivil.com +

RSA+ | CONSULTING CIVIL ENGINEERS + SURVEYORS + est. 1980

06-21-2018

50266annex

1 of 1

Legal description
Browns Valley Road / Redwood Road District No. 1 Annexation
to
Napa Sanitation District

Commencing at a point on the Napa Sanitation District boundary line being the intersection of the centerline of Browns Valley Road and the western prolongation of the line of Parcel 3 as said line is shown on the Record of Survey filed in Book 14 of Surveys, at Page 48, Napa County Records,

1. thence North 0° 09' West along said District boundary line and the centerline of Browns Valley Road 170 feet to the northwest corner of Browns Valley Road/Camilla Drive No. 2 District Annexation – NSD recorded May 29, 1990 in Book 1742, of Official Records at Page 257, Napa County Records also being the Point of Beginning;
2. thence along the north line of said Annexation South 84° 15' East 355 feet to the northeast corner of said annexation;
3. thence North 8° 15' East 80 feet;
4. thence North 84° 15' West 366 feet to the Napa Sanitation District boundary line;
5. thence South 0° 09' East along said boundary line 80 feet to the Point of Beginning.

Containing 0.66 Acres of land, more or less.

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



DRAFT

FORM B

Date Filed:

6/22/18

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:

To annex subject parcel (APN: 041-110-019) into Napa District service area.

Description of Boundaries of Affected Territory Accompanied by Map:

See attachment.

Reason for Proposal and Any Proposed Conditions:

To be able to connect proposed subdivided parcels at subject parcel to public sewer.

Type of Petition:

Landowner

Registered Voter

Sphere of Influence Consistency:

Yes

No

If Landowner Petition, Complete the Following:

- 1) Name: Kathleen Maschal
Mailing Address: 4190 Browns Valley Road, Napa, CA 94558
Assessor Parcel: 041-110-019
Signature: Kathleen A. Maschal Date: 06/22/2018

- 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: _____

FORM D

Date Filed: 6/22/18
 Received By: BF

JUSTIFICATION OF PROPOSAL
 Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: Kathleen Maschal
 Contact Person Agency/Business (If Applicable)

Address: 4190 Browns Valley Road Napa 94558
 Street Number Street Name City Zip Code

Contact: 707-974-0510 kmaschal@sbcglobal.net
 Phone Number Facsimile Number E-Mail Address

B. Applicant Type: (Check One) Local Agency Registered Voter Landowner

II. PROPOSAL DESCRIPTION

A. Affected Agencies: Napa Sanitation District 1515 Soscol Ferry Rd, Napa
 Name Address

 Name Address

 Name Address

Use Additional Sheets as Needed

B. Proposal Type: (Check as Needed) Annexation Detachment City Incorporation District Formation

City/District Dissolution City/District Merger Service Activation (District Only) Service Divestiture (District Only)

C. Purpose Statement: (Specific) Annexation of parcel into NSD service area, in order to connect
developed parcel to the public sewer.

III. GENERAL INFORMATION

A. Location:	<u>4190 Browns Valley Road</u>	<u>041-110-019</u>	<u>0.62</u>
	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)	<u>0.66 acres</u>

B. Landowners:

- (1) Assessor Parcel Number : 041-110-019 Name: Kathleen Maschal
 Mailing Address: 4190 Browns Valley Road, Napa, CA 94558
 Phone Number: 707-974-0510 E-mail: kmaschal@sbcglobal.net
- (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) Total Number of Registered Voters: _____

D. Land Use Factors:

(1a) County General Plan Designation: N/A

(1b) County Zoning Standard: N/A

(2a) Applicable City General Plan Designation: SFR-43

(2b) Applicable City Rezoning Standard: RS-10

E. Existing Land Uses: Residential
(Specific)

F. Development Plans:

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

(1b) If Yes, Describe Project: _____

(1c) If No, When Is Development Anticipated? There is an existing residence on the property.

G. Physical Characteristics:

(1) Describe Topography:
Generally flat with sparse tree cover that grows denser as you approach the creek.

(2) Describe Any Natural Boundaries:
South of Redwood Creek

(3) Describe Soil Composition and Any Drainage Basins:
Cole silt loam and Pleasanton loam. Not in FEMA Flood Zone.
Napa River - Lower Napa City Reach

(4) Describe Vegetation:
Grass and trees loosely spread out with a denser cover.

H. Williamson Act Contracts Yes No
(Check One)

IV. GOVERNMENTAL SERVICES AND CONTROLS

A. Plan For Providing Services:

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

Public sewer service to be provided by NSD to serve existing development.

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

Public sewer service to be provided is to be sufficient to serve demands of existing development.

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

An NSD sewer main is currently \pm 80' to south of site.

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

Connection of sewer laterals to existing NSD to west.

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

Private financing.

Use Additional Sheets As Needed

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(1) **Lead Agency for Proposal:** City of Napa
Name

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

- Environmental Impact Report
- Negative Declaration/Mitigated Negative Declaration
- Categorical/Statutory Exemption: Class 3
Type
- None

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

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:** Napa Sanitation District

Mailing Address: 1515 Soscol Ferry Road, Napa, CA 94559

E-Mail: info@napasan.com

(2) **Recipient Name:** Christopher M. Tibbits, RSA+

Mailing Address: 1515 Fourth Street, Napa, CA 94559

E-Mail: ctibbits@rsacivil.com

(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: Kathleen A. Maschal

Printed Name: Kathleen Maschal

Title: Property owner

Date: 06/22/2018

Indemnification Agreement

Name of Proposal: Browns Valley Road No. 13 Annexation to NSD

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 Kathleen Maschal and/or _____ (real party in interest: the landowner) 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.

Agency Representative Signature

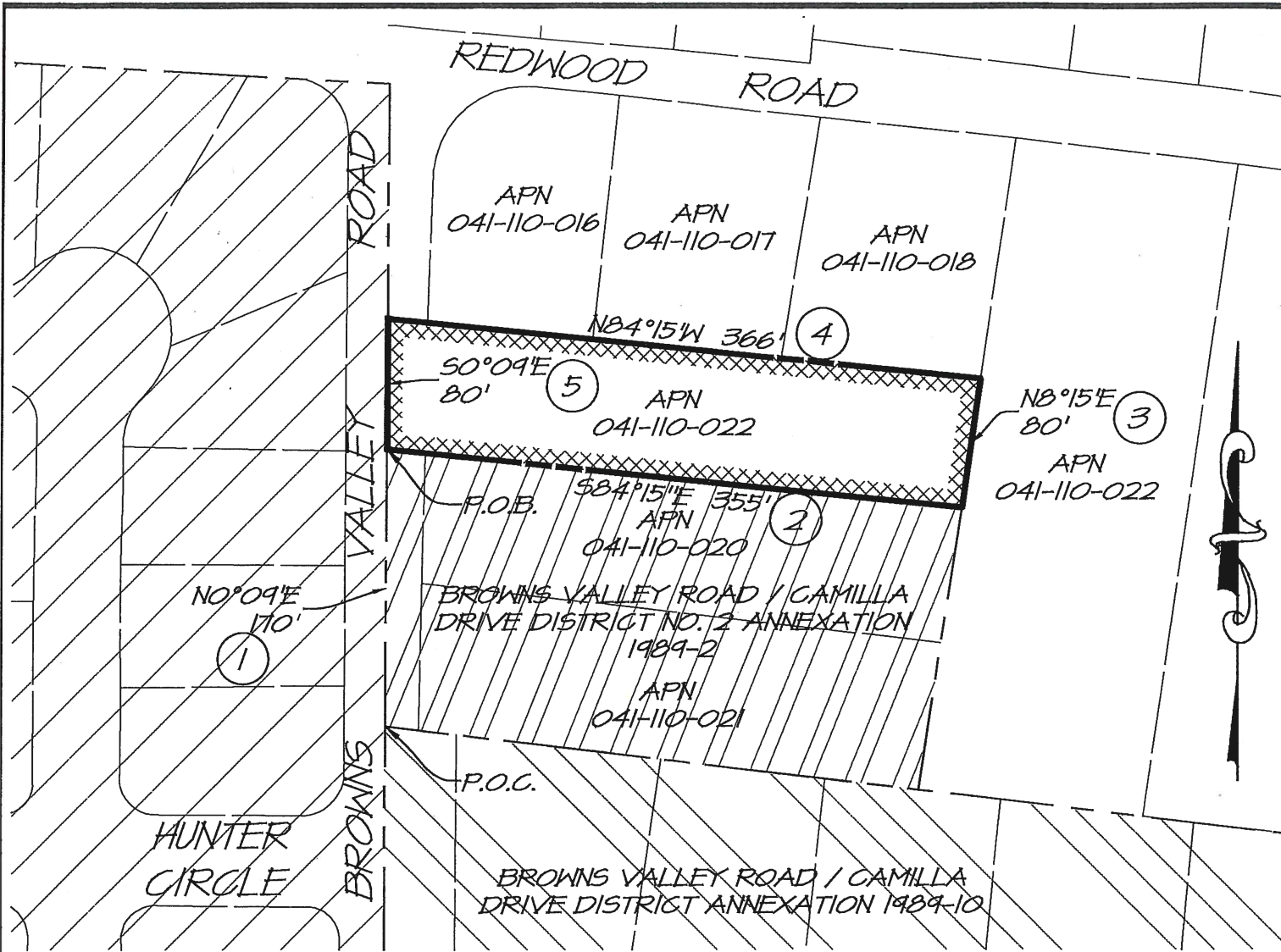
Print Name

Date

Kathleen A. Maschal
Principal Landowner Signature

Kathleen Maschal
Print Name

06/22/2018
Date



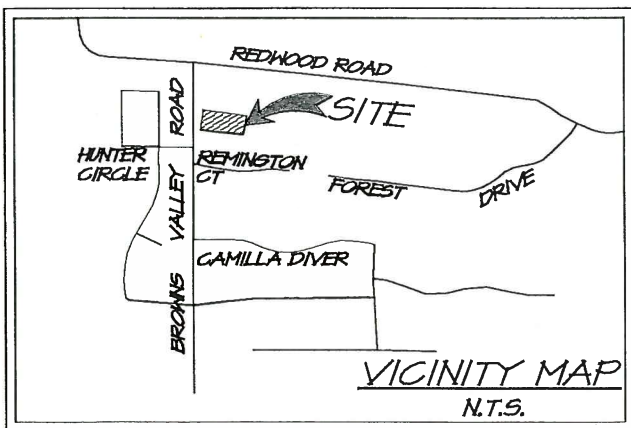
EXISTING NAPA SANITATION DISTRICT BOUNDARY

PROPOSED NAPA SANITATION DISTRICT BOUNDARY

GRAPHIC SCALE



(IN FEET)
1 inch = 100 FT



PROJECT NO. 18-____ A
MAP DELINEATING THE
BOUNDARY OF
BROWNS VALLEY ROAD &
REDWOOD ROAD
DISTRICT No. 1
ANNEXATION
TO NAPA SANITATION
DISTRICT

DRAFT



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06-21-2018

5066annex 1 of

5066
Annex
06-21-2018

Legal description
Browns Valley Road / Redwood Road District No. 1 Annexation
to
Napa Sanitation District

Commencing at a point on the Napa Sanitation District boundary line being the intersection of the centerline of Browns Valley Road and the western prolongation of the line of Parcel 3 as said line is shown on the Record of Survey filed in Book 14 of Surveys, at Page 48, Napa County Records,

1. thence North $0^{\circ} 09'$ West along said District boundary line and the centerline of Browns Valley Road 170 feet to the northwest corner of Browns Valley Road/Camilla Drive No. 2 District Annexation – NSD recorded May 29, 1990 in Book 1742, of Official Records at Page 257, Napa County Records also being the Point of Beginning;
2. thence along the north line of said Annexation South $84^{\circ} 15'$ East 355 feet to the northeast corner of said annexation;
3. thence North $8^{\circ} 15'$ East 80 feet;
4. thence North $84^{\circ} 15'$ West 366 feet to the Napa Sanitation District boundary line;
5. thence South $0^{\circ} 09'$ East along said boundary line 80 feet to the Point of Beginning.

Containing 0.66 Acres of land, more or less.

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



 **DRAFT**

Browns Valley Road No. 13 Attachment Three

Annexation to the Napa Sanitation District



0 0.004250.0085 0.017 Miles

July 2018
Prepared by BF



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