

LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

SPHERE OF INFLUENCE REVIEW

June 2007

Prepared by:

LAFCO of Napa County

Committed to serving the citizens and government agencies of its jurisdiction by encouraging the preservation of agricultural lands and open-space and coordinating the efficient delivery of municipal services.

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INTRODUCTION

Established in 1963, Local Agency Formation Commissions (LAFCOs) are responsible for administering the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code Sections 56000 et. seq.). This legislation empowers LAFCOs with regulatory and planning responsibilities to encourage the orderly formation and development of local agencies in a manner that preserves agricultural and open-space lands and promotes the efficient extension of governmental services. Principal duties include regulating boundary changes through annexations or detachments, approving or disapproving city incorporations, and forming, consolidating, or dissolving special districts. LAFCOs are also responsible for conducting studies that address a range of service and governance issues to inform and direct regional planning goals and objectives. LAFCOs are located in all 58 counties in California.

Among LAFCO's primary planning responsibilities is the designation of a sphere of influence for each city and special district under its jurisdiction.¹ California Government Code §56076 defines a sphere as "a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission." LAFCO establishes, amends, and updates spheres to indicate to local agencies and property owners that, at some future date, a particular area will likely require the services provided by the subject agency. The sphere designation also indicates the agency LAFCO believes to be best situated to serve the subject area. LAFCO is required to review each agency's sphere every five years.

California Government Code §56425(e) directs LAFCO to consider and prepare written statements that address four planning factors when establishing, amending, or updating an agency's sphere. These planning factors are:

- The present and planned land uses in the area, including agricultural and open-space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

In addition, when reviewing a sphere for an existing special district, LAFCO must also do the following:

- Require the existing special district to file a written statement with the Commission specifying the functions or classes of services it provides.
- Establish the nature, location, and extent of any functions or classes of services provided by the existing special district.

¹ LAFCOs have been required to determine spheres for cities and special districts since 1972.

Beginning in 2001, to help inform the sphere review process, LAFCO is responsible for preparing a service review. A service review can take on many different forms, including a review of a single agency, or a review of several agencies that provide a similar municipal service. The service review culminates in the preparation of written determinations that address nine specific service factors enumerated under California Government Code §56430. These determinations, which address factors ranging from infrastructure needs or deficiencies to government structure options, must be approved by the Commission in order to prepare an update to an agency's sphere.

Napa County Flood Control and Water Conservation District

In May 2006, LAFCO of Napa County initiated a study on the Napa County Flood Control and Water Conservation District. The study comprises two distinct phases. The first phase represented the service review portion of the study and included a description and evaluation of the services provided by the District along with the development of written determinations addressing the nine service factors enumerated under California Government Code §56430. This report represents the sphere review and is the second and final phase of the study

OVERVIEW

The Napa County Flood Control and Water Conservation District (NCFCWCD) was established in 1951 by a special act of the California Legislature. Since its formation, NCFCWCD has developed two principal and distinct service activities with respect to water conservation and flood control. The District’s water conservation services primarily involve administering contracts with the State of California and the United States Bureau of Reclamation for annual water supply entitlements from the State Water Project and the Solano Project, respectively. The District’s flood control services focus on managing and coordinating projects intended to protect local communities from inundation by maintaining and clearing tributary channels and sponsoring capital improvements. Notably, with respect to the latter, the District is presently sponsoring the “Napa River/Napa Creek Flood Protection Project,” which is designed to protect the City of Napa from a 100-year flood.

NCFCWCD is governed by an eleven member board of directors consisting of all five County Supervisors, the mayors of the five incorporated cities, and a council member from the City of Napa. NCFCWCD staff includes technical specialists with expertise in a variety of areas, including water resources, public finance, and flood control. NCFCWCD’s adopted budget over the past five fiscal years ranged from \$7.5 to \$50 million, with the majority of its revenues drawn from intergovernmental grants and contracts.

Napa County Flood Control and Water Conservation District

Date Formed	1951
District Type:	Dependent
Enabling Legislation	Napa County Flood Control and Water Conservation District Act
Services Provided	Flood Control and Water Conservation

Adoption of Sphere of Influence

NCFCWCD’s sphere was established by LAFCO in 1984. The sphere was designated to include all incorporated and unincorporated lands in Napa County. There have been no changes to the sphere since its adoption.

Land Use Factors

NCFCWCD operates under the land use authority of six agencies including the County of Napa, the Cities of American Canyon, Calistoga, Napa, St. Helena, and the Town of Yountville. Land use policies for each agency are codified with their respective general plans and zoning ordinances.

DISCUSSION

The objective of this report is to identify and evaluate areas that warrant consideration for inclusion or removal from NCFCWCD’s sphere as part of a comprehensive update. Underlying this effort is to designate the sphere in a manner that promotes the effective and efficient provision of flood control and water conservation services in and around Napa County.

ANALYSIS

The analysis conducted as part of the service review portion of this study identifies that NCFCWCD has been successful in achieving its original service objective to enhance local water supplies and to provide an elevated level of flood control in Napa County. These services include facilitating the delivery of needed imported water supplies to local agencies throughout Napa County as well as serving as the local sponsor of the voter-approved “Napa River/Napa Creek Flood Protection Project,” which is designed to protect the City of Napa from a 100-year flood. An important challenge for NCFCWCD will be transitioning and expanding its service and funding capacities to operate and maintain infrastructure and facilities constructed as part of this project so that it may continue to provide an effective level of service within its existing sphere.

Based on these factors, as well as the legislative intent that the NCFCWCD serve the people of Napa County, staff believes that the current sphere designates an appropriate service area for the District and no changes are warranted.

RECOMMENDATION

It is recommended that the Commission affirm with no change NCFCWCD’s existing sphere, which includes all incorporated and unincorporated lands in Napa County.

Statement of Determinations

Pursuant to California Government Code §56425(d), the following statements have been prepared in support of the recommendation to affirm with no change NCFWCWCD's existing sphere:

1. The present and planned land uses in the area, including agricultural and open-space lands.

The present and future land uses in the area are planned for in the general plans prepared by the six land use authorities whose jurisdictions overlap the jurisdictional boundary of the Napa County Flood Control and Water Conservation District. The exercise of the District's services, which benefit both urban and non-urban areas, will not affect the level or type of development identified in the general plans of the land use authorities.

2. The present and probable need for public facilities and services in the area.

The provision of flood control and water conservation services helps to ensure adequate water supply and the protection from inundation of flood waters which are essential to the social, fiscal, and economical well-being of the area.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The Napa County Flood Control and Water Conservation District has developed policies, service plans, and revenue streams to provide adequate and effective flood control and water conservation services for the area.

4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The social and economic well-being of the area is measurably enhanced by the services provided by the Napa County Flood Control and Water Conservation District.