



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 8b (Discussion)

TO: Local Agency Formation Commission
PREPARED BY: Policy Committee (Mohler, Rodeno, and Freeman)
MEETING DATE: December 4, 2017
SUBJECT: Draft Policy on Unincorporated Islands

RECOMMENDATION

It is recommended the Commission provide direction to the Policy Committee to circulate the draft *Policy on Unincorporated Islands* (Attachment One) for public review and comment.

BACKGROUND

At its October 2, 2017 meeting, the Commission's ad hoc Policy Committee ("the Committee") presented a draft *Policy on Unincorporated Islands* ("the Policy") for discussion and possible circulation to the general public for review and comment. The Commission directed the Committee to return with more information relating to unincorporated islands prior to public circulation of the draft Policy.

Following the October 2nd meeting, the Committee met via teleconference on October 23rd and November 21st.

SUMMARY

The Commission will receive a report from the Committee that summarizes recent activities related to the review and further development of the Commission's adopted policies specific to unincorporated islands. The Commission is invited to discuss the draft Policy and provide direction to the Committee with respect to any additional changes before the draft Policy is circulated for public review and comment.

The Committee recommends circulating the draft Policy for any local agency or member of the public to review and provide comments for a minimum of 30 days before the Committee returns with a recommendation for formal action at a future meeting. This includes posting the draft Policy to the Commission's website along with a formal Notice of Public Review. The Notice of Public Review will be transmitted to the County of Napa, each local city and town, and each special district. If the Policy is adopted at a future meeting, all existing policies relating to unincorporated islands will be repealed.

Vacant, Commissioner
Councilmember, City of Napa

Margie Mohler, Commissioner
Councilmember, Town of Yountville

Kenneth Leary, Alternate Commissioner
Councilmember, City of American Canyon

Brad Wagenknecht, 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

Brian J. Kelly, Vice Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

DISCUSSION

The Committee reviewed the Commission's adopted policies relating to unincorporated islands and determined comprehensive revisions are needed. The Commission's existing policies relating to unincorporated islands are included in the adopted *General Policy Determinations* (Attachment Two), Section VII. The Commission's *General Policy Determinations* are insufficient with respect to defining islands and describing the streamlined annexation process. A key issue is that the term "island" is *referenced* – but not *defined* – in the Cortese-Knox-Hertzberg Act. The Committee has drafted a new Policy, included as Attachment One, that is intended to address these issues. If the new Policy is adopted at a future meeting, all existing sections in the Commission's *General Policy Determinations* relating to unincorporated islands will be concurrently repealed.

The draft Policy includes a clear definition of unincorporated islands and also includes references to relevant statutes. An inventory chart that identifies all unincorporated areas that would potentially meet the definition of an "island" pursuant to the draft Policy is included as Attachment Three. Additionally, and in response to a request from the Commission at its October 2, 2017 meeting, maps of all potential islands in the inventory chart that depict prime agricultural lands as well as lands subject to Measures J or P are included as Attachment Four.

It is also important to note the Commission, at its August 7, 2017 meeting, authorized staff to submit written correspondence to the City of Napa and the County of Napa requesting a partnership to proactively annex some or all islands surrounded by the City of Napa. The City of Napa communicated that the timing is not ideal for these efforts due to the transitional status of the City Manager and County Executive Officer coupled with other competing priorities. The letter from the City of Napa recommends delaying island annexation efforts until Spring 2018. The two letters from LAFCO staff along with the City of Napa's response are included as Attachment Five.

ATTACHMENTS

- 1) Draft Policy on Unincorporated Islands
- 2) General Policy Determinations
- 3) Inventory of Potential Islands
- 4) Maps of All Potential Islands Showing Prime Agricultural Lands and Measures J/P
- 5) Unincorporated Islands Correspondence (August 2017)



LOCAL AGENCY FORMATION COMMISSION OF NAPA

Policy on Unincorporated Islands

(Adopted: *****)

State Law

Several Government Code (G.C.) Sections of State law (Cortese-Knox-Hertzberg Act) are applicable to unincorporated islands. State law discourages the creation of new islands and has attempted to streamline their annexation. Applicable sections are summarized below.

Creation of New Islands Prohibited (G.C. §56744)

G.C. Section 56744 prohibits creation of new unincorporated islands. An exception can only be made if the Commission finds that it would be detrimental to the orderly development of the community and that the area is located such that it could not reasonably be annexed to another city or incorporated as a new city.

Streamlined Annexation of Existing Islands (G.C. §56375.3)

The California Legislature enacted special legislation, originally adopted in 1977 and subsequently expanded, that made it possible for certain unincorporated islands to be annexed *without* a protest hearing or election. In approving this legislation, the Legislature recognized:

- Unincorporated islands continue to represent a serious and unnecessary statewide governmental inefficiency and that this inefficiency would be resolved if these islands were annexed into the appropriate surrounding city.
- Property owners' ability to vote on boundary changes is a statutory privilege and not a constitutional right.
- Unincorporated islands are inherently inefficient and that these inefficiencies affect not just residents within islands, but also those residing throughout the city and the county.

Government Code §56375.3 outlines the requirements for approval of streamlined annexations.

Ability to Require Entire Island (G.C. §56375(a)(5))

As a condition of annexation to a city/town that includes territory located within an island, the Commission may require that the annexation include the *entire* island.

Local Policy Definition of “Island”

The Commission defines an “island” in Napa County to include unincorporated territory that meets all of the following criteria:

- a) Is located within a city or town’s sphere of influence;
- b) Does not exceed 150 acres in size;
- c) Does not contain prime agricultural land as defined in the Cortese-Knox-Hertzberg Act (G.C. §56064);
- d) Does not contain lands subject to Measures J or P as reflected in the County of Napa General Plan Land Use Map;
- e) Is designated for urban development in the general plan of the annexing city/town;
- f) May include privately or publicly owned lands;
- g) Is surrounded or substantially surrounded by the annexing city/town. Substantially surrounded territory is unincorporated territory with an outer boundary that is more than 50% contiguous to the annexing city/town’s jurisdictional boundary;
- h) The outer boundary is the annexing city/town’s jurisdictional boundary, the annexing city/town’s sphere of influence, and/or property owned by the State of California;
- i) The territory is developed or developing. This determination is based on: the availability of public utilities, the presence of public improvements, or the presence of physical improvements on the parcels within the area; and
- j) The territory is currently receiving benefits from the annexing city/town or would benefit from the city/town following annexation.

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LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

General Policy Determinations

(Adopted: August 9, 1972; Last Amended: October 3, 2011)

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 specifies the Commission's principal objectives are discouraging urban sprawl, preserving open-space and agricultural resources, and encouraging the orderly formation and development of cities and special districts and their municipal services based on local conditions. Regulatory duties include approving or disapproving proposals involving the formation, reorganization, expansion, and dissolution of cities and special districts. The Commission's regulatory actions must be consistent with its adopted written policies and procedures. The Commission must also inform its regulatory duties through a series of planning activities, which includes establishing and updating spheres of influence.

II. General Policies

The intent of these policies is to serve as the Commission's constitution with regards to outlining clear goals, objectives, and requirements in uniformly fulfilling its prescribed duties. The Commission reserves discretion in administering these policies, however, to address special conditions and circumstances as needed.

A) Legislative Declarations

The Commission acknowledges and incorporates into its own policies, the policies of the Legislature regarding the promotion of orderly, well-planned development patterns that avoid the premature conversion of agricultural and open-space lands and ensure effective, efficient, and economic provision of essential public services. The Commission wishes to specifically note the following declarations and policies contained in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000:

- (1) The Legislature recognizes that the logical formation and determination of local agency boundaries is an important factor in promoting orderly development and in balancing that development with sometimes competing state interests of discouraging urban sprawl, preserving open-space and prime agricultural lands, and efficiently extending government services. (G.C. §56000)
- (2) It is the intent of the Legislature that each commission, not later than January 1, 2002, shall establish written policies and procedures and exercise its powers pursuant to this part in a manner consistent with those policies and procedures, and that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space lands within those patterns. (G.C. §56300)

- (3) In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies and priorities:
 - a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.
 - b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency. (G.C. §56377)

B) Commission Declarations

The Commission declares its intent not to permit the premature conversion of designated agricultural or open-space lands to urban uses. The Commission shall adhere to the following policies in the pursuit of this intent, and all proposals, projects, and studies shall be reviewed with these policies as guidelines.

- (1) Use of County General Plan Designations:
In evaluating a proposal, the Commission will use the Napa County General Plan to determine designated agricultural and open-space lands. The Commission recognizes that inconsistencies may occur between the County General Plan and the affected city general plan with respect to agricultural and open-space designations. Notwithstanding these potential inconsistencies, the Commission will rely on the Napa County General Plan in recognition of the public support expressed in both the incorporated and unincorporated areas of Napa County for the County's designated agricultural and open-space lands through enactment of Measure "J" in 1990 and Measure "P" in 2008.
- (2) Location of Urban Development:
The Commission shall guide urban development away from designated agricultural or open-space lands until such times as urban development becomes an overriding consideration as determined by the Commission.

(3) Timing of Urban Development:

The Commission discourages proposals involving the annexation of undeveloped or underdeveloped lands to cities and special districts that provide potable water, sewer, fire protection and emergency response, or police protection services. This policy does not apply to proposals in which the affected lands are subject to a specific development plan or agreement under consideration by a land use authority. This policy does not apply to city annexation proposals in which the affected lands are part of an unincorporated island.

(4) Factors for Evaluating Proposals Involving Agricultural or Open-Space Lands:

The Commission recognizes there are distinct and varying attributes associated with agricultural and open-space designated lands. A proposal which includes agricultural or open-space designated land shall be evaluated in light of the existence of the following factors:

- a) "Prime agricultural land", as defined by G.C. §56064.
- b) "Open-space", as defined by G.C. §56059.
- c) Land that is under contract to remain in agricultural or open-space use, such as a Williamson Act Contract or Open-Space Easement.
- d) Land which has a County General Plan agricultural or open-space designation (Agricultural Resource or Agriculture, Watershed and Open-Space).
- e) The adopted general plan policies of the County and the affected city.
- f) The agricultural economic integrity of land proposed for conversion to urban use as well as adjoining land in agricultural use.
- g) The potential for the premature conversion of adjacent agricultural or open-space designated land to urban use.
- h) The potential of vacant non-prime agricultural land to be developed with a use that would then allow the land to meet the definition of prime agricultural land under the Williamson Act.

(5) Encouragement of Reorganizations:

The Commission encourages reorganization proposals as a means of coordinating actions of local governmental agencies involving, but not limited to, annexation of land to two or more public agencies. The Commission recognizes the usefulness of the reorganization concept as a vehicle designed to simplify and expedite such actions.

III. Policies Concerning Spheres of Influence

It is the intent of the Commission to establish spheres of influence that promote the orderly expansion of cities and special districts to ensure effective, efficient and economic provision of essential public services, including public sewer and water, fire protection and emergency response, and police protection.

A) Legislative Declarations

The Commission acknowledges and incorporates into its own policies, the policies of the Legislature as they relate to spheres of influence. The Commission wishes to specifically note the following declarations and policies contained in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000:

- (1) "Sphere of influence" means a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission. (G.C. §56076)
- (2) In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities, the Commission shall develop and determine the sphere of influence of each local governmental agency within the county and enact policies designed to promote the logical and orderly development of areas within the sphere. (G.C. §56425(a)).
- (3) The Commission encourages cities and the County to meet and agree to sphere of influence changes. The Commission shall give "great weight" to these agreements to the extent they are consistent with its policies. (G.C. §56425(b) and (c))
- (4) On or before January 1, 2008, and every five years thereafter, the Commission shall, as necessary, review and update each sphere of influence. (G.C. §56425(g))

B) General Guidelines for the Review of Spheres of Influence

It is the intent of the Commission to consider the following factors whenever reviewing a proposal that includes the adoption, amendment, or update of a sphere of influence.

- (1) The Commission incorporates the following definitions:
 - a) An “establishment” refers to the initial development and determination of a sphere of influence by the Commission.
 - b) An “amendment” refers to a limited change to an established sphere of influence typically initiated by a landowner, resident, or agency.
 - c) An “update” refers to a comprehensive change to an established sphere of influence typically initiated by the Commission.
- (2) The Commission discourages proposals from residents, landowners, and agencies proposing amendments to spheres of influence unless justified by special conditions and circumstances.
- (3) The Commission shall consider the following land use criteria in establishing, amending, and updating spheres of influence:
 - a) The present and planned land uses in the area, including designated agricultural and open-space lands.
 - b) Consistency with the County General Plan and the general plan of any affected city.
 - c) Adopted general plan policies of the County and of any affected city that guide future development away from designated agricultural or open-space land.
 - d) Adopted policies of affected agencies that promote infill of existing vacant or underdeveloped land.
 - e) Amount of existing vacant or underdeveloped land located within any affected agency’s jurisdiction and current sphere of influence.
 - f) Adopted urban growth boundaries by the affected land use authorities.

- (4) The Commission shall consider the following municipal service criteria in establishing, amending, and updating spheres of influence:
 - a) The present capacity of public facilities and adequacy of public services provided by affected agencies within the current jurisdiction and the adopted plans of these agencies to improve any municipal service deficiency, including adopted capital improvement plans.
 - b) The present and probable need for public facilities and services within the area proposed for inclusion within the sphere of influence and the plans for the delivery of services to the area.
- (5) The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission, however, shall consider removal of land from an agency's sphere of influence if any of the two conditions apply:
 - a) The land is outside the affected agency's jurisdictional boundary but has been within the sphere of influence for 10 or more years.
 - b) The land is inside the affected agency's jurisdictional boundary, but is not expected to be developed for urban uses or require urban-type services within the next 10 years.

C) City Spheres of Influence

The Commission shall adhere to the following policies in the establishment, amendment, or update of a city's sphere of influence.

- (1) Location of Urban Development:
It shall be a basic policy of the Commission is that the sphere of influence shall guide and promote the affected city's orderly urban growth and development.
- (2) Sphere of Influence to Reflect Service Capacities:
A city's sphere of influence should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission.
- (3) Use of County General Plan Agricultural and Open-Space Designations:
The Commission shall use the most recently adopted County General Plan as the basis to identify designated agricultural and open-space lands in establishing, amending, and updating a city's sphere of influence.

- (4) Avoidance of Inclusion of Agricultural and Open-Space Lands:
Land specifically designated as agricultural or open-space lands shall not be approved for inclusion within any city's sphere of influence for purposes of urban development unless exceptions are warranted based on the criteria outlined in Section B(3) and (4).
- (5) Preference for Infill:
The Commission will consider the amount of vacant land within the established sphere of influence of a city when considering amendments and updates. The Commission encourages sphere of influence proposals that promote the infill of existing vacant or underdeveloped land thereby maximizing the efficient use of existing city services and infrastructure as well as discouraging urban sprawl. Conversely, the Commission discourages sphere of influence proposals involving vacant or underdeveloped land that requires the extension of urban facilities, utilities, and services where infill is more appropriate.
- (6) Spheres of Influence as Guides for City Annexations:
A city's sphere of influence shall generally be used to guide annexations within a five-year planning period. Inclusion of land within a sphere of influence shall not be construed to indicate automatic approval of an annexation proposal; an annexation will be considered on its own merits with deference assigned to timing.
- (7) Joint Applications:
When an annexation is proposed outside a city's sphere of influence, the Commission may consider both the proposed annexation and the necessary change in the sphere of influence at the same meeting. The change to the sphere of influence to include the affected territory, however, shall be considered and resolved prior to Commission action on the annexation.
- (8) Cooperative Planning and Development:
Spheres of influence shall be developed by the Commission in cooperation with input from the cities and the County.
 - a) The urban areas as delineated by the spheres of influence or other boundary adopted by the Commission should be recognized and considered as part of planning and development programs of the affected cities as well as any affected special districts and the County.
 - b) The Commission shall encourage cities to first develop existing vacant and underdeveloped infill lands located within their jurisdictions and spheres of influence to maximize the efficient use of available services and infrastructure and discourage the premature conversion of agricultural and open-space lands to urban uses. The Commission shall

encourage the development of vacant or underdeveloped infill lands located within cities' jurisdictions before the annexation of lands requiring the extension of urban facilities, utilities, and services.

- c) No urban development should be permitted by the County to occur on unincorporated lands within a city's sphere of influence. If approval of urban development in such areas is legally required of the County, such development should conform to applicable city standards and be the subject of a joint city-County planning effort.

D) Special District Spheres of Influence

The Commission shall adhere to the following policies in the establishment, review, amendment, or update of a special district's sphere of influence.

- (1) Urbanizing Effect of Services:
It shall be a basic policy of the Commission that the establishment, amendment, or update of a special district's sphere of influence serves to promote urban development with limited exceptions.
- (2) Sphere of Influence to Reflect Service Capacities:
A special district's sphere of influence should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission.
- (3) Exclusion of Agricultural and Open-Space Lands:
Land designated agricultural or open-space by the applicable city or County general plan shall not be approved for inclusion within any special district's sphere of influence for purposes of urban development through the extension of essential public services. Such designations shall be recognized by the Commission as designating the land as non-urban in character in regard to the existing use of the area or its future development potential. The Commission may consider exceptions to this policy based on evidence provided by the affected special district demonstrating all of the following:
 - a) The expansion is necessary in order to provide potable water or sewer to the territory to respond to a documented public health or safety threat.
 - b) The affected special district can provide adequate potable water or sewer service to the affected territory without extending any mainline more than 1,000 feet.
 - c) The expansion will not promote the premature conversion of agricultural or open-space land to urban use.

- (4) Sphere of Influence as a Guide to Special District Annexations:
A special district's sphere of influence shall generally be used to guide annexations within a five-year planning period. Inclusion of land within a sphere of influence shall not be construed to indicate automatic approval of an annexation proposal; an annexation will be considered on its own merits with deference assigned to timing.
- (5) Joint Applications:
When an annexation is proposed outside a special district's sphere of influence, the Commission may consider both the proposed annexation and the necessary change in the sphere of influence at the same meeting. The change to the sphere of influence to include the affected territory, however, shall be considered and resolved prior to Commission action on the proposed annexation.
- (6) Cooperative Planning and Development Programs:
Spheres of influence shall be developed by the Commission in cooperation with any affected cities and the County.
 - a) The service area of a special district as delineated by the sphere of influence or other boundary adopted by the Commission should be recognized and considered as part of the planning and development programs of any affected district, city, and the County.

IV. Policies Concerning the County Of Napa

A) Location of Urban Development

- (1) Development of an urban character and nature should be located within areas designated as urban areas by the County General Plan in close proximity to a city or special district which can provide essential public services.
- (2) Urban development should be discouraged if it is apparent that essential services necessary for the proposed development cannot readily be provided by a city or special district.
- (3) The Commission shall review and comment, as appropriate, on the extension of services or the creation of new service providers to furnish services into previously unserved territory within unincorporated areas.

B) Use of County Service Areas and Community Services Districts

- (1) In those unincorporated urban areas where essential urban services are being provided by the County, the Board of Supervisors should consider the establishment of county service areas or community services districts so that area residents and landowners pay their fair and equitable share for the services received.

V. Policies Concerning Cities

A) Incorporations

- (1) The Commission discourages proposals to incorporate communities unless substantial evidence suggests the County and any affected special district are not effectively meeting the needs of the community.
- (2) The Commission discourages proposals to incorporate communities involving land that is not already receiving essential public services from a special district.
- (3) Any community proposed for incorporation in Napa County shall have at least 500 registered voters residing with the affected area at the time proceedings are initiated with the Commission as required under G.C. §56043.

B) Outside Service Agreements

- (1) Commission approval is needed for a city to provide new or extended services outside its jurisdictional boundary by contracts or agreements. A Request by a city shall be made by resolution of application and processed in accordance with G.C. §56133.
- (2) The Commission shall incorporate the following definitions in administering these policies:
 - a) “Services” shall mean any service provided by a city unless otherwise exempted under G.C. 56133.
 - b) “New” shall mean the actual extension of a municipal service to previously unserved non-jurisdictional land. Exceptions include non-jurisdictional land in which the city or County has adequately contemplated the provision of the subject service on or before January 1, 2001 as determined by the Commission.
 - c) “Extended” shall mean the intensification of an existing municipal service provided to non-jurisdictional land associated with a land use authority’s redesignation or rezoning after January 1, 2001 as determined by the Commission.
- (3) The Commission shall establish policies and procedures in the review of outside service agreement requests involving a city.

VI. Policies Concerning Special Districts

A) In Lieu of New District Creation

- (1) Where a limited-purpose special district exists and additional services are required for an unincorporated area designated as urban by the County General Plan, the Commission encourages reorganizations to provide the extended services of the existing limited services special district.

B) Preference for Districts Capable of Providing All Essential Services

- (1) All new special districts proposed for formation in the unincorporated urban areas as designated under the County General Plan should be capable of providing essential urban type services which include, but are not limited to, water, sanitation, fire protection, and police protection.

C) Establishing New Services or Divestiture of Existing Service Powers

- (1) Commission approval is required for a special district to establish new services or divest existing service powers within all or parts of its jurisdictional boundary. Requests by a special district shall be made by adoption of a resolution of application and include all the information required and referenced under G.C. §56824.12.
- (2) The Commission incorporates the following definitions in administering these policies:
 - a) “New” shall mean activating a latent service not previously authorized.
 - b) “Divestiture” shall mean deactivating a service power previously authorized.
- (3) The Commission shall consider the effect of the proposal in supporting planned and orderly growth within the affected territory.

D) Outside Service Agreements

- (1) Commission approval is needed for a special district to provide new or extended services outside its jurisdictional boundary by contracts or agreements. Requests made by special districts shall be made by resolution of application and processed in accordance with G.C. §56133.

- (2) The Commission shall incorporate the following definitions in administering these policies:
 - a) “Services” shall mean any service provided by a special district subject to the jurisdiction of the Commission unless otherwise exempted under G.C. 56133.
 - b) “New” shall mean the actual extension of a municipal service to previously unserved non-jurisdictional land. Exceptions include non-jurisdictional land in which the special district or land use authority has adequately contemplated the provision of the subject service on or before January 1, 2001 as determined by the Commission.
 - c) “Extended” shall mean the intensification of an existing municipal service provided to non-jurisdictional land associated with a land use authority’s redesignation or rezoning after January 1, 2001 as determined by the Commission.
- (3) The Commission shall establish policies and procedures in the review of outside service agreement requests involving a special district.

VII. Policies Concerning Annexations

A) General Policies Concerning Annexations to a City

- (1) Inclusion in Sphere of Influence:

The affected territory shall be included within the affected city sphere of influence prior to issuance of the Executive Officer's certificate of filing for the subject annexation proposal. The Executive Officer may amend both a sphere of influence amendment and annexation application for Commission consideration and action at the same meeting.
- (2) Substantially surrounded:

For the purpose of applying the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act, most notably G.C. §56375, the affected territory of an annexation proposal shall be deemed “substantially surrounded” if the following two conditions apply:

 - a) The affected territory lies within the city’s sphere of influence.
 - b) The affected territory is surrounded by no less than 66.6% by the city, as set forth in a boundary description accepted by the Executive Officer.

B) Policies Concerning Island Annexations

- (1) Boundary of Areas Not 100% Surrounded by City:
The outside boundary of an unincorporated island less than 100% surrounded shall be the affected city sphere of influence boundary line.
- (2) Criteria for Determining a Developed Island:
A developed island shall substantially meet all the following criteria:
 - a) The island shall have a housing density of at least 0.5 units per gross acre.
 - b) All parcels within the island can readily receive from the affected city or any affected special district basic essential services including but not limited to police protection, fire protection, potable water and sanitation.
- (3) Policy Regarding Annexations Within an Identified Island Area:
When an annexation proposal includes territory within a developed island, the Commission shall invite the affected city to amend the boundary of the proposed annexation to include the entire island. To the extent permitted by law, the Commission reserves the right to expand the boundaries of the proposed annexation to include the entire island.

C) Policies Concerning Annexation of Municipally-Owned Land

- (1) Restricted Use Lands Owned by Public Agencies:
The Commission shall disapprove annexation of publicly-owned land designated agricultural or open-space or subject to a Williamson Act contract unless the land will be used for a municipal purpose and no suitable alternative site reasonably exists within the affected city's sphere of influence.
- (2) Facilities Exempt from Policy:
Municipal purpose shall mean a public service facility which is urban in nature such as water and sewage treatment facilities and public buildings, but shall not include land which is vacant or used for wastewater reclamation irrigation, a reservoir, or agricultural, watershed or open-space.

D) Concurrent Annexation Policies

It is the intent of the Commission to promote concurrent annexations to cities and special districts whenever appropriate. The Commission may waive its concurrent annexation policies based on unique conditions or circumstances surrounding the annexation proposal which make application of the policy impractical and will not result in the annexation of lands designated agricultural or open-space by the applicable city or County General Plan.

(1) City of Napa and Napa Sanitation District

a) Annexations to the District:

All annexation proposals to the Napa Sanitation District located outside of the City of Napa shall first be required to annex to the City if the affected territory is located within the City's sphere of influence as adopted by the Commission, is located within the City Residential Urban Limit Line (RUL) as adopted by the City, and annexation is legally possible.

b) Annexations to the City:

All 100% consent annexation proposals to the City of Napa located outside of the Napa Sanitation District shall be required to annex to the Napa Sanitation District if the affected territory is located within the District's sphere of influence and if sanitation service is available.

(2) City of American Canyon and American Canyon Fire Protection District

a) Annexations to the District:

All annexation proposals to the American Canyon Fire Protection District located outside of the City of American Canyon shall be required to annex to the City if the affected territory is located within the City's sphere of influence as adopted by the Commission and if annexation is legally possible.

b) Annexations to the City:

All annexation proposals to the City of American Canyon located outside of the American Canyon Fire Protection District shall be required to annex to the District if the affected territory is located within the District's sphere of influence.

(3) County Service Area No. 4

a) Annexations to Cities:

All annexation proposals to a city shall be required to concurrently detach from County Service Area No. 4 unless the affected territory has been, or is expected to be, developed to include planted vineyards totaling one acre or more in size.

Inventory of Potential Islands






<i>Island Vicinity</i>	<i>Surrounding City/Town</i>	<i>Surrounded By City/Town (%)</i>	<i>Total Acres</i>	<i>Total Parcels</i>	<i>Developed Parcels</i>	<i>Estimated Population</i>	<i>Public Water Service (%)</i>	<i>Public Sewer Service (%)</i>	<i>Urban City/Town General Plan Designation (%)</i>	<i>Prime Agriculture</i>	<i>Subject to Measures J/P</i>
West Pueblo / Linda Vista	Napa	100	87.4	543	538	1399	98	100	100	No	No
West Pueblo / West Park	Napa	100	10.1	19	18	47	68	100	100	No	No
Browns Valley / Kingston	Napa	100	14.8	11	10	26	55	22	100	No	No
West F / Solano	Napa	100	6.7	13	13	34	100	100	100	No	No
Silverado / Saratoga	Napa	100	6.1	4	2	5	0	100	100	Yes	No
Terrace / Wyatt	Napa	100	1.6	6	6	16	50	100	100	No	No
Terrace / Mallard	Napa	100	2.2	3	3	8	0	100	100	No	No
Saratoga / Capitola	Napa	100	3.6	4	3	8	0	100	100	Yes	No
Shurtleff / Cayetano	Napa	100	3.5	4	3	8	75	100	100	Yes	No
Wilkins / Shetler	Napa	100	0.6	2	2	5	50	100	100	No	No
Imola / Parrish	Napa	93	33.1	217	212	551	97	100	100	No	No
Silverado / Stonecrest	Napa	82	23.6	10	10	26	80	49	100	No	No
Foster / Grandview	Napa	81	7.6	6	6	16	83	0	100	No	Yes
Redwood / Lynn	Napa	79	7.1	16	14	36	88	0	100	Yes	Yes
Basalt / Kaiser	Napa	77	116.7	4	0	0	0	59	50	Yes	No
Redwood / Montana	Napa	76	8.1	4	4	10	100	17	100	No	Yes
Imola / Tejas	Napa	71	5.3	16	16	42	81	100	100	No	No
Shurtleff / Hillside	Napa	70	2.5	3	2	5	0	100	100	No	No
Penny / Madrid	Napa	66	2.9	5	5	13	0	100	100	No	Yes
Redwood / Forest	Napa	59	22.7	23	21	55	78	100	100	Yes	Yes
Hilltop / Griggs	Napa	56	6.0	4	3	8	75	100	100	No	No
Big Ranch / Rosewood	Napa	55	66.3	12	9	23	0	100	100	Yes	No
Foster / Golden Gate	Napa	52	146.8	9	6	16	0	100	100	Yes	Yes
Devita / Hilltop	Napa	50	0.2	1	1	3	100	100	100	No	No
Penny / Imola	Napa	50	3.3	2	2	5	0	100	100	No	Yes
Watson / Paoli	American Canyon	77	77.7	16	11	29	81	13	100	Yes	Yes
Wastewater Pond	Calistoga	50	5.3	1	1	0	0	0	0	Yes	Yes
Domaine Chandon	Yountville	50	8.8	1	1	0	0	100	100	No	No
Totals		N/A	680.5	959	922	2392	N/A	N/A	N/A	10 Yes / 18 No	9 Yes / 19 No

Meets the definition of "island" pursuant to draft policy

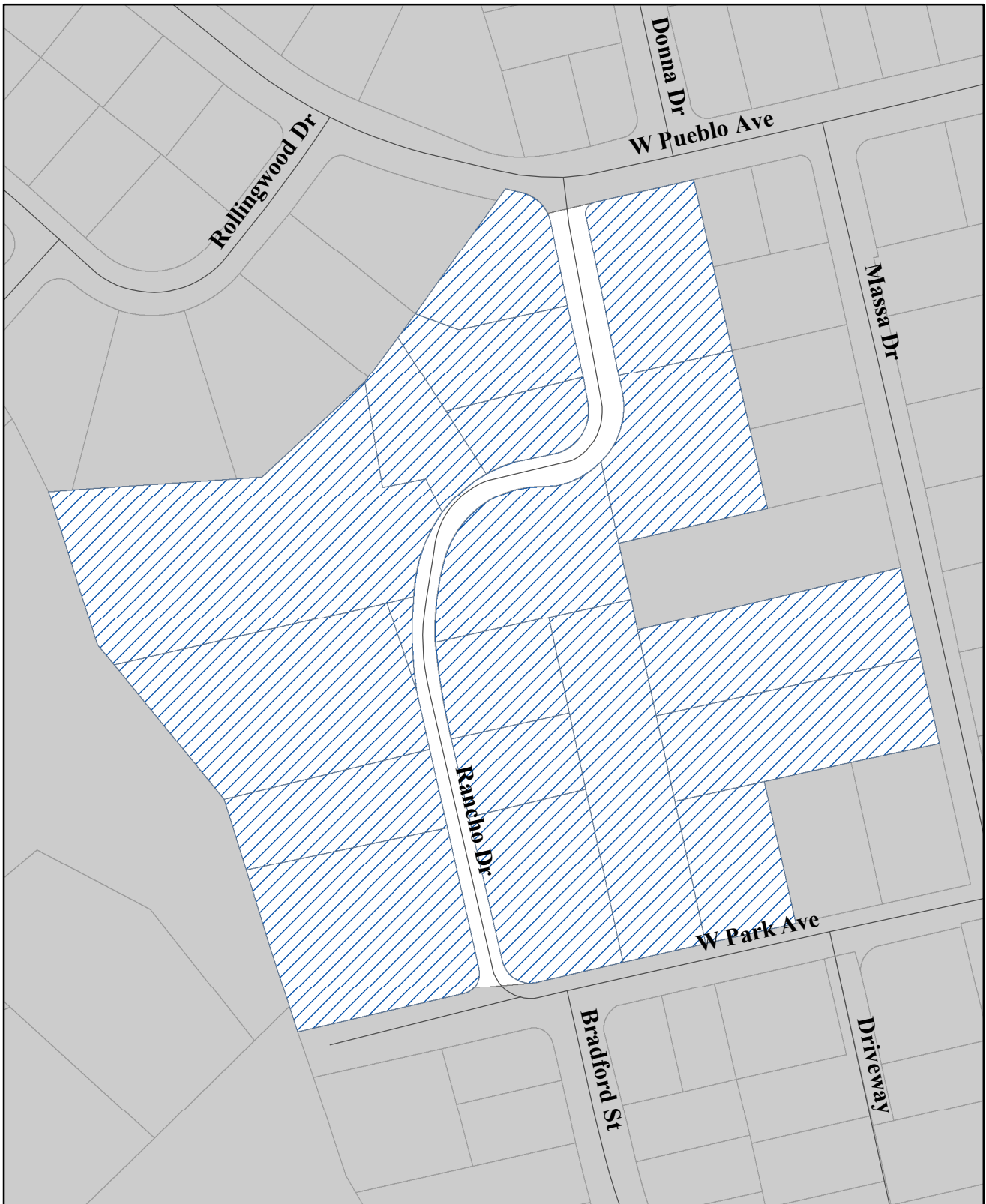
Does not meet the definition of "island" pursuant to draft policy due to one or more factors






Requires further study to determine exact % surrounded by city/town



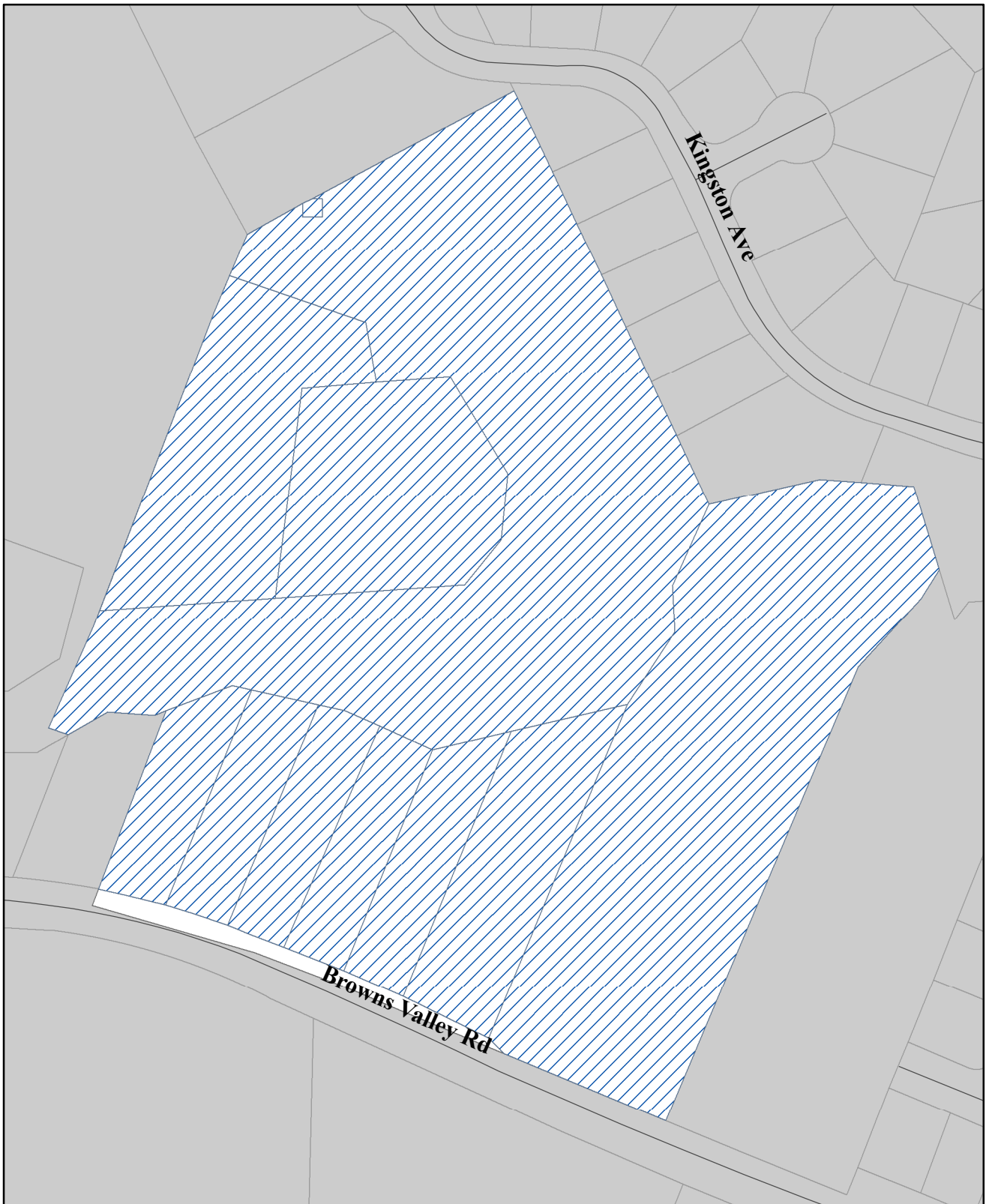
Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P

Attributes
Parcels: 543
Acres: 87.4
Surrounded: 100%
Population: 1,399








Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P

Attributes
Parcels: 19
Acres: 10.1
Surrounded: 100%
Population: 47

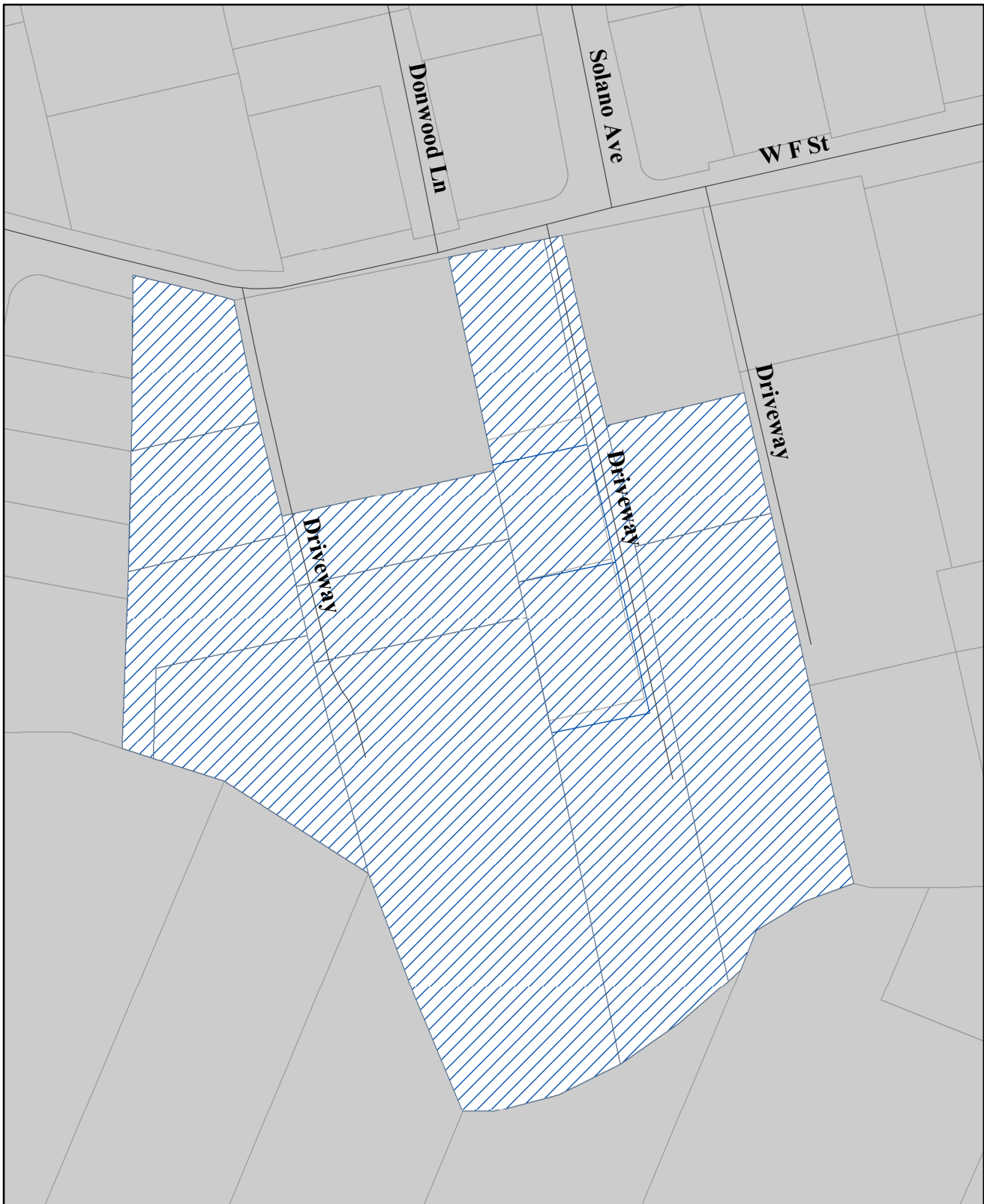


Legend






- | | |
|--|---|
|  City of Napa |  Prime Agricultural Land (CA Gov Code 56064) |
|  City SOI |  Measures J/P |
|  Potential Island | |

Attributes

Parcels: 11
Acres: 14.8
Surrounded: 100%
Population: 26

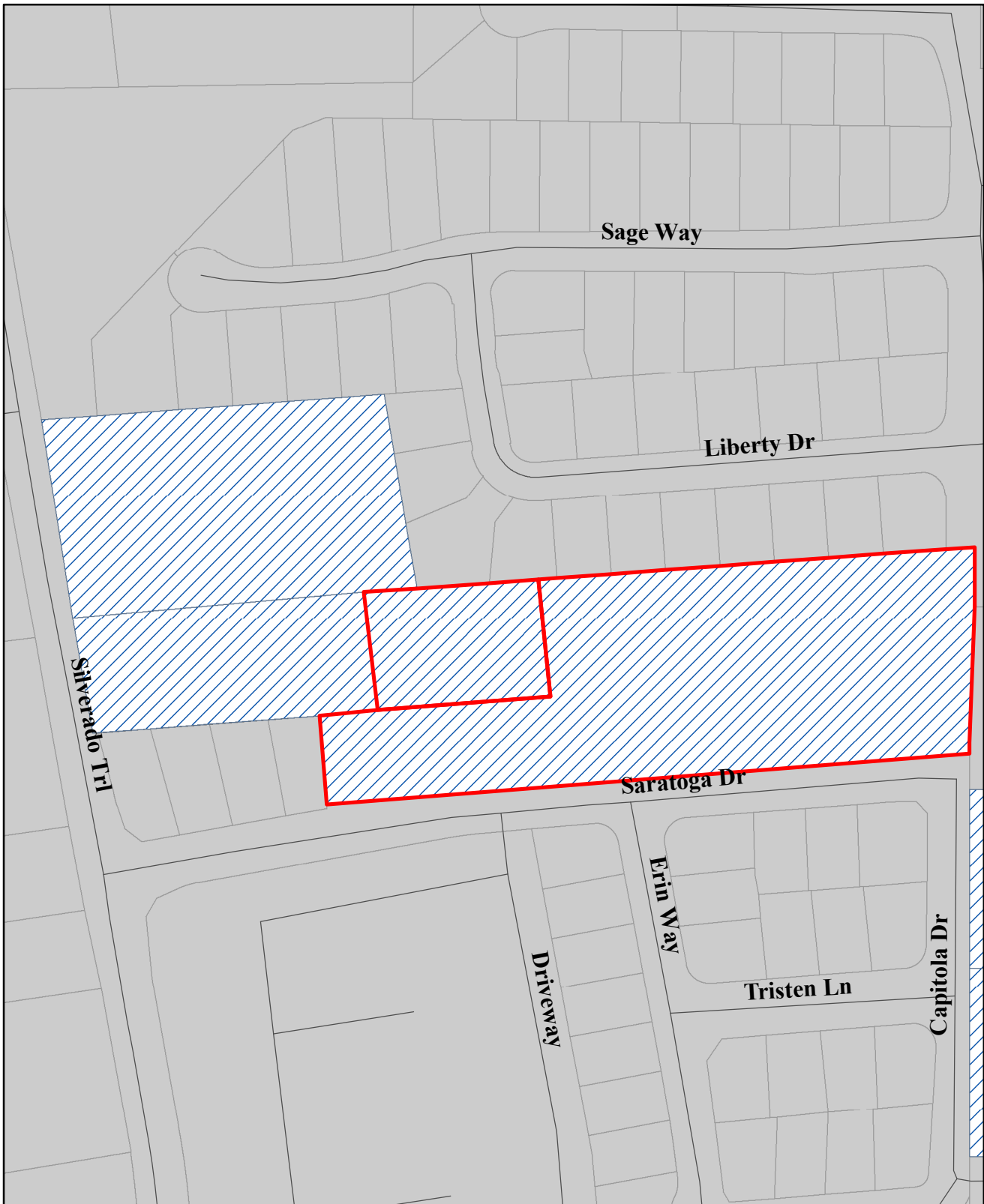







Legend

-  City of Napa
-  City SOI
-  Potential Island
-  Prime Agricultural Land (CA Gov Code 56064)
-  Measures J/P

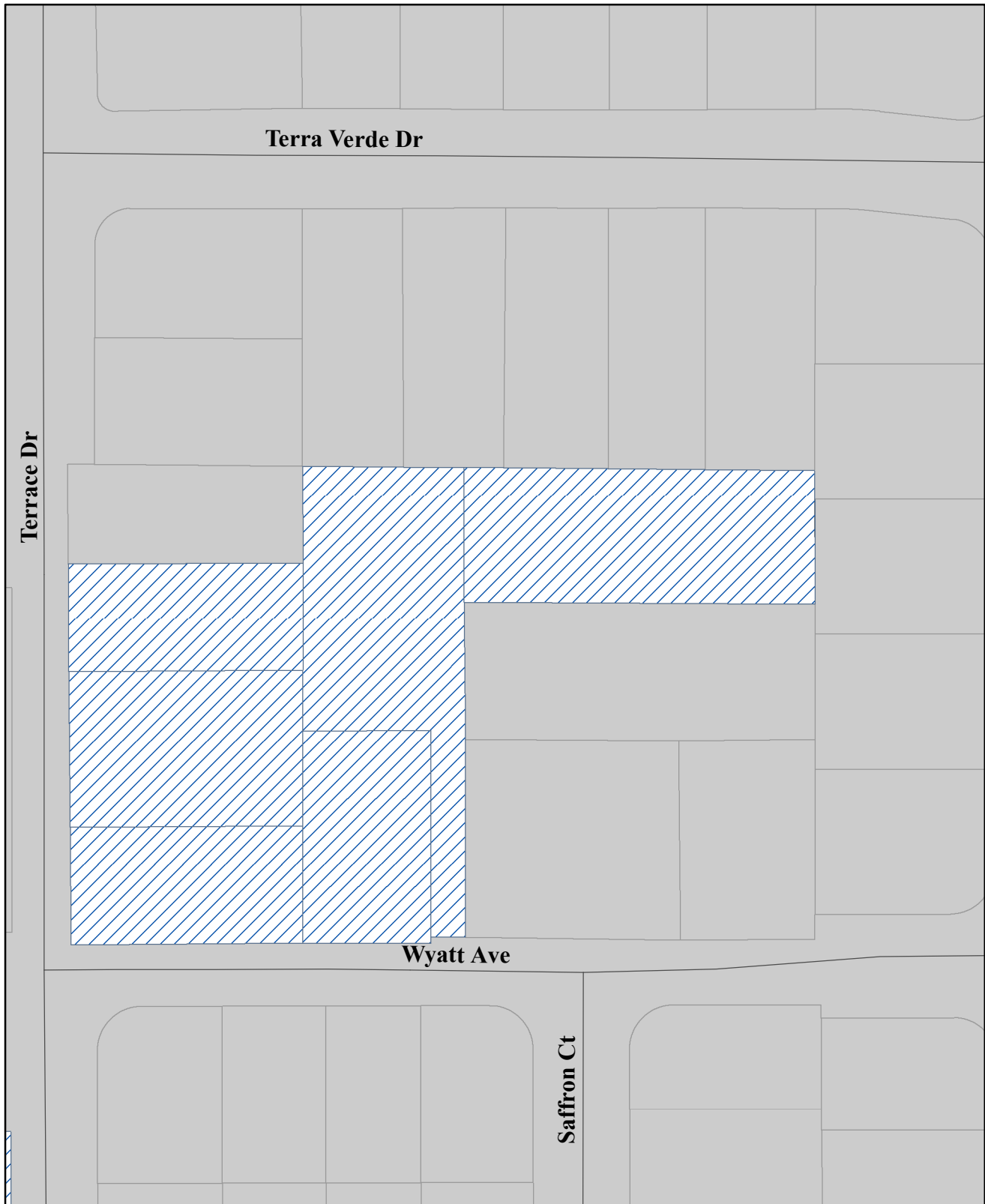
Attributes

Parcels: 13
Acres: 6.7
Surrounded: 100%
Population: 34








Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P

Attributes
Parcels: 4
Acres: 6.1
Surrounded: 100%
Population: 5

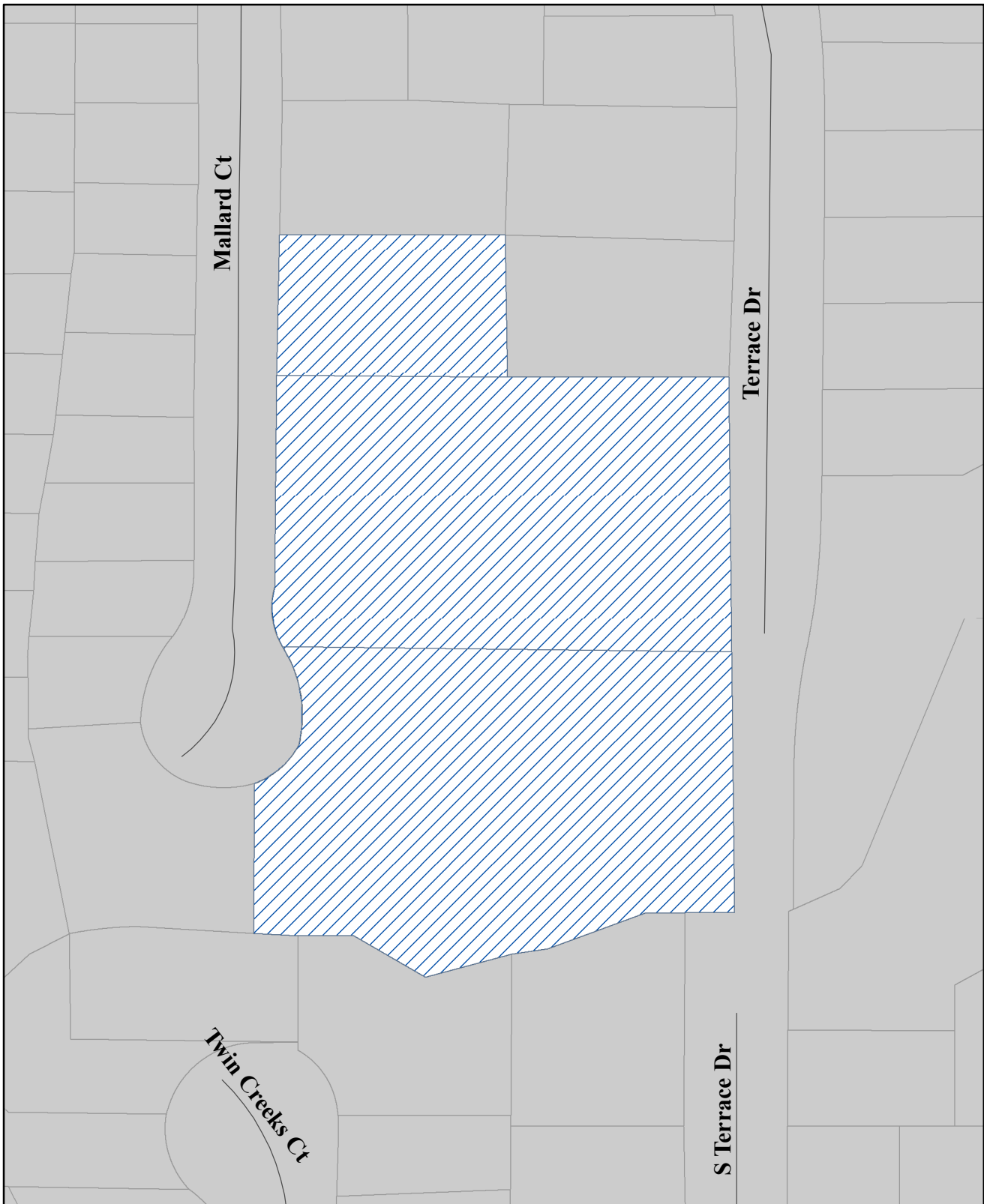







Legend

- | | |
|--|---|
|  City of Napa |  Prime Agricultural Land (CA Gov Code 56064) |
|  City SOI |  Measures J/P |
|  Potential Island | |

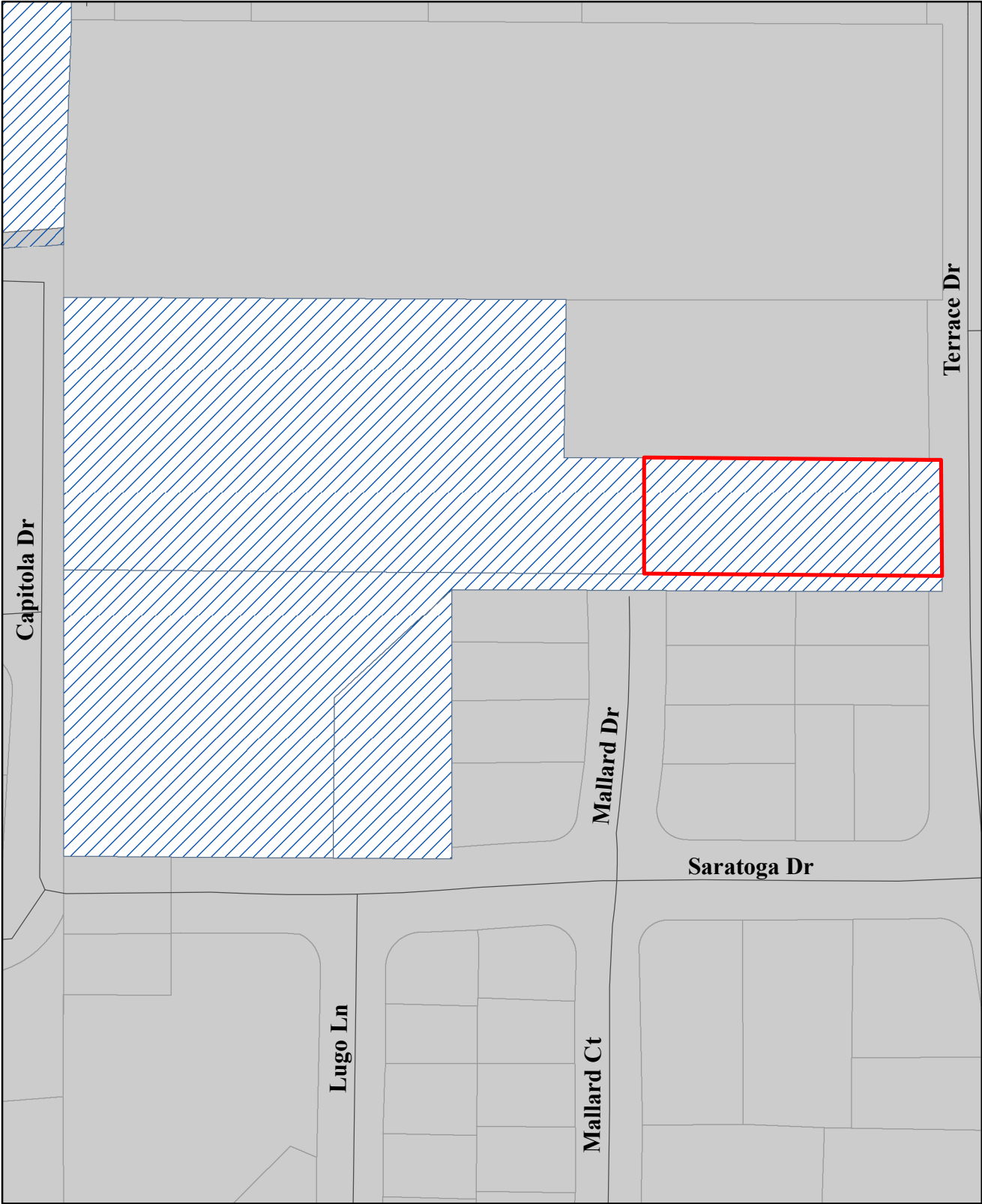
Attributes






Parcels: 6
Acres: 1.6
Surrounded: 100%
Population: 16



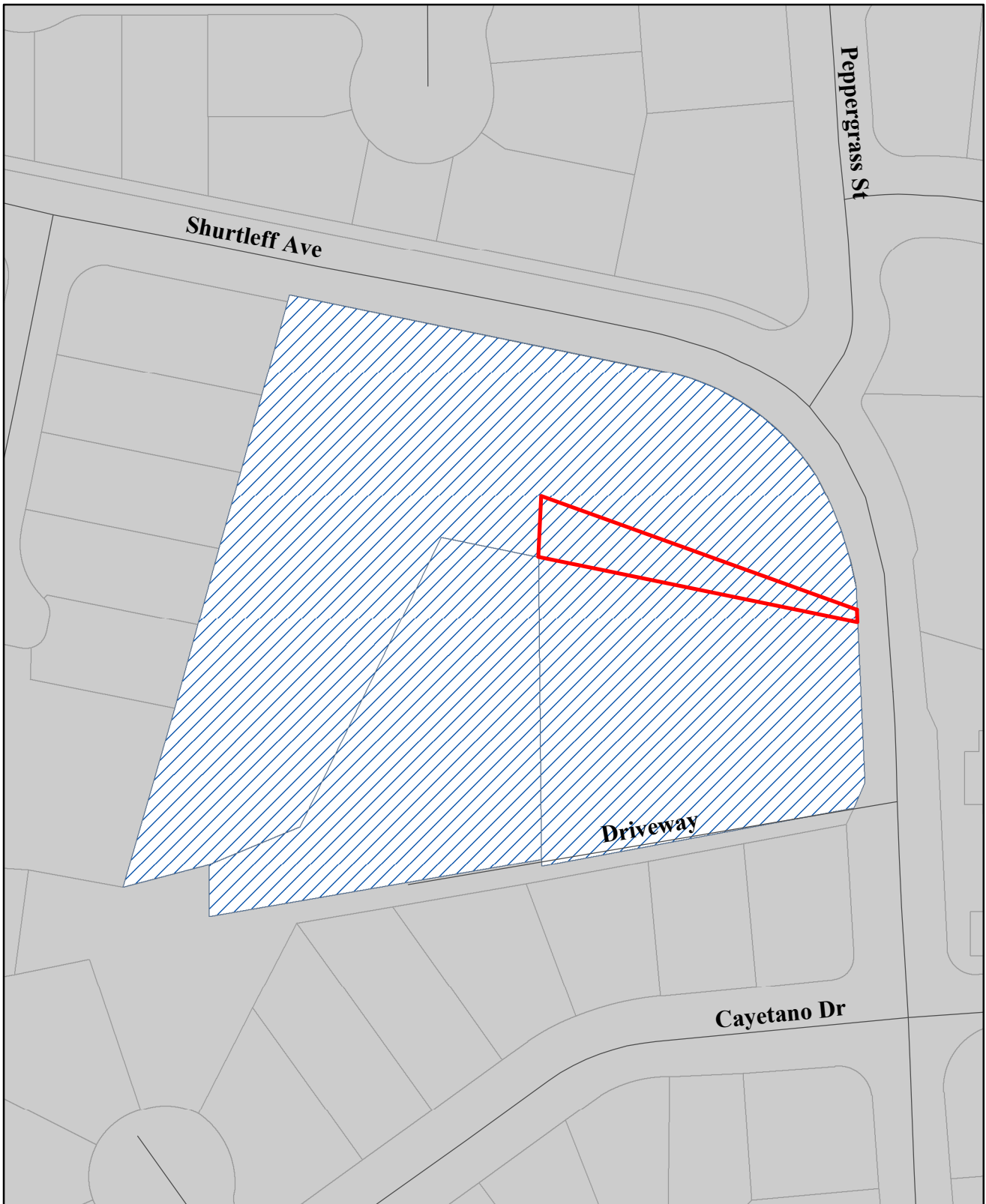
Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P






Attributes
Parcels: 3
Acres: 2.2
Surrounded: 100%
Population: 8



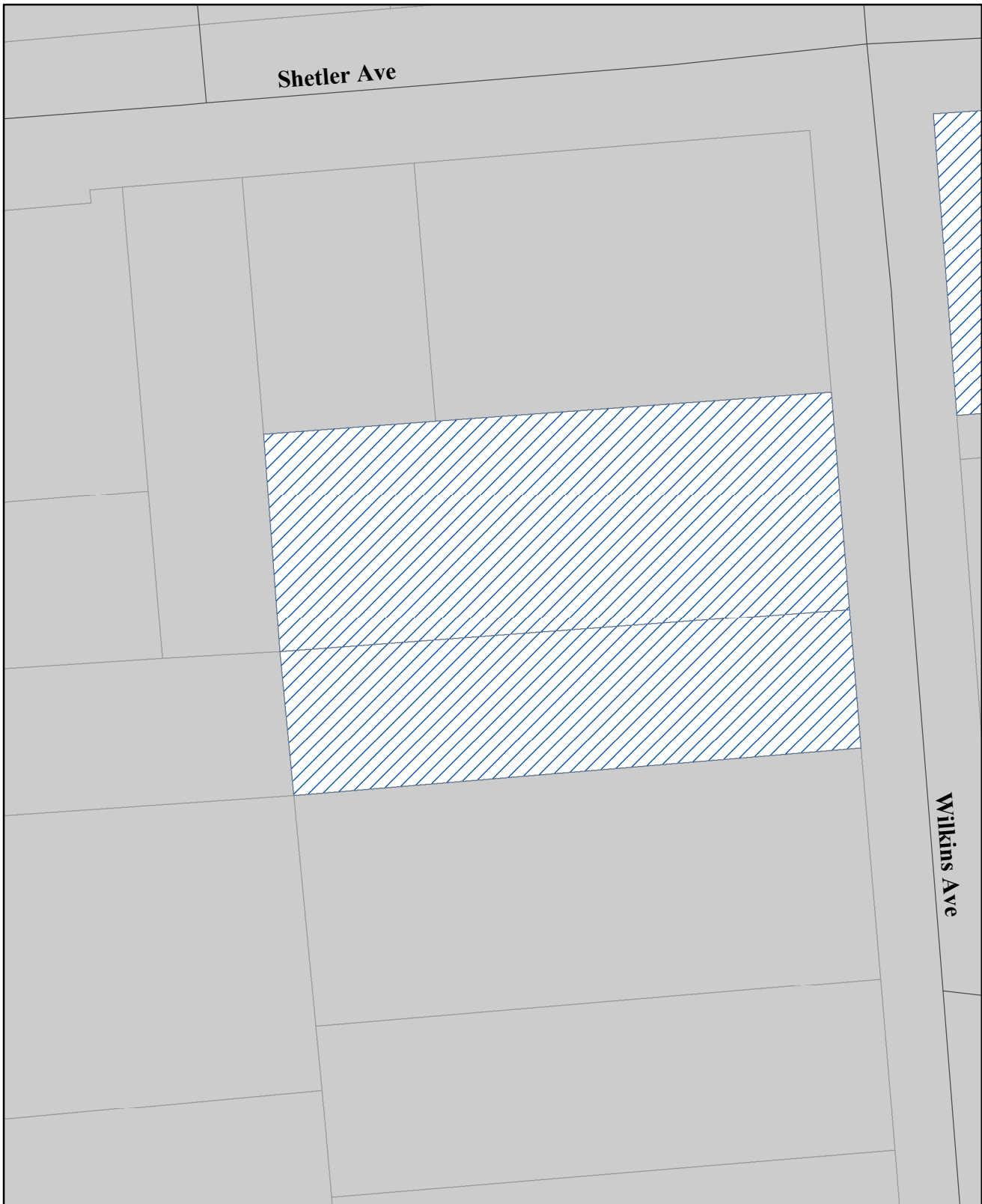
Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P






Attributes
Parcels: 4
Acres: 3.6
Surrounded: 100%
Population: 8



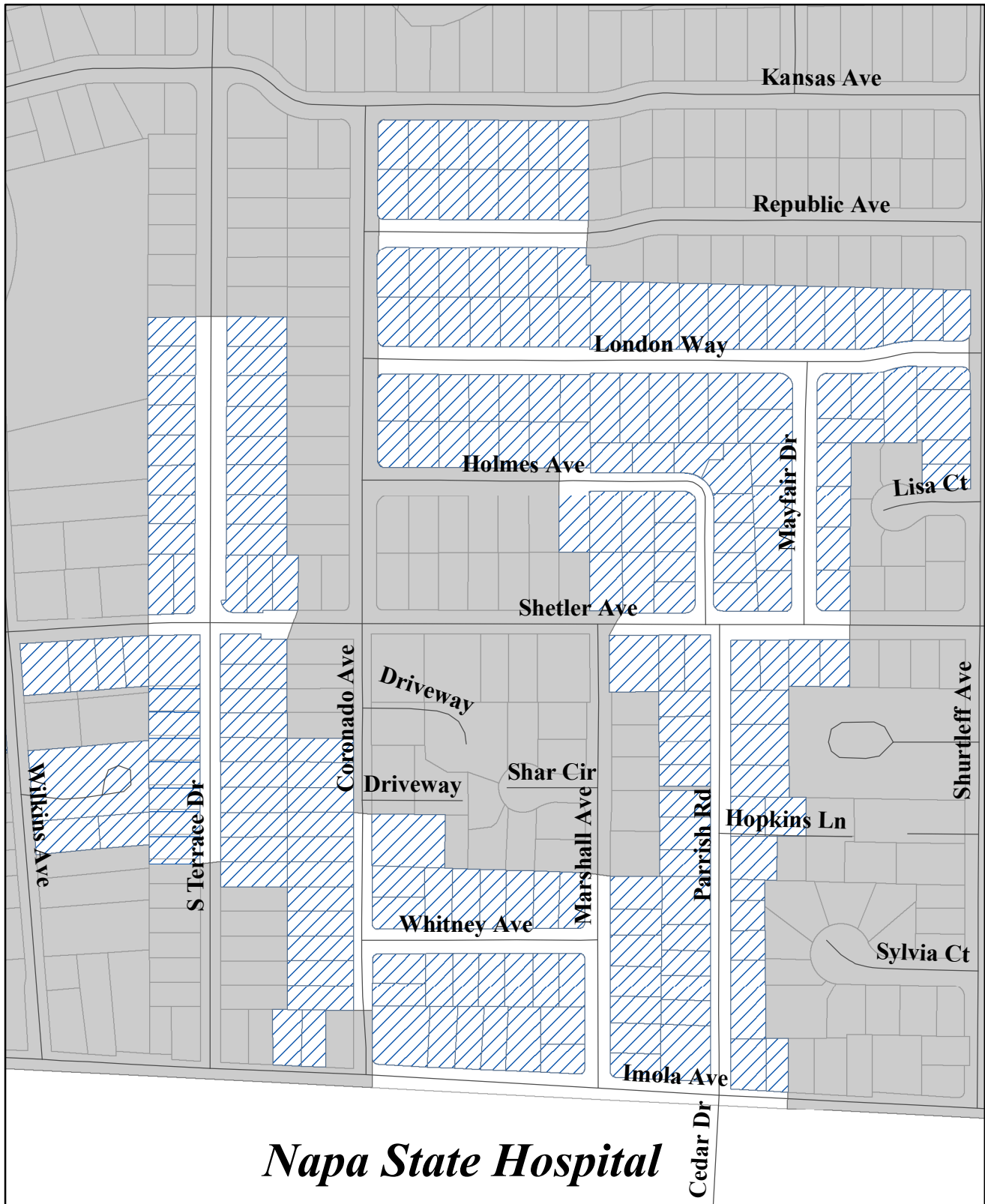
<u>Legend</u>	
	City of Napa
	Prime Agricultural Land (CA Gov Code 56064)
	City SOI
	Potential Island
	Measures J/P

<u>Attributes</u>
Parcels: 4
Acres: 3.5
Surrounded: 100%
Population: 8








Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P

Attributes
Parcels: 2
Acres: 0.6
Surrounded: 100%
Population: 5

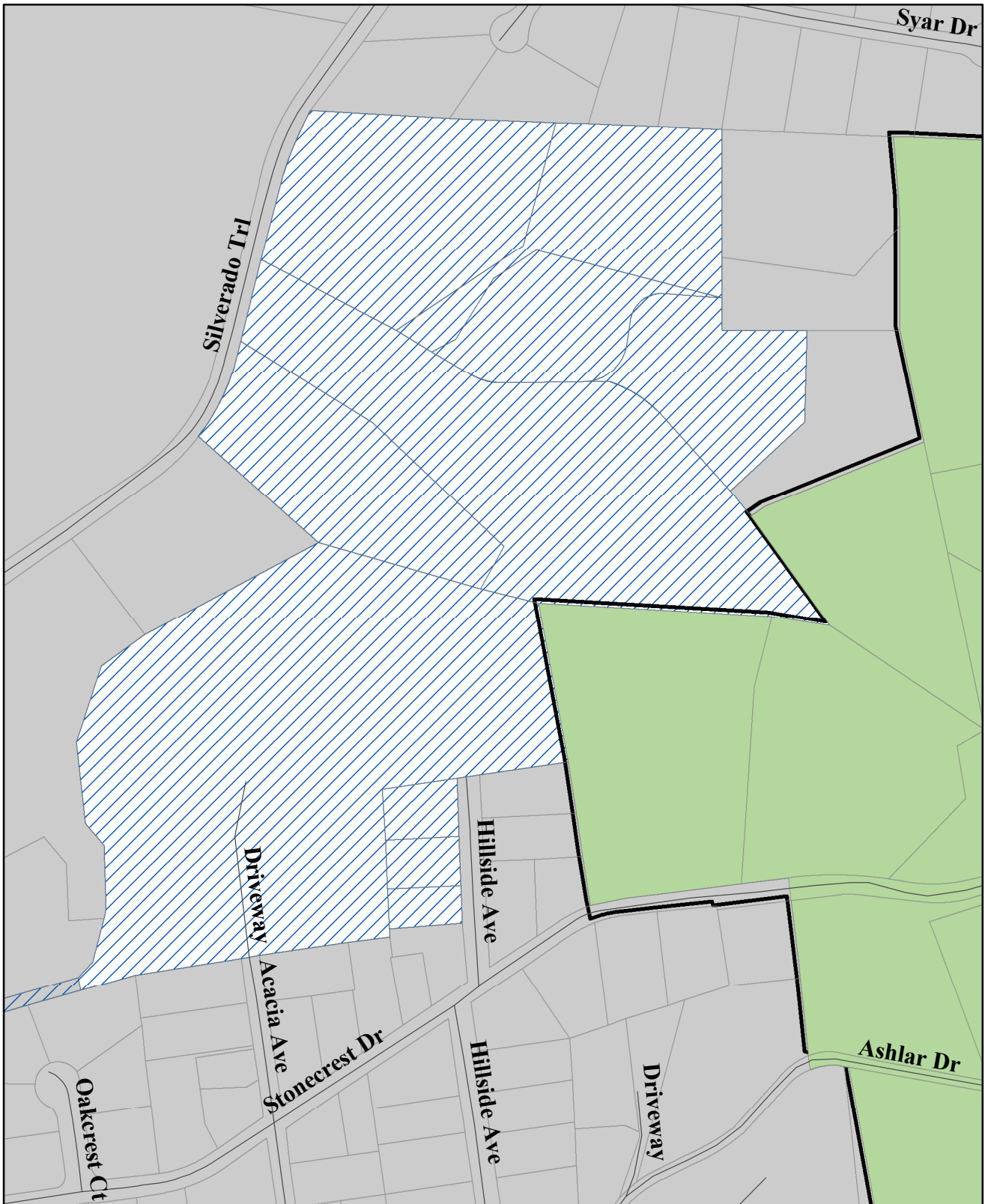







Legend

-  City of Napa
-  City SOI
-  Potential Island
-  Prime Agricultural Land (CA Gov Code 56064)
-  Measures J/P

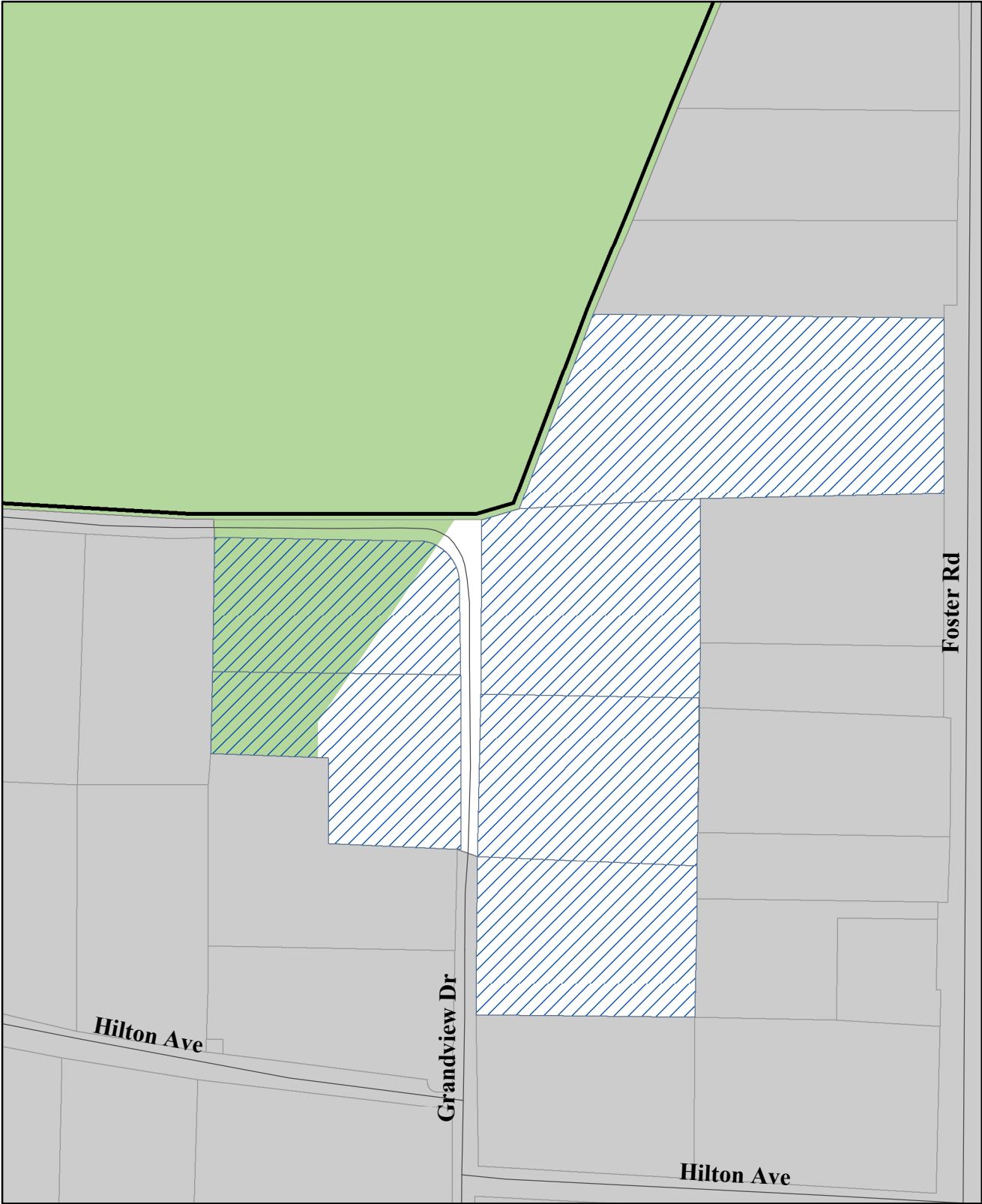
Attributes






Parcels: 217
 Acres: 33.1
 Surrounded: 93%
 Population: 551



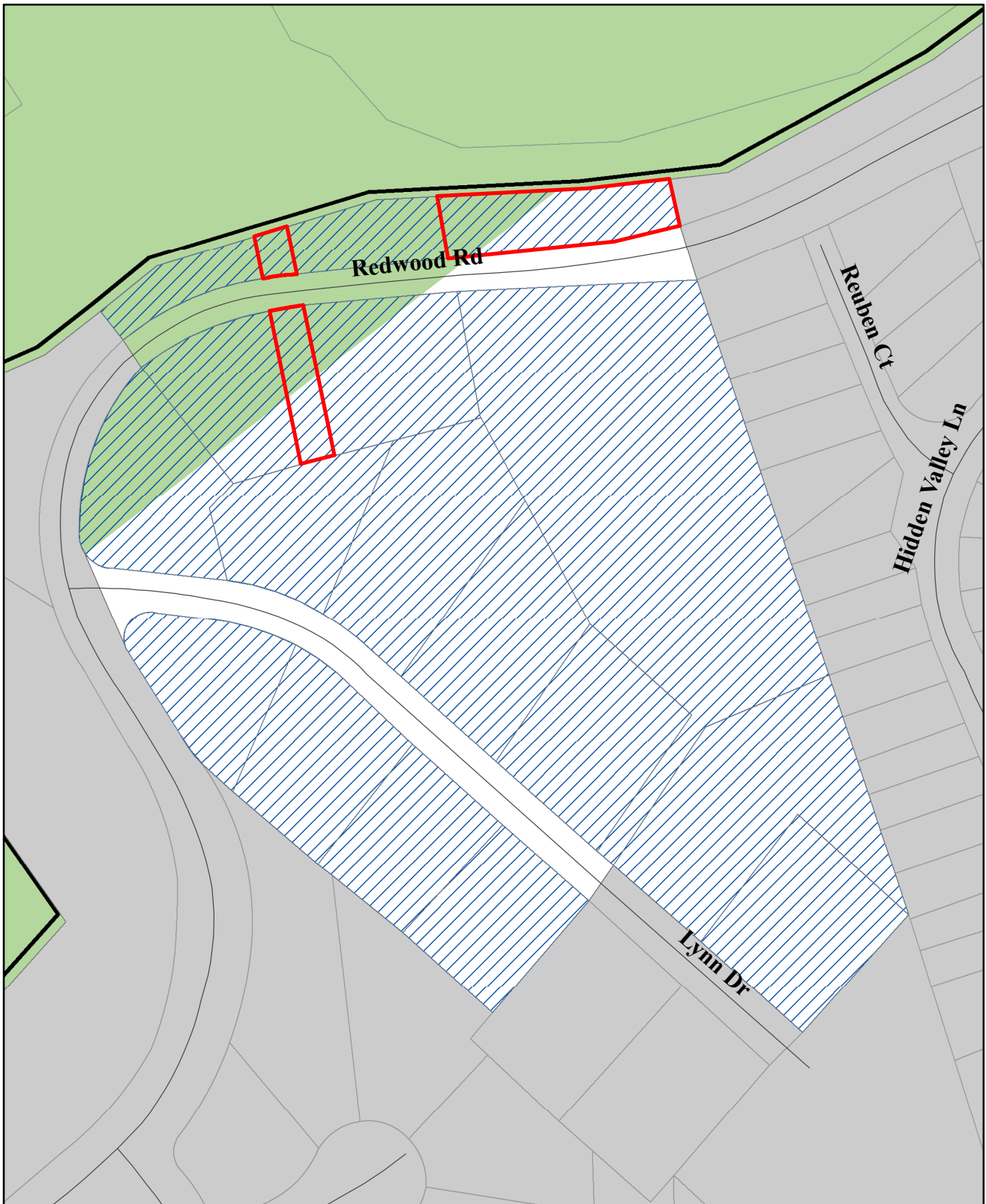
Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P






Attributes
Parcels: 10
Acres: 23.6
Surrounded: 82%
Population: 26



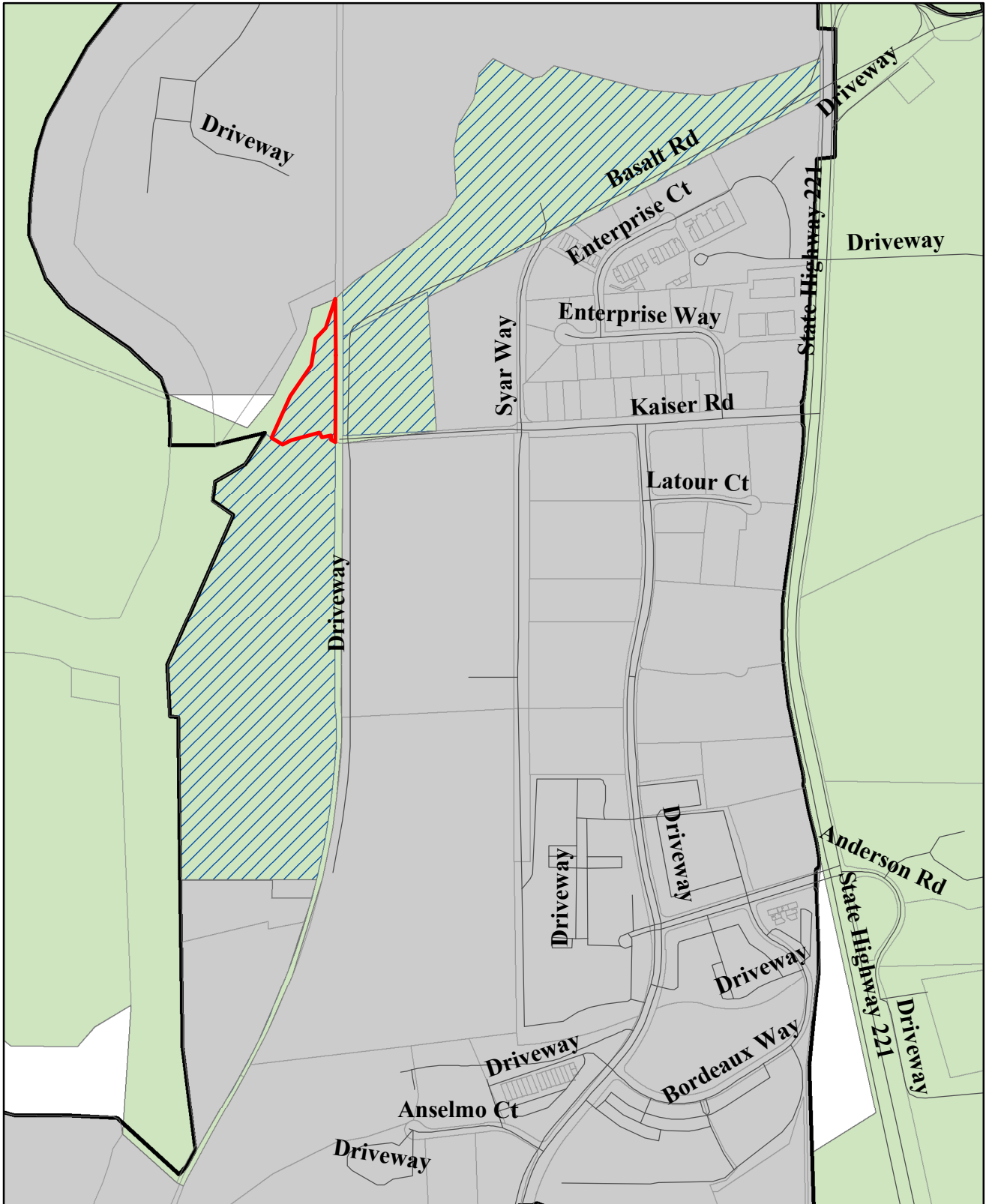
Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P






Attributes
Parcels: 6
Acres: 7.6
Surrounded: 81%
Population: 16



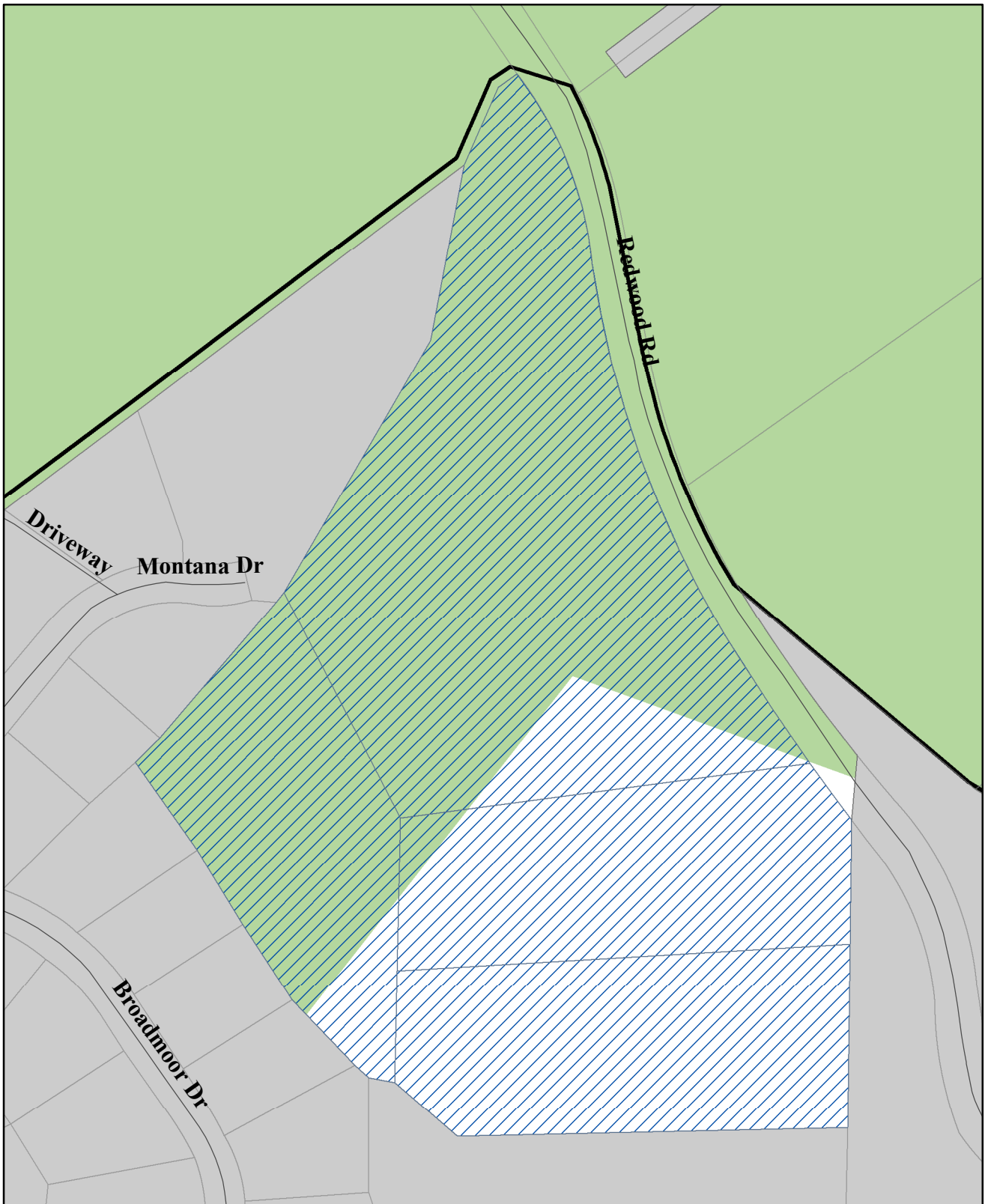
Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P

Attributes
Parcels: 16
Acres: 7.1
Surrounded: 79%
Population: 36








<u>Legend</u>	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P

<u>Attributes</u>
Parcels: 4
Acres: 116.7
Surrounded: 77%
Population: 0

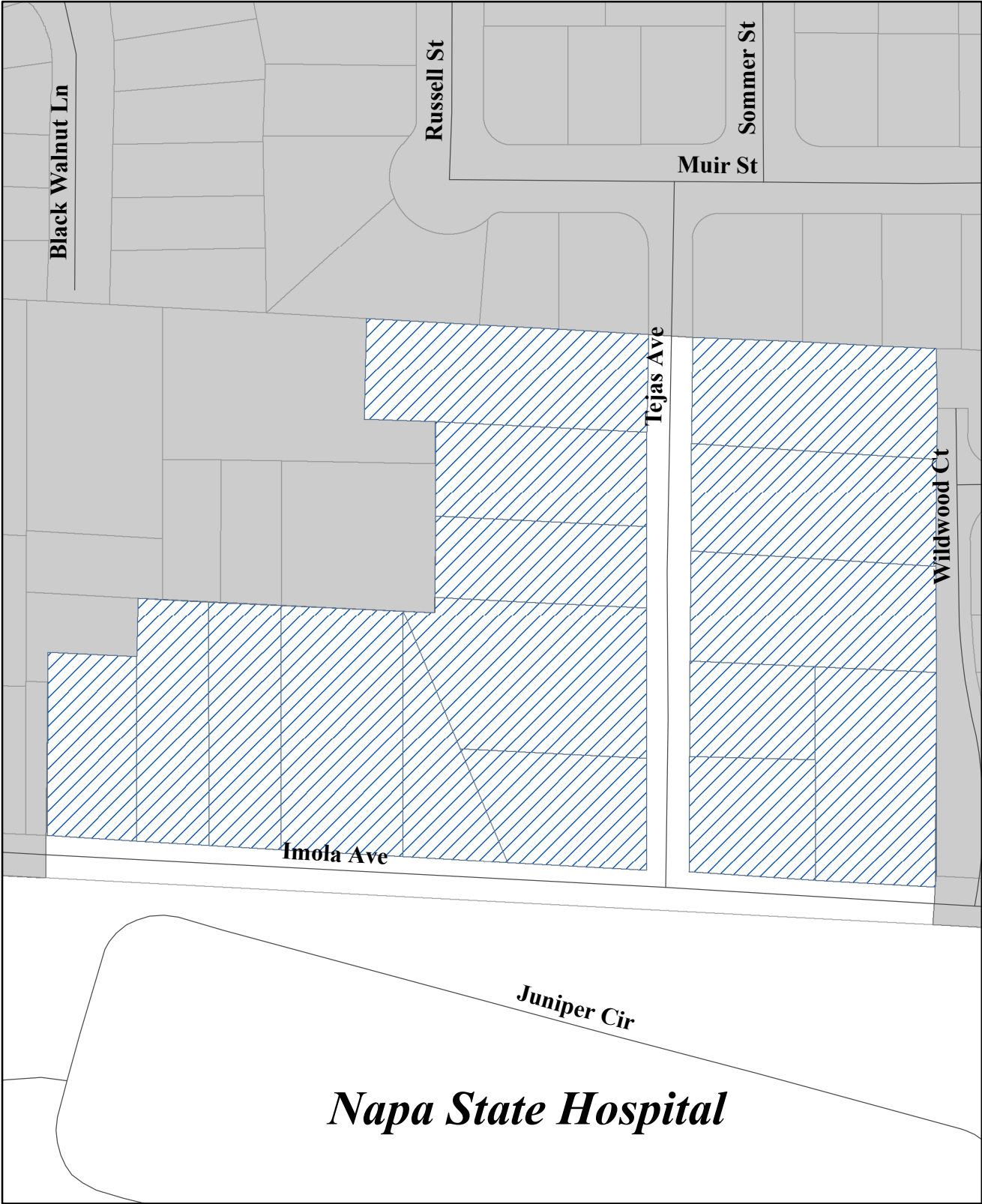







Legend

- | | |
|--|---|
|  City of Napa |  Prime Agricultural Land (CA Gov Code 56064) |
|  City SOI |  Measures J/P |
|  Potential Island | |

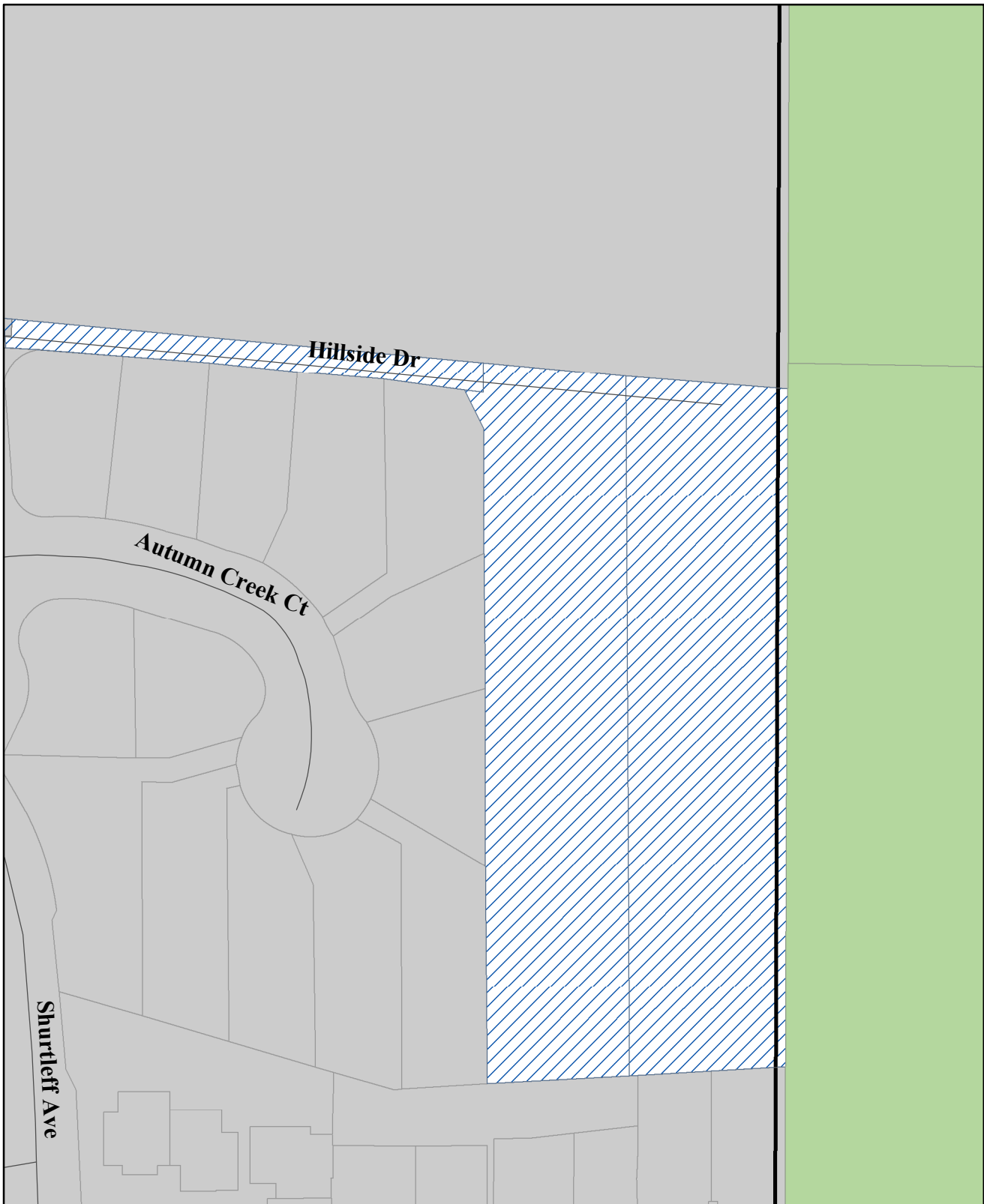
Attributes






Parcels: 4
Acres: 8.1
Surrounded: 76%
Population: 10



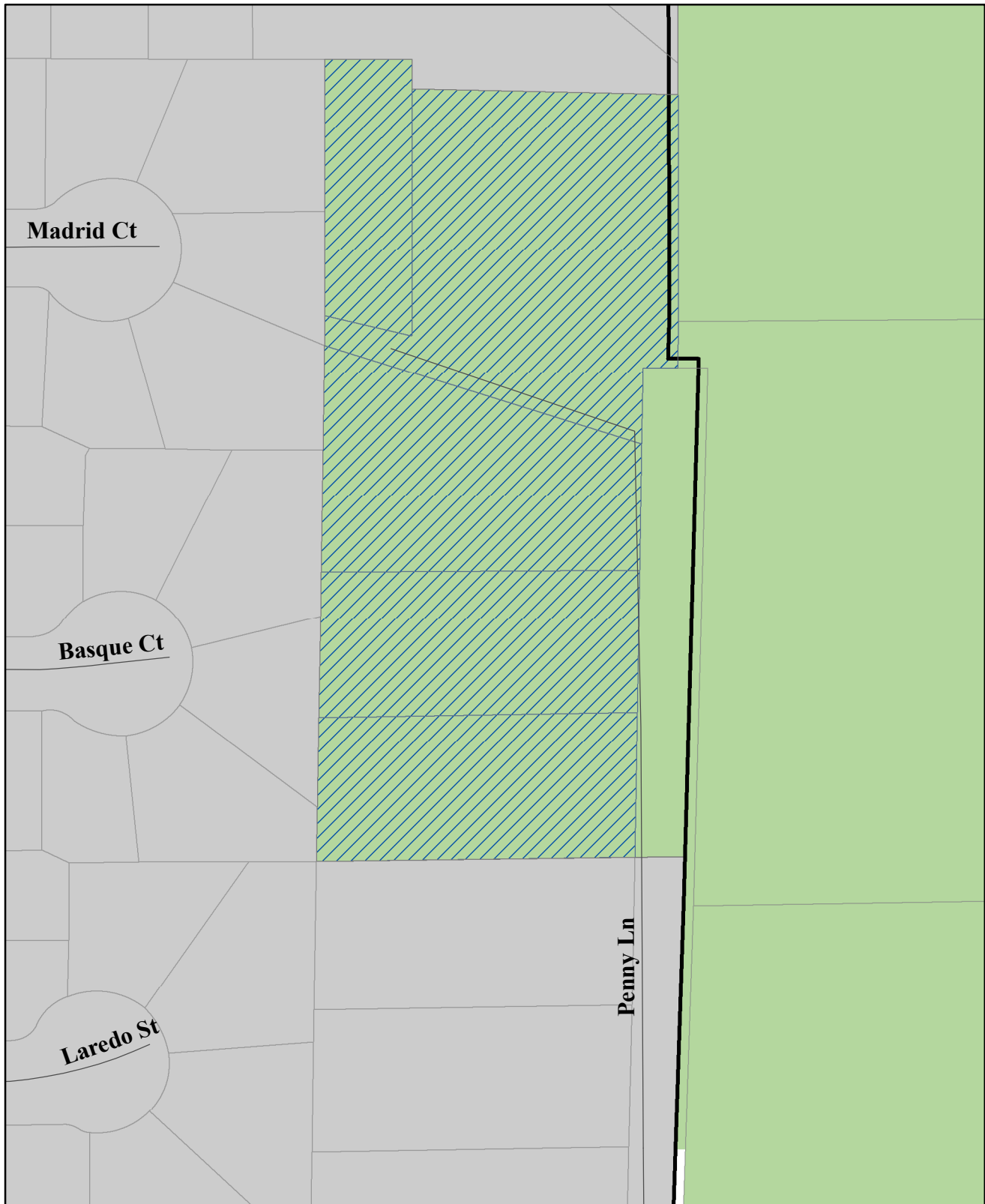
Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P






Attributes
Parcels: 16
Acres: 5.3
Surrounded: 71%
Population: 42



Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P






Attributes
Parcels: 3
Acres: 2.5
Surrounded: 70%
Population: 5



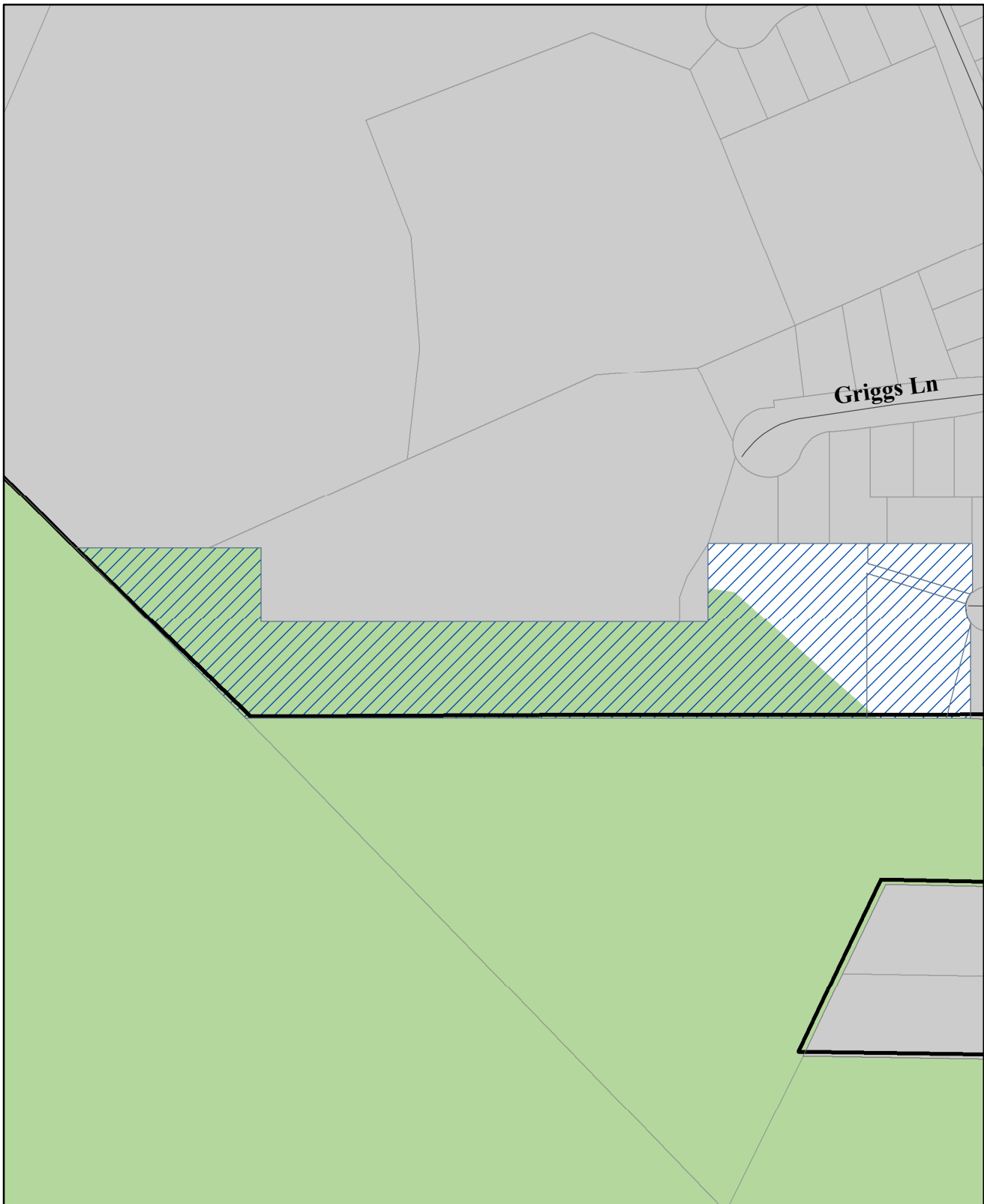
Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P






Attributes
Parcels: 5
Acres: 2.9
Surrounded: 66%
Population: 13



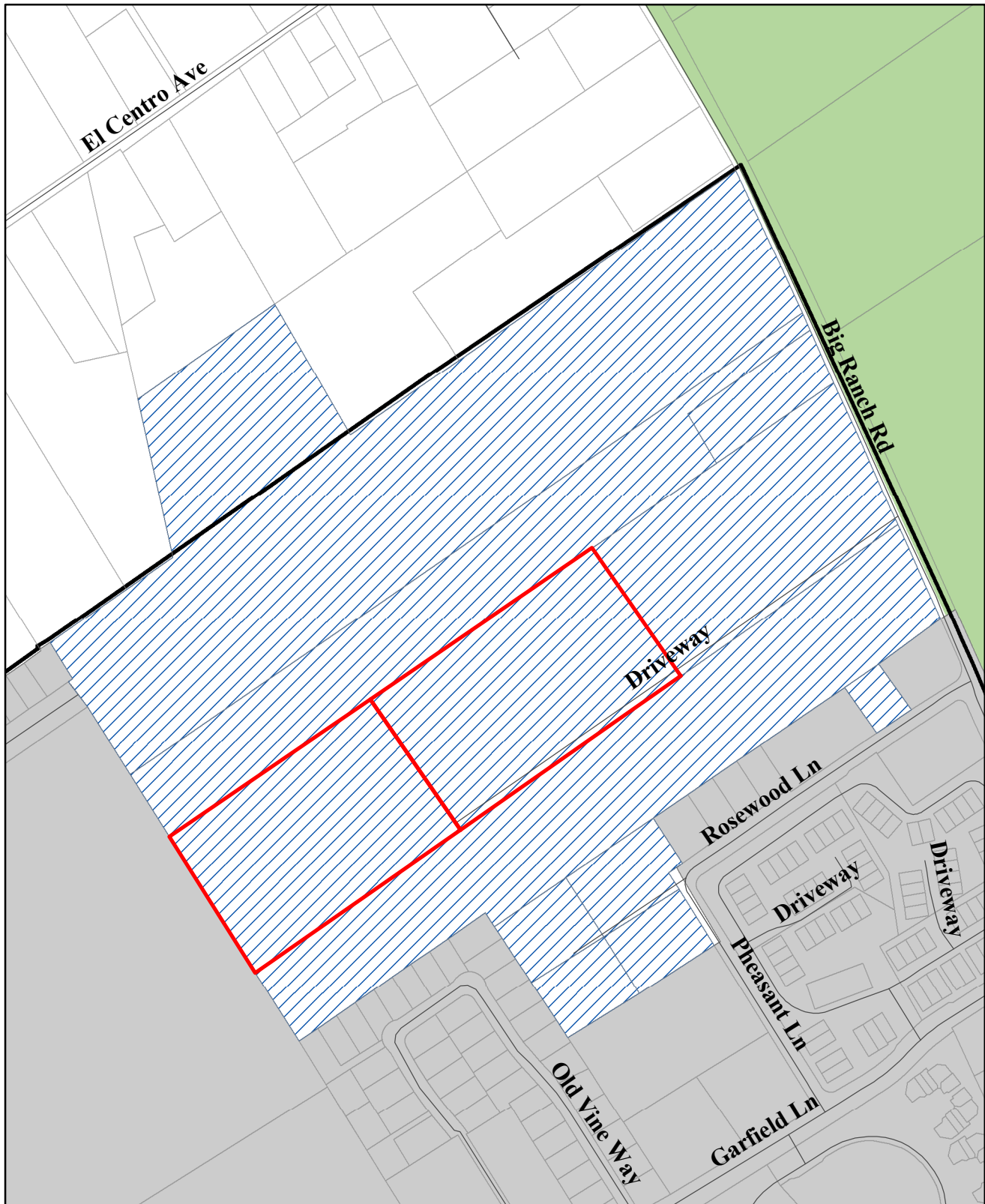
Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P

Attributes
Parcels: 23
Acres: 22.7
Surrounded: 59%
Population: 55








Legend	
	City of Napa
	Prime Agricultural Land (CA Gov Code 56064)
	City SOI
	Potential Island
	Measures J/P

Attributes
Parcels: 4
Acres: 6.0
Surrounded: 56%
Population: 8

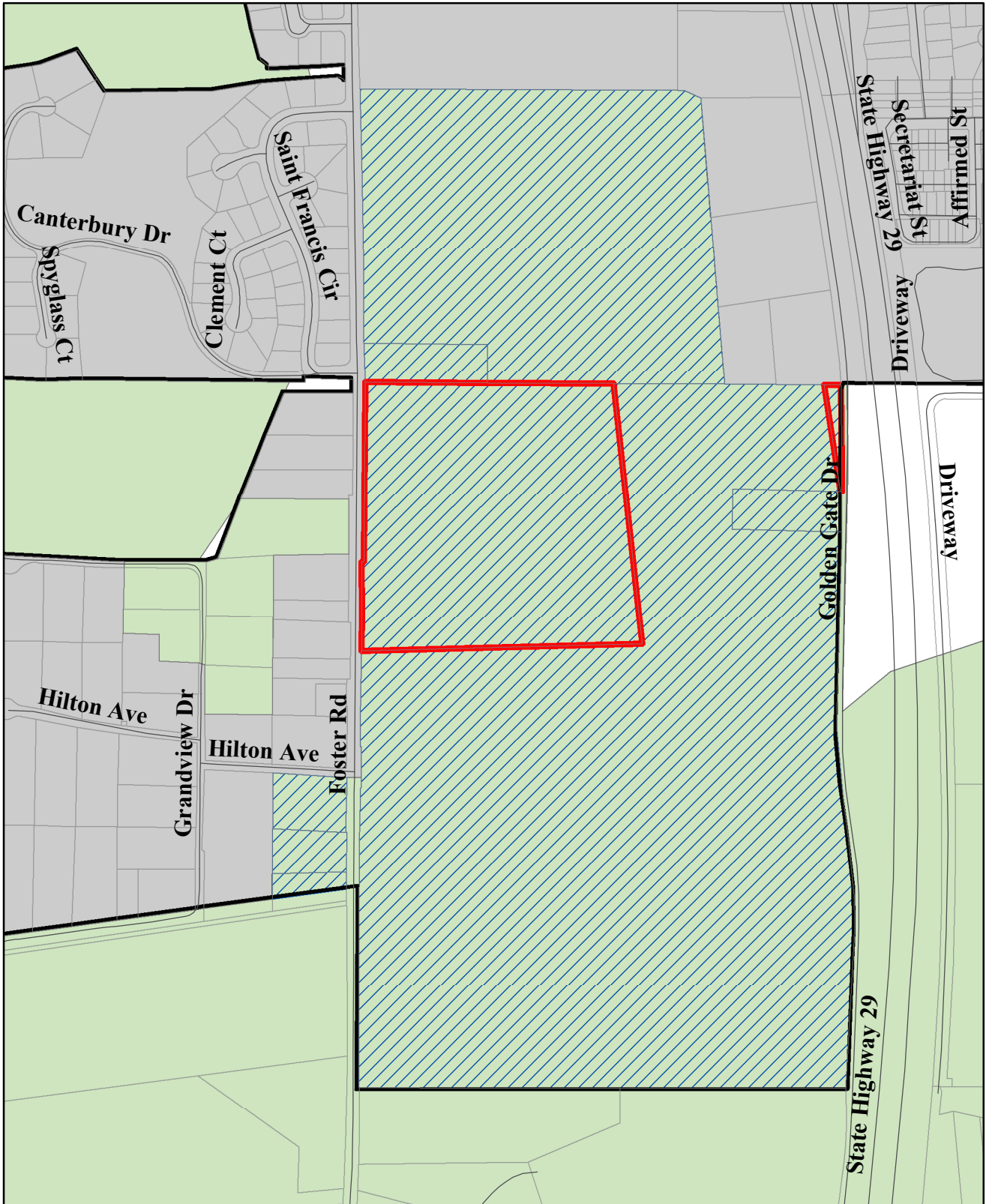







Legend

- | | |
|--|---|
|  City of Napa |  Prime Agricultural Land (CA Gov Code 56064) |
|  City SOI |  Measures J/P |
|  Potential Island | |

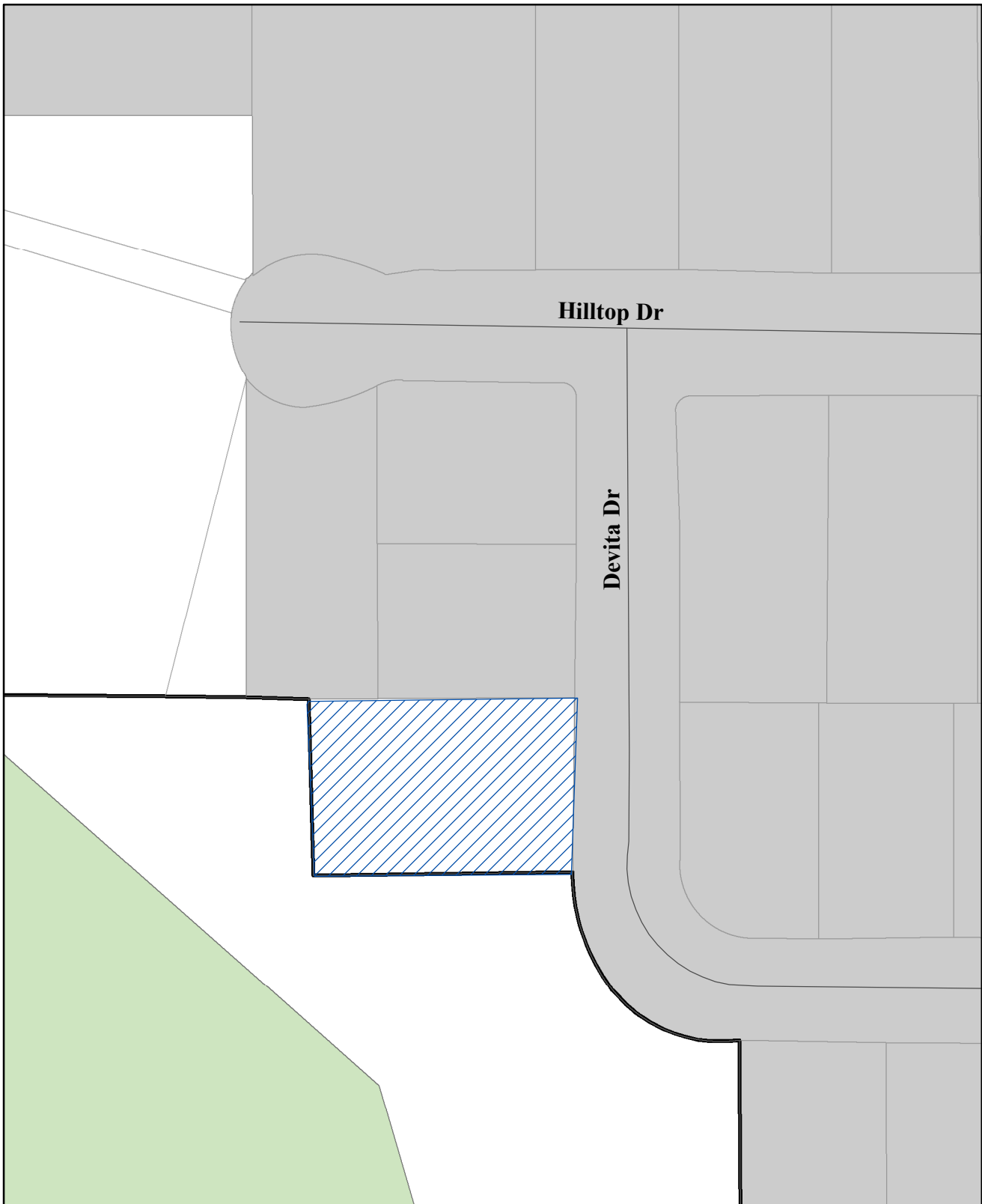
Attributes






Parcels: 12
Acres: 66.3
Surrounded: 55%
Population: 23



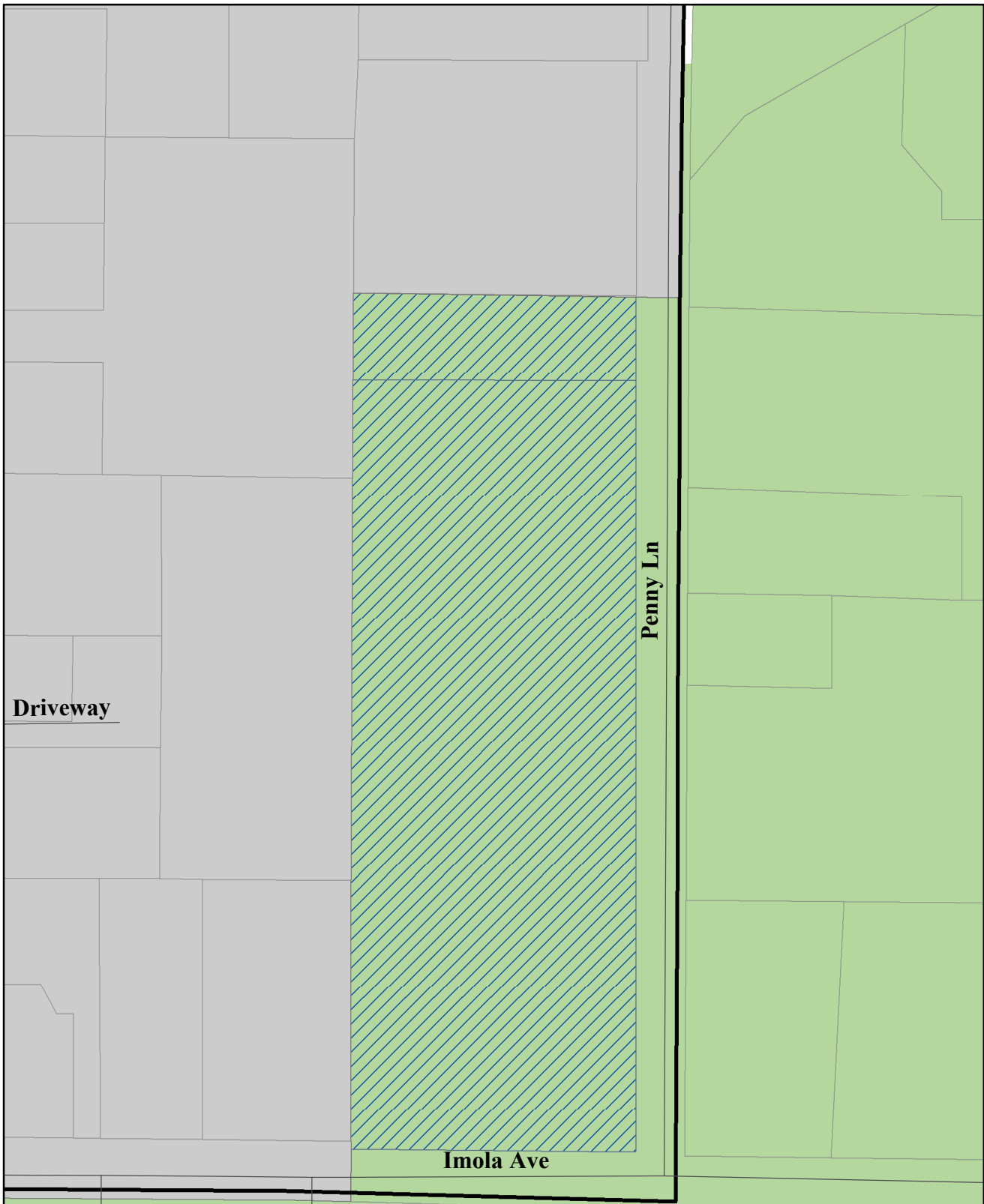
Legend	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P






Attributes
Parcels: 9
Acres: 146.8
Surrounded: 52%
Population: 16



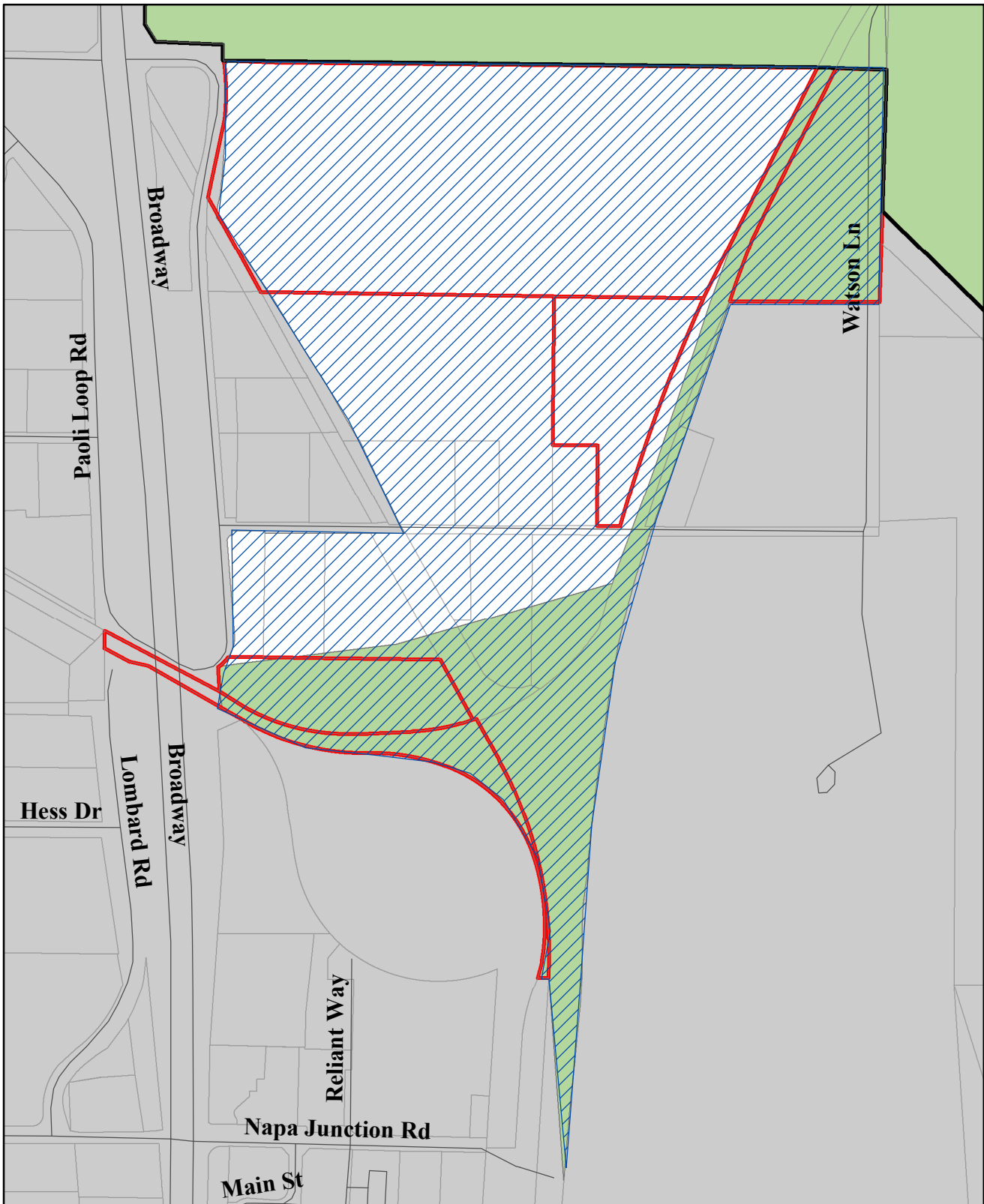
<u>Legend</u>	
	City of Napa
	Prime Agricultural Land (CA Gov Code 56064)
	City SOI
	Potential Island
	Measures J/P






<u>Attributes</u>
Parcels: 1
Acres: 0.2
Surrounded: 50%
Population: 3



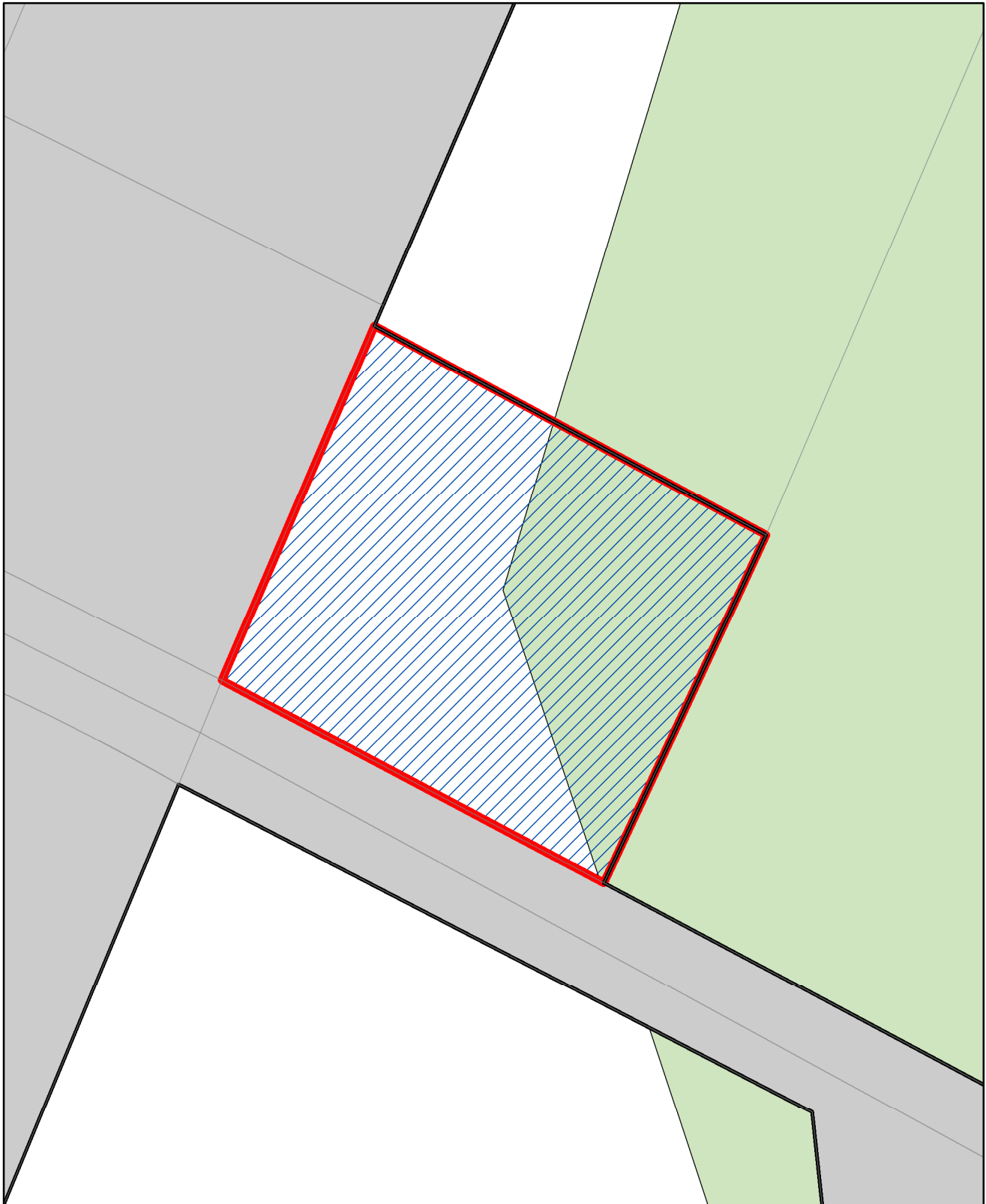
<u>Legend</u>	
	City of Napa
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P






<u>Attributes</u>
Parcels: 2
Acres: 3.3
Surrounded: 50%
Population: 5



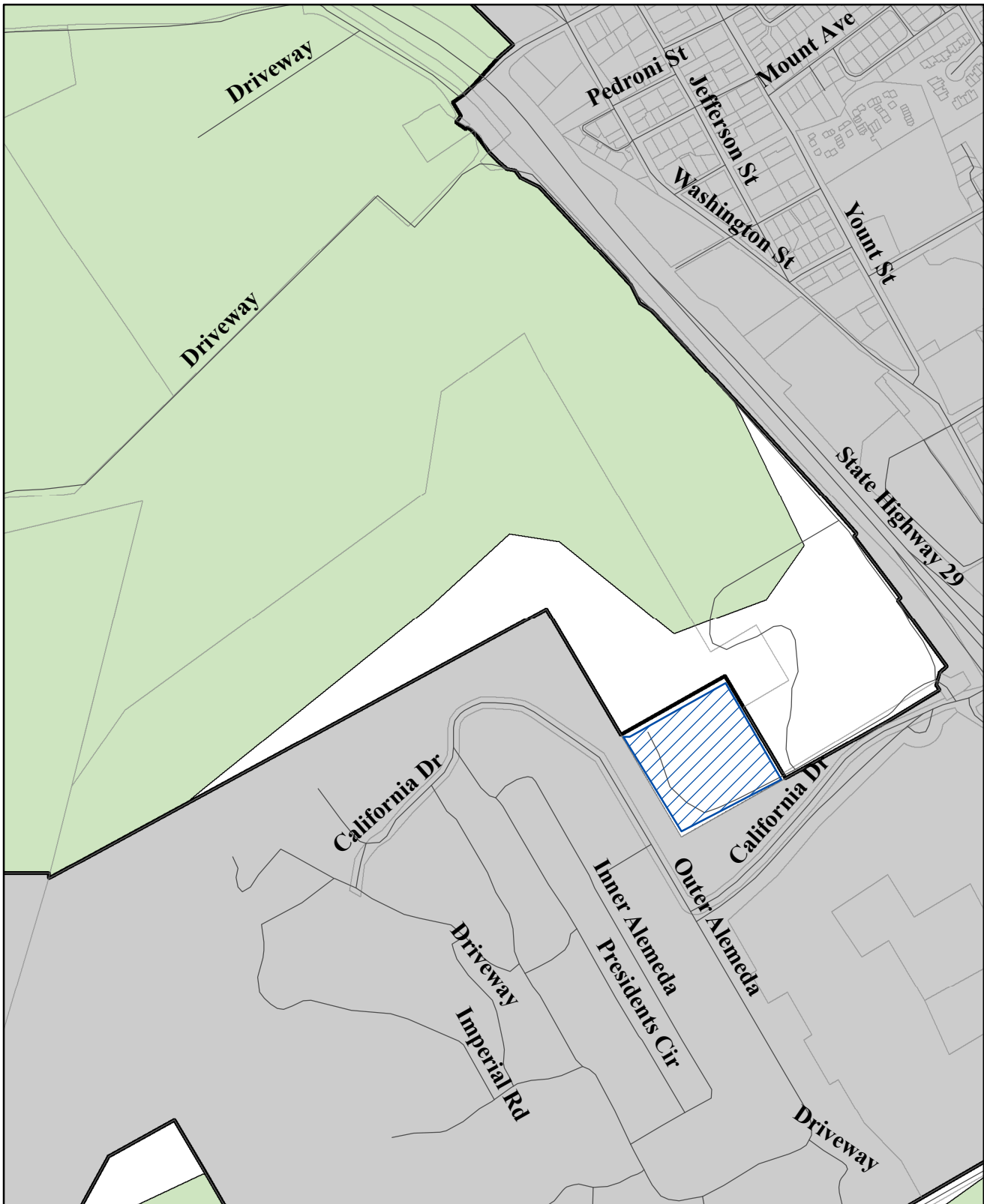
Legend	
	City of American Canyon
	City SOI
	Potential Island
	Prime Agricultural Land (CA Gov Code 56064)
	Measures J/P






Attributes
Parcels: 16
Acres: 77.7
Surrounded: 77%
Population: 29



Legend	
	City of Calistoga
	Prime Agricultural Land (CA Gov Code 56064)
	City SOI
	Potential Island
	Measures J/P

Attributes
Parcels: 1
Acres: 5.3
Surrounded: 50%
Population: 0



Legend	
	Town of Yountville
	Prime Agricultural Land (CA Gov Code 56064)
	Town SOI
	Measures J/P
	Potential Island

Attributes
Parcels: 1
Acres: 8.8
Surrounded: 50%
Population: 0



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 8, 2017

Ms. Nancy Weiss, Acting City Manager
 City of Napa
 955 School Street
 Napa, California 94559

SUBJECT: Request for Partnership to Initiate Island Annexations

Ms. Weiss:

The Local Agency Formation Commission (LAFCO) of Napa County recently held strategic planning workshops on March 6, 2017 and May 1, 2017 for purposes of identifying the Commission's goals and top priorities for the foreseeable future. The Commission considered approximately 25 potential activities related to improving local governance, agricultural preservation, financial considerations, and housing opportunities. Each Commissioner independently assigned an individual score for each potential activity. The activity that received the highest composite score was to pursue the proactive annexation of unincorporated islands. Toward this end, the Commission has begun work in developing an island annexation program to utilize the expedited proceedings provided under Government Code (G.C.) Section 56375.3. This statute allows cities to initiate the annexation of unincorporated islands under certain conditions while avoiding the costs and uncertainties associated with protest proceedings. The expedited proceedings also curtail LAFCOs' discretion by directing annexation approval if the island is less than 150 acres, does not comprise prime agricultural land, and is substantially developed or developing.

In step with the referenced statute, Napa LAFCO has focused the development of its island annexation program on eliminating the 18 existing islands lying within the City of Napa. In addition to the 18 existing islands, there are also seven potential new islands with an estimated resident population of 140 that could soon meet the Commission's adopted definition of "substantially surrounded" based on current policy-related activities. The Commission previously adopted formal municipal service review recommendations for the City to proactively annex the islands given that islands undermine the orderly development of the City while creating inefficiencies in the delivery of public services. Further, the continued existence of islands disenfranchises residents given they are substantively affected by City Council decisions while they are precluded from participating in City elections. In terms of specific benefits of annexation, residents within the islands would receive additional public services from the City and experience an average net reduction of approximately \$75 in composite annual service costs. Eliminating the islands is beneficial to the City, the County, and the residents themselves. However, the City has taken no formal actions to date with respect to proactively annexing the islands.

Juliana Inman, Commissioner
 Councilmember, City of Napa

Margie Mohler, Commissioner
 Councilmember, Town of Yountville

Kenneth Leary, Alternate Commissioner
 Councilmember, City of American Canyon

Brad Wagenknecht, 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

Brian J. Kelly, Vice Chair
 Representative of the General Public

Gregory Rodeno, Alternate Commissioner
 Representative of the General Public

Brendon Freeman
 Executive Officer

Request for Partnership to Initiate Island Annexations

August 8, 2017

Page 2 of 2

The Commission appreciates there are legitimate constraints discouraging the City in proposing annexations of entire islands. These constraints range from community opposition to the cost of improving deficit infrastructure. With this in mind, the Commission has expressed interest in partnering with the City in developing an island annexation program. This type of program would include a comprehensive educational program designed towards developing accurate service information, identifying benefits for citizens, and how land use provisions might change for island residents. The Commission would consider defraying some of the costs associated with evaluating service and infrastructure needs within the islands. Specifically, the Commission would finance a contract with a consultant for purposes of analyzing the extent of infrastructure work required within the islands.

I am attaching a map depicting the location of 18 islands that are either completely or substantially surrounded by the City. The map also depicts an additional seven unincorporated areas that would qualify as islands if the Commission reduces its adopted threshold in defining territory as substantially surrounded by a city from 66.6% to 50.1%. All 25 islands are less than 150 acres in size and with limited exceptions do not appear to include prime agriculture land. Additional analysis would be needed to determine whether any specific island includes land qualifying as prime agriculture under G.C. Section 56064.

At your earliest convenience, please advise whether the City is willing to partner with the Commission with respect to developing an island annexation program. If affirmative, please identify any issues you believe should be addressed in the scoping process to help ensure an effective program design and implementation.

Thank you for your consideration. I would be pleased to provide any additional information as requested and attend a City Council meeting on this topic. I am available by telephone at (707) 259-8645 or by e-mail at bfreeman@napa.lafco.ca.gov.

Sincerely,



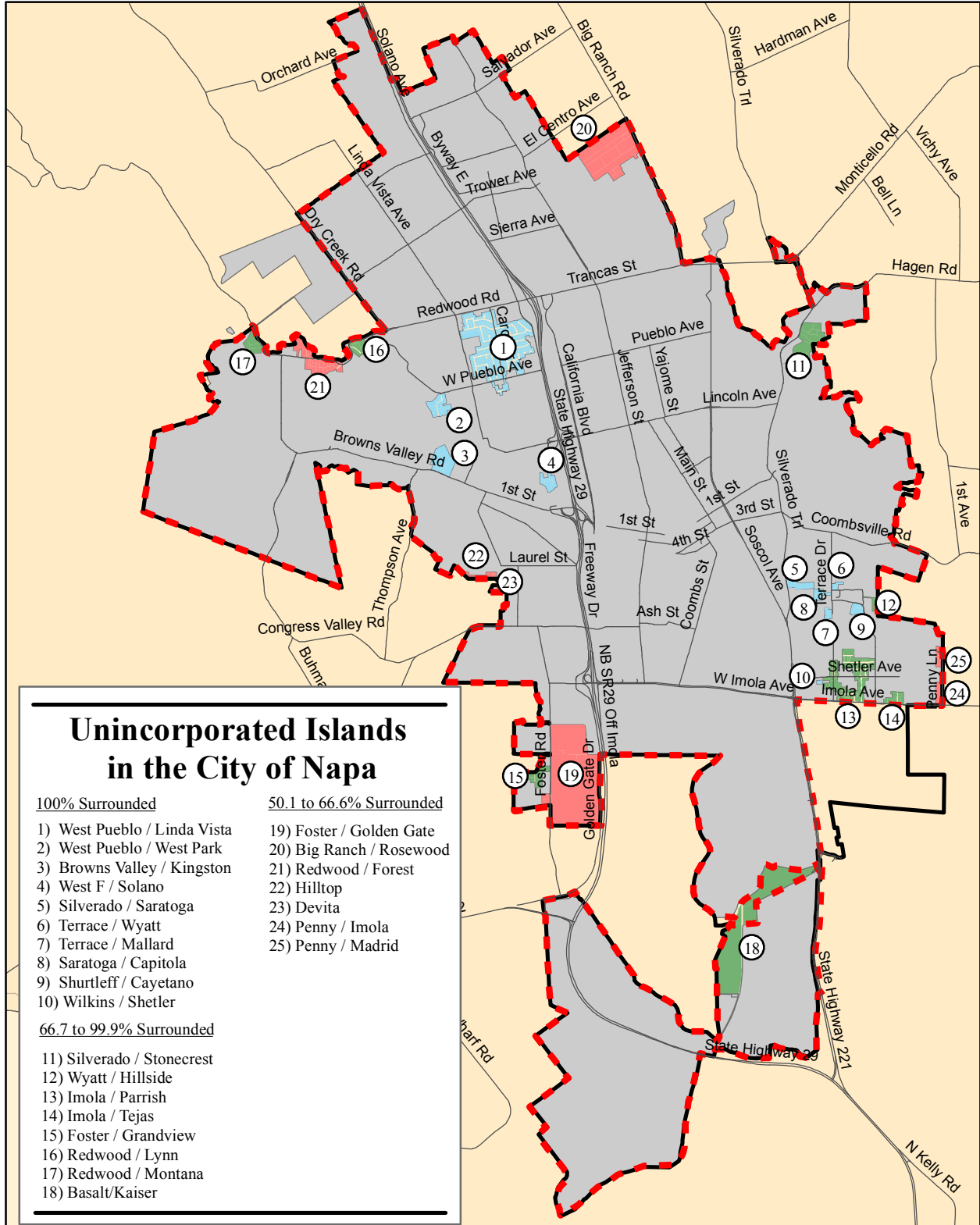
Brendon Freeman
Executive Officer

Attachments:

- 1) Map of All Islands Surrounded by the City of Napa
- 2) California Government Code Section 56375.3

cc: LAFCO Commissioners
Mr. Rick Tooker, City of Napa Community Development Director
Mr. Minh Tran, Interim County of Napa Executive Officer

City of Napa Unincorporated Islands



Unincorporated Islands in the City of Napa

<u>100% Surrounded</u>	<u>50.1 to 66.6% Surrounded</u>
1) West Pueblo / Linda Vista	19) Foster / Golden Gate
2) West Pueblo / West Park	20) Big Ranch / Rosewood
3) Browns Valley / Kingston	21) Redwood / Forest
4) West F / Solano	22) Hilltop
5) Silverado / Saratoga	23) Devita
6) Terrace / Wyatt	24) Penny / Imola
7) Terrace / Mallard	25) Penny / Madrid
8) Saratoga / Capitola	
9) Shurtleff / Cayetano	
10) Wilkins / Shetler	
<u>66.7 to 99.9% Surrounded</u>	
11) Silverado / Stonecrest	
12) Wyatt / Hillside	
13) Imola / Parrish	
14) Imola / Tejas	
15) Foster / Grandview	
16) Redwood / Lynn	
17) Redwood / Montana	
18) Basalt/Kaiser	

	City of Napa
	City of Napa SOI
	City of Napa RUL
	100% Surrounded
	66.7 to 99.9% Surrounded
	50.1 to 66.6% Surrounded



Not to Scale
July 13, 2017
Prepared by BF

LAFCO of Napa County
1030 Seminary Street, Suite B
Napa, California 94559
<http://www.napa.lafco.ca.gov>

California Government Code Section 56375.3

- (a) In addition to those powers enumerated in Section 56375, a commission shall approve, after notice and hearing, the change of organization or reorganization of a city, and waive protest proceedings pursuant to Part 4 (commencing with Section 57000) entirely, if all of the following are true:
- (1) The change of organization or reorganization is initiated on or after January 1, 2000.
 - (2) The change of organization or reorganization is proposed by resolution adopted by the affected city.
 - (3) The commission finds that the territory contained in the change of organization or reorganization proposal meets all of the requirements set forth in subdivision (b).
- (b) Subdivision (a) applies to territory that meets all of the following requirements:
- (1) It does not exceed 150 acres in area, and that area constitutes the entire island.
 - (2) The territory constitutes an entire unincorporated island located within the limits of a city, or constitutes a reorganization containing a number of individual unincorporated islands.
 - (3) It is surrounded in either of the following ways:
 - (A) Surrounded, or substantially surrounded, by the city to which annexation is proposed or by the city and a county boundary or the Pacific Ocean.
 - (B) Surrounded by the city to which annexation is proposed and adjacent cities.
 - (4) It is substantially developed or developing. The finding required by this paragraph shall be based upon one or more factors, including, but not limited to, any of the following factors:
 - (A) The availability of public utility services.
 - (B) The presence of public improvements.
 - (C) The presence of physical improvements upon the parcel or parcels within the area.
 - (5) It is not prime agricultural land, as defined by Section 56064.
 - (6) It will benefit from the change of organization or reorganization or is receiving benefits from the annexing city.
 - (7) This subdivision does not apply to any unincorporated island within a city that is a gated community where services are currently provided by a community services district.
 - (8) Notwithstanding any other law, at the option of either the city or the county, a separate property tax transfer agreement may be agreed to between a city and a county pursuant to Section 99 of the Revenue and Taxation Code regarding an annexation subject to this subdivision without affecting any existing master tax sharing agreement between the city and county.
- (c) Notwithstanding any other provision of this subdivision, this subdivision shall not apply to all or any part of that portion of the development project area referenced in subdivision (e) of Section 33492.41 of the Health and Safety Code that as of January 1, 2000, meets all of the following requirements:
- (1) Is unincorporated territory.
 - (2) Contains at least 100 acres.
 - (3) Is surrounded or substantially surrounded by incorporated territory.
 - (4) Contains at least 100 acres zoned for commercial or industrial uses or is designated on the applicable county general plan for commercial or industrial uses.
- (d) The Legislature finds and declares that the powers set forth in subdivision (a) for territory that meets all the specifications in subdivision (b) are consistent with the intent of promoting orderly growth and development pursuant to Section 56001 and facilitate the annexation of disadvantaged unincorporated communities, as defined in Section 56033.5.



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

August 10, 2017

Mr. Minh Tran, Interim County Executive Officer
 County of Napa
 1195 Third Street, Suite 310
 Napa, California 94559

SUBJECT: Request for Meeting to Discuss Island Annexations

Mr. Tran:

The Local Agency Formation Commission (LAFCO) of Napa County recently held strategic planning workshops on March 6, 2017 and May 1, 2017 for purposes of identifying the Commission's goals and top priorities for the foreseeable future. The Commission considered approximately 25 potential activities related to improving local governance, agricultural preservation, financial considerations, and housing opportunities. Each Commissioner independently assigned an individual score for each potential activity. The activity that received the highest composite score was to pursue the proactive annexation of unincorporated islands. Toward this end, the Commission has begun work in developing an island annexation program to utilize the expedited proceedings provided under Government Code (G.C.) Section 56375.3. This statute is included as Attachment Two.

In step with the referenced statute, Napa LAFCO has focused the development of its island annexation program on eliminating the 18 existing islands lying within the City of Napa ("City"). A map of the 18 islands is included as Attachment One. In terms of specific benefits of annexation, residents within the islands would receive additional public services from the City and experience an average net reduction of approximately \$75 in composite annual service costs. Eliminating the islands is beneficial to the City, the County, and the residents themselves. The Commission has expressed interest in developing a comprehensive educational program designed towards identifying accurate service information, benefits for local agencies and citizens, and how land use provisions might change for island residents. The Commission is particularly interested in acquiring more information about the extent of infrastructure improvements that would be needed to upgrade the islands to City standards along with associated costs.

With this in mind, the Commission would be grateful if County staff will meet with City and LAFCO staff in a roundtable format to assist in identifying needed information and potential challenges in terms of proactively annexing islands.

Juliana Inman, Commissioner
 Councilmember, City of Napa

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

Brian J. Kelly, Vice Chair
 Representative of the General Public

Margie Mohler, Commissioner
 Councilmember, Town of Yountville

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

Gregory Rodeno, Alternate Commissioner
 Representative of the General Public

Kenneth Leary, Alternate Commissioner
 Councilmember, City of American Canyon

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

Brendon Freeman
 Executive Officer

Request for Meeting to Discuss Island Annexations

August 10, 2017

Page 2 of 2

If you have any questions, please do not hesitate to contact me by telephone at (707) 259-8645 or by e-mail at bfreeman@napa.lafco.ca.gov.

Sincerely,



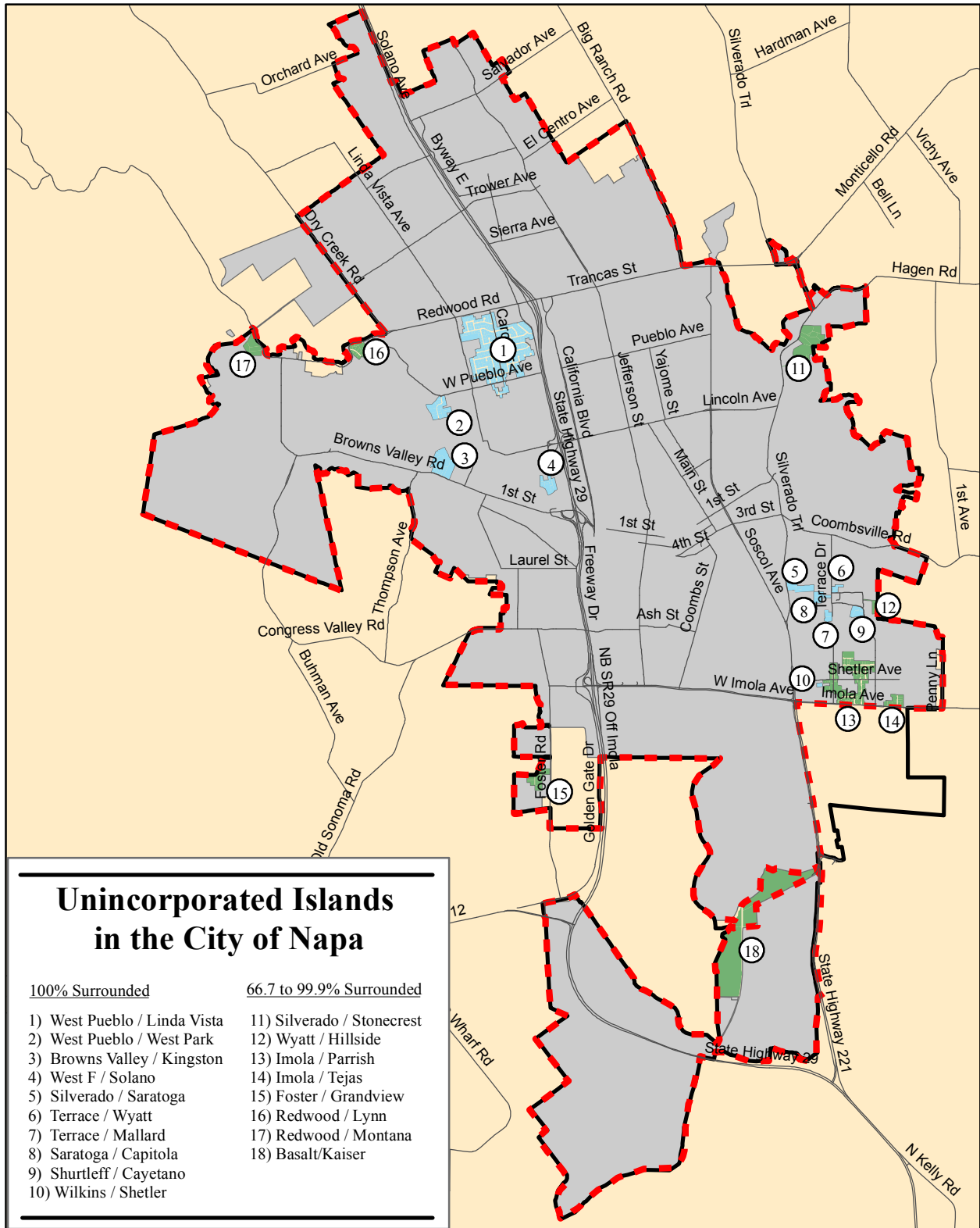
Brendon Freeman
Executive Officer

Attachments:

- 1) Map of All Islands Surrounded by the City of Napa
- 2) California Government Code Section 56375.3

cc: LAFCO Commissioners
Ms. Nancy Weiss, City of Napa Acting City Manager
Ms. Molly Rattigan, County of Napa Deputy Executive Officer
Ms. Helene Franchi, County of Napa Deputy Executive Officer
Mr. David Morrison, County of Napa Director of Planning, Building, and Environmental Services
Mr. Steven Lederer, County of Napa Director of Public Works

City of Napa Unincorporated Islands



Unincorporated Islands in the City of Napa

100% Surrounded	66.7 to 99.9% Surrounded
1) West Pueblo / Linda Vista	11) Silverado / Stonecrest
2) West Pueblo / West Park	12) Wyatt / Hillside
3) Browns Valley / Kingston	13) Imola / Parrish
4) West F / Solano	14) Imola / Tejas
5) Silverado / Saratoga	15) Foster / Grandview
6) Terrace / Wyatt	16) Redwood / Lynn
7) Terrace / Mallard	17) Redwood / Montana
8) Saratoga / Capitola	18) Basalt/Kaiser
9) Shurtleff / Cayetano	
10) Wilkins / Shetler	

	City of Napa
	City of Napa SOI
	City of Napa RUL
	100% Surrounded
	66.7 to 99.9% Surrounded



Not to Scale
June 28, 2017
Prepared by BF

LAFCO of Napa County
1030 Seminary Street, Suite B
Napa, California 94559
<http://www.napa.lafco.ca.gov>

California Government Code Section 56375.3

- (a) In addition to those powers enumerated in Section 56375, a commission shall approve, after notice and hearing, the change of organization or reorganization of a city, and waive protest proceedings pursuant to Part 4 (commencing with Section 57000) entirely, if all of the following are true:
- (1) The change of organization or reorganization is initiated on or after January 1, 2000.
 - (2) The change of organization or reorganization is proposed by resolution adopted by the affected city.
 - (3) The commission finds that the territory contained in the change of organization or reorganization proposal meets all of the requirements set forth in subdivision (b).
- (b) Subdivision (a) applies to territory that meets all of the following requirements:
- (1) It does not exceed 150 acres in area, and that area constitutes the entire island.
 - (2) The territory constitutes an entire unincorporated island located within the limits of a city, or constitutes a reorganization containing a number of individual unincorporated islands.
 - (3) It is surrounded in either of the following ways:
 - (A) Surrounded, or substantially surrounded, by the city to which annexation is proposed or by the city and a county boundary or the Pacific Ocean.
 - (B) Surrounded by the city to which annexation is proposed and adjacent cities.
 - (4) It is substantially developed or developing. The finding required by this paragraph shall be based upon one or more factors, including, but not limited to, any of the following factors:
 - (A) The availability of public utility services.
 - (B) The presence of public improvements.
 - (C) The presence of physical improvements upon the parcel or parcels within the area.
 - (5) It is not prime agricultural land, as defined by Section 56064.
 - (6) It will benefit from the change of organization or reorganization or is receiving benefits from the annexing city.
 - (7) This subdivision does not apply to any unincorporated island within a city that is a gated community where services are currently provided by a community services district.
 - (8) Notwithstanding any other law, at the option of either the city or the county, a separate property tax transfer agreement may be agreed to between a city and a county pursuant to Section 99 of the Revenue and Taxation Code regarding an annexation subject to this subdivision without affecting any existing master tax sharing agreement between the city and county.
- (c) Notwithstanding any other provision of this subdivision, this subdivision shall not apply to all or any part of that portion of the development project area referenced in subdivision (e) of Section 33492.41 of the Health and Safety Code that as of January 1, 2000, meets all of the following requirements:
- (1) Is unincorporated territory.
 - (2) Contains at least 100 acres.
 - (3) Is surrounded or substantially surrounded by incorporated territory.
 - (4) Contains at least 100 acres zoned for commercial or industrial uses or is designated on the applicable county general plan for commercial or industrial uses.
- (d) The Legislature finds and declares that the powers set forth in subdivision (a) for territory that meets all the specifications in subdivision (b) are consistent with the intent of promoting orderly growth and development pursuant to Section 56001 and facilitate the annexation of disadvantaged unincorporated communities, as defined in Section 56033.5.

From: [Weiss, Nancy](#)
To: [Freeman, Brendon](#)
Cc: [Tooker, Rick](#); [Tran, Minh](#)
Subject: RE: Island Annexations - Request for Partnership
Date: Wednesday, August 23, 2017 12:16:28 PM
Attachments: [image001.png](#)
[image002.png](#)

Brendon,

Thanks for your letter regarding LAFCO's interest in pursuing island annexation issues in the City of Napa. As discussed when we met several weeks ago, the City understands the rationale for dealing with islands and are happy to meet with you, the County and other players to discuss the process. However, the timing of pursuing this effort on a comprehensive basis is not ideal for the City given the transitional status of the City Manager until Mike Parness returns and other competing priorities for Community Development and Public Works staff time. I've talked with Minh Tran and he seems to be in agreement that it would be best to delay the discussion on how to best approach island annexations, once permanent managers are on board for the City and County, until tentatively Spring 2018.

Thanks for all of your efforts on this issue. Feel free to give me a call if you want to discuss further.

Nancy

Nancy Weiss

Acting City Manager

City Manager's Office, City of Napa
PO Box 660 / 955 School Street, Napa, CA 94559

Phone (707) 257-9501 EXT 7475

Email nweiss@cityofnapa.org

Website www.cityofnapa.org

Social www.facebook.com/CityOfNapa

From: Freeman, Brendon [mailto:bfreeman@napa.lafco.ca.gov]
Sent: Tuesday, August 08, 2017 3:52 PM
To: Weiss, Nancy <nweiss@cityofnapa.org>
Cc: Tooker, Rick <rtooker@cityofnapa.org>; Tran, Minh <Minh.Tran@countyofnapa.org>
Subject: Island Annexations - Request for Partnership

Good afternoon Nancy,

Please see the attached communication regarding LAFCO's interests in partnering with the City of Napa to proactively annex some or all of the unincorporated islands that are surrounded by the City. A copy of this letter is also being mailed to you.

LAFCO staff will be seeking a meeting with City and County staff in the near future to discuss - among other things - infrastructure needs, costs, and outreach strategies as they relate to annexation of islands.

If you have any questions or simply would like to discuss further, please do not hesitate to contact me at your convenience.

Thank you,

Brendon Freeman, Executive Officer
Local Agency Formation Commission of Napa County
1030 Seminary Street, Suite B
Napa, California 94559
(707) 259-8645
www.napa.lafco.ca.gov