



## Local Agency Formation Commission of Napa County

Subdivision of the State of California

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

■ Anne Cottrell, Chair ■ Kenneth Leary, Vice Chair ■ Margie Mohler ■ Beth Painter ■ Belia Ramos  
■ Mariam Aboudamous, Alternate ■ Joelle Gallagher, Alternate ■ Eve Kahn, Alternate

Administrative Office  
1754 Second Street, Suite C  
Napa, California 94559  
Telephone: 707-259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

### REGULAR MEETING AGENDA

Monday, October 7, 2024, 2:00 PM

County of Napa Administration Building

1195 Third Street, Board Chambers, 3<sup>rd</sup> Floor

Napa, California 94559

1. **CALL TO ORDER BY CHAIR; ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA**

The Chair will consider approving the Agenda as prepared by the Executive Officer with any requests to remove or rearrange items by members of the Commission or staff.

4. **PUBLIC COMMENTS**

The public may address the Commission concerning any matter not on the Agenda. The Commission is prohibited from discussing or taking action on any item not appearing on the posted Agenda.

5. **CONSENT ITEMS**

**Action Items:**

a) **Approval of Meeting Minutes:** August 5, 2024 Regular Meeting

b) **Approval of Resolution Amending Conflict of Interest Code**

**Receive Report for Information Only:**

c) **Current and Future Proposals**

d) **Legislative Report**

e) **Update on Countywide Fire and Emergency Medical Services Municipal Service Review**

6. **ACTION ITEMS**

Items calendared for action do not require a public hearing before consideration by the Commission. Applicants may address the Commission. Any member of the public may provide comments on an item.

a) **Proposed Lynn Drive Annexation to the Napa Sanitation District and Associated CEQA Findings**

The Commission will consider a proposal for the annexation of one parcel totaling 1.67 acres in size to the Napa Sanitation District. The affected territory is located at 25 Lynn Drive in the City of Napa and identified as Assessor Parcel Number 041-560-001. The annexation is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines 14 CCR § 15061(b)(3) (common sense exemption); 14 CCR § 15301 (minor alteration to existing facilities); 14 CCR § 15303 (new construction or conversion of small structures); 14 CCR § 15319(b) (annexations of lots for exempt facilities), and 14 CCR § 15282(k) (installation of pipeline not exceeding one mile).

b) **Consider Establishment of an Ad Hoc Policy Subcommittee**

The Commission will consider establishing an ad hoc subcommittee with two appointed members to advise staff in completing a review and update of adopted local policies. The ad hoc subcommittee would disband upon completion of the policy review and update.

**7. EXECUTIVE OFFICER REPORT**

**8. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS**

**9. ADJOURNMENT TO NEXT SCHEDULED MEETING**

Monday, December 2, 2024, at 2:00 P.M. at the Town of Yountville Council Chambers, located at 6550 Yount Street, Yountville, CA 94599.

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**MEETING INFORMATION**

AGENDA ITEMS: The Commission may reschedule items on the Agenda. The Commission will generally hear uncontested matters first, followed by discussions of contested matters, and staff announcements in that order.

CONDUCT OF HEARINGS: A contested matter is usually heard as follows: (1) discussion of the staff report and any related environmental document(s); (2) testimony of proponent; (3) public testimony; (4) rebuttal by proponent; (5) provision of additional clarification by staff as required; (6) close of the public hearing; (7) Commission discussion and Commission vote.

ADDRESSING THE COMMISSION: The Local Agency Formation Commission (LAFCO) of Napa County welcomes and encourages participation in its meetings. Any person who wishes to address the Commission should move to the front of the chambers when an item is called and, when recognized by the Chair, state their name, address, and affiliation. Please attempt to make your statements concise and to the point. It is most helpful if you can cite facts to support your contentions. Groups of people with similar viewpoints should appoint a spokesperson to represent their views to the Commission. The Commission appreciates your cooperation in this matter.

PUBLIC COMMENT TIME LIMITS: The Commission will hear public comment prior to the consideration of any item. (1) A principal proponent will be allowed up to a 5-minute statement; (2) other proponents will be allowed up to a 3-minute statement; (3) opponents are allowed up to a 3-minute statement with the exception of spokespersons for any group who shall be permitted up to 5-minutes; (4) the principal proponent shall have up to a 3-minute rebuttal; (5) staff will provide clarification, as required.

SUBMITTING WRITTEN COMMENTS TO BE READ AT THE MEETING: Any member of the public may submit a written comment to the Commission before the meeting by email to [info@napa.lafco.ca.gov](mailto:info@napa.lafco.ca.gov) or by mail to Napa LAFCO at 1754 Second Street, Suite C, Napa, CA 94559-2450. If you are commenting on a particular item on the Agenda, please identify the Agenda item number and letter. Any comments of 500 words or less (per person, per item) will be read into the record if: (1) the subject line includes "COMMENT TO COMMISSION – PLEASE READ"; and (2) it is received by the Commission prior to the deadline of **October 7, 2024, at 10:00 A.M.**

SUBMITTING SUPPLEMENTAL WRITTEN COMMENTS: Any member of the public may submit supplemental written comments to the Commission, beyond the 500-word limit for comments read into the record, and those supplemental written comments will be made a part of the written record.

VOTING: A quorum consists of three members of the Commission. No action or recommendation of the Commission is valid unless a majority of the quorum of the Commission concurs therein.

OFF AGENDA ITEMS: Matters under the jurisdiction of the Commission and not on the posted Agenda may be addressed by the public under “Public Comments” on the Agenda. The Commission limits testimony on matters not on the Agenda to 500-words or less for a particular subject. The Commission cannot take action on any unscheduled items.

SPECIAL NEEDS: Meetings are accessible to persons with disabilities. Requests for assistive listening devices or other considerations should be made 72 hours in advance through LAFCO staff at (707) 259-8645 or [info@napa.lafco.ca.gov](mailto:info@napa.lafco.ca.gov).

POLITICAL REFORM ACT: Pursuant to Government Code Sections 56700.1 and 81000 et seq., any person or combination of persons who directly or indirectly contributes \$1,000 or more or expends \$1,000 or more in support of or in opposition to a change of organization or reorganization that will be, or has been, submitted to LAFCO must comply, to the same extent as provided for local initiative measures, with reporting and disclosure requirements of the California Political Reform Act of 1974. Additional information can be obtained by contacting the Fair Political Practices Commission. Pursuant to Government Code Section 84308, if you wish to participate in the proceedings indicated on this Agenda, you or your agent is prohibited from making a campaign contribution of \$250 or more to any Commissioner or Alternate Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until 12 months after a final decision is rendered by LAFCO. If you or your agent has made a contribution of \$250 or more to any Commissioner or Alternate Commissioner during the 12 months preceding the decision, that Commissioner or Alternate Commissioner must disqualify themselves from the decision in the proceeding. However, disqualification is not required if the Commissioner or Alternate Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings.

MEETING MATERIALS: Any writings or documents provided to a majority of the members of the Commission regarding any item on this Agenda after the posting of the Agenda and not otherwise exempt from disclosure will be made available for public review at [www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov) or by contacting LAFCO staff at [info@napa.lafco.ca.gov](mailto:info@napa.lafco.ca.gov) or call the LAFCO office at (707) 259-8645. If supplemental materials are made available to the members of the Commission at the meeting, a copy will be available for public review at [www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov). Staff reports are available online at [www.napa.lafco.ca.gov/staff-reports-2023](http://www.napa.lafco.ca.gov/staff-reports-2023) or upon request to LAFCO staff at [info@napa.lafco.ca.gov](mailto:info@napa.lafco.ca.gov) or call the LAFCO office at (707) 259-8645.

VIEWING RECORDING OF MEETING: The Commission’s meeting will be recorded. Members of the public may access the meeting and other archived Commission meetings by going to <https://napa.lafco.ca.gov/2023-agendas-and-minutes>. Please allow up to one week for production time. Meetings are also broadcast on Napa TV on the second and fourth Tuesdays of each month at 8pm and second and fourth Wednesdays at 1pm (<http://napavalleytv.org/channel-28>).

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**Agenda Item 5a (Consent/Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Stephanie Pratt, Clerk/Jr. Analyst *SP*

**MEETING DATE:** October 7, 2024

**SUBJECT:** Approval of Meeting Minutes: August 5, 2024 Regular Meeting

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**SUMMARY AND RECOMMENDATION**

This is a consent item for formal action. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair.

The Commission will consider approving the draft meeting minutes prepared by staff for the August 5, 2024 regular meeting, included as Attachment 1.

Staff recommends approval of draft meeting minutes.

**ATTACHMENT**

- 1) Draft Minutes for August 5, 2024 Regular Meeting

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Mariam Aboudamous, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY REGULAR MEETING MINUTES OF MONDAY, AUGUST 5, 2024

### 1. WELCOME AND CALL TO ORDER; ROLL CALL

Chair Cottrell called a special meeting of August 5, 2024, to order at 2:03 P.M.

At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Anne Cottrell, Chair	Joelle Gallagher	Brendon Freeman, Executive Officer
Kenneth Leary, Vice Chair	Eve Kahn	Dawn Mittleman Longoria, Assistant Executive Officer
Margie Mohler	Mariam Aboudamous ( <i>Absent</i> )	( <i>Absent</i> )
Beth Painter		Gary Bell, Commission Counsel
Belia Ramos		Stephanie Pratt, Clerk/Jr. Analyst

### 2. PLEDGE OF ALLEGIANCE

Chair Cottrell led the Pledge of Allegiance.

### 3. APPROVAL OF AGENDA

Chair Cottrell asked if there were any requests to remove or rearrange the agenda. Executive Officer Freeman stated that a correction to item 5b was needed on Attachment 1 and copies of the corrected report could be found with all Commissioners in their supplemental folder.

Upon motion by Commissioner Painter and second by Commissioner Mohler, the Commission unanimously adopted the agenda as submitted by the following vote:

#### VOTE:

**AYES:** COTTRELL, LEARY, MOHLER, PAINTER, RAMOS

**NOES:** NONE

**ABSENT:** NONE

**ABSTAIN:** NONE

### 4. PUBLIC COMMENTS

Chair Cottrell invited members of the audience to provide public comment. No public comments were received.

### 5. CONSENT ITEMS

#### Action Items:

a) **Approval of Meeting Minutes: June 3, 2024, Special Meeting**

#### Receive Report for Information Only:

b) **Draft Year-End Budget Report for Fiscal Year 2023-24**

c) **Current and Future Proposals**

d) **Legislative Report**

e) **Update on Countywide Fire and Emergency Medical Services Municipal Service Review**

Upon motion by Commissioner Mohler and second by Commissioner Leary, all consent items were approved by the following vote:

**VOTE:**

**AYES:** **COTTRELL, LEARY, MOHLER, PAINTER, RAMOS**  
**NOES:** **NONE**  
**ABSENT:** **NONE**  
**ABSTAIN:** **NONE**

**6. ACTION ITEMS**

**a) Proposed Devlin Road No. 6 Annexation to the Napa Sanitation District and Associated CEQA Findings**

The Commission considered a proposal for the annexation of one parcel totaling 27.55 acres in size to the Napa Sanitation District. The affected territory is identified as Assessor Parcel Number 057-170-024. The Commission also considered whether the initial study and adopted a mitigated negative declaration certified by the County of Napa, as lead agency, is adequate for the Commission's use and for purposes of the California Environmental Quality Act. Staff recommended approval of the Draft Resolution.

Prior to the vote, Commissioner Ramos referred to disclosures required by the Levine Act for all applications, as it relates to political donations to Commissioners in amounts over \$250. Commissioner Painter reported that she had received a campaign contribution from the applicant in April of 2024 and would recuse herself from the vote.

Chair Cottrell invited members of the audience to provide public comment. No comments were received.

Upon motion by Commissioner Mohler and second by Commissioner Ramos the Commission unanimously approved the proposed Devlin Road No. 6 Annexation to the Napa Sanitation District and associated CEQA findings by the following vote:

**VOTE:**

**AYES:** **COTTRELL, LEARY, MOHLER, RAMOS**  
**NOES:** **NONE**  
**ABSENT:** **NONE**  
**ABSTAIN:** **NONE**  
**RECUSAL:** **PAINTER (CALIFORNIA LEVINE ACT - California SB1439 prohibits County "officers" from participating in any action related to a contract if such member receives political contributions totaling more than \$250 within the previous twelve months, and for three months following the date a final decision concerning the contract has been made, from the person or company awarded the contract. The Levine Act also requires disclosure of such contribution by a party to be awarded a specific contract.)**

**b) Proposed Budget Adjustments for Fiscal Year 2023-24 and Fiscal Year 2024-25**

The Commission considered approving budget adjustments for fiscal year 2023-24 and fiscal year 2024-25.

Upon motion by Commissioner Mohler and second by Commissioner Painter, the Commission unanimously approved the budget adjustments by the following vote:

**VOTE:**

**AYES:** **COTTRELL, LEARY, MOHLER, PAINTER, RAMOS**  
**NOES:** **NONE**  
**ABSENT:** **NONE**  
**ABSTAIN:** **NONE**

**c) Direction on Support Services Agreement with County of Napa**

The Commission considered providing direction to staff regarding the existing Support Services Agreement between LAFCO and the County of Napa. Legal Counsel Bell and Commissioners advised staff to continue in the direction of modernizing the agreement with an eye toward avoiding future amendments, determining a procedure to facilitate collaboration with the County, and to look for opportunities to build in greater flexibility for LAFCO staffing issues.

Upon motion by Commissioner Mohler and second by Commissioner Ramos, the Commission unanimously provided the aforementioned direction to staff by the following vote:

**VOTE:**

**AYES:** COTTRELL, LEARY, MOHLER, PAINTER, RAMOS  
**NOES:** NONE  
**ABSENT:** NONE  
**ABSTAIN:** NONE

**d) CALAFCO Nominations and Annual Conference Items**

The Commission considered appointing voting delegates to represent Napa LAFCO at CALAFCO's Annual Conference scheduled for October 16 – 18 at the Tenaya Lodge near Yosemite. The Commission also considered potential nominations for the CALAFCO Board of Directors and achievement awards.

Upon motion by Commissioner Mohler and second by Commissioner Ramos, the Commission unanimously appointed Commissioner Mohler and Chair Cottrell as the regular and alternate voting delegate, respectively, by the following vote:

**VOTE:**

**AYES:** COTTRELL, LEARY, MOHLER, PAINTER, RAMOS  
**NOES:** NONE  
**ABSENT:** NONE  
**ABSTAIN:** NONE

**e) Consider Leadership Napa Valley Sponsorship**

The Commission considered becoming a sponsor for Leadership Napa Valley and participate in the program's government day and determined there are more efficient and cost-effective ways to engage with the community at the present.

**7. EXECUTIVE OFFICER REPORT**

Executive Officer Freeman reported that the issue of unincorporated islands continues to occur in conversations and noted Attorney General Kamala Harris Opinion 10-902 provided clarification on the definition of islands and how the streamlined island annexation process works.

He also advised that the Water Consolidation group will meet again in the next few weeks, and he will be leading a general session on water education for government leaders with speakers from the water consolidation group and Water Education for Latino Leaders (WELL) at the upcoming conference in October.

Updates were also provided on habitat & nature conservation planning efforts, the scheduled County Service Area No. 4 MSR/SOI, and the scheduled City of St. Helena MSR/SOI.

**8. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS**

Commissioner Mohler would like to consider a workshop to discuss all the issues surrounding unincorporated islands (infrastructure, costs, location, politics, etc.), to provide transparency for the public and stakeholders. Commissioner Painter is supportive of a workshop and looks forward to finding a cooperative way to move forward in a partnership between County, City, and LAFCO. Commissioner Leary also agreed and provided that the topic comes and goes, it will be important to get stakeholders together and talk about an implementation strategy.

**9. ADJOURNMENT at 3:13 P.M. TO NEXT SCHEDULED MEETING**

Monday, October 7, 2024, at 2:00 P.M. at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.

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Anne Cottrell, LAFCO Chair

ATTEST:

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Brendon Freeman, Executive Officer

Prepared by:

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Stephanie Pratt, Clerk/Jr. Analyst





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**Agenda Item 5b (Consent/Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *B F*

**MEETING DATE:** October 7, 2024

**SUBJECT:** Approval of Resolution Amending Conflict of Interest Code

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**SUMMARY AND RECOMMENDATION**

This is a consent item for formal action. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair.

It is recommended the Commission adopt the Resolution of the Local Agency Formation Commission of Napa County Amending its Conflict of Interest Code (COIC), included as Attachment 1.

As a local public agency, LAFCO must have a COIC that sets forth the obligations of staff and Commissioners to disclose their financial interests. Every two years, all public agencies must review their COICs and notify their code reviewing body of any changes needed to their adopted COIC. Because LAFCO's jurisdiction is limited to Napa County, the County of Napa is the code reviewing body for LAFCO, meaning the County must approve LAFCO's COIC and any amendments.

Staff proposes an amendment to the COIC that would make a handful of relatively minor revisions as shown with tracked changes in Attachment 2. The most significant recommended revision is to add two staff positions to the list of designated employee positions subject to Form 700 financial interest disclosure requirements.

If the Commission adopts the draft resolution, staff will then provide the amended COIC to the County for approval.

**ATTACHMENTS**

- 1) Draft Resolution Amending Conflict of Interest Code
- 2) Draft Amendments to Conflict of Interest Code Showing Tracked Changes

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Mariam Aboudamous, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE  
LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
AMENDING ITS CONFLICT OF INTEREST CODE**

**WHEREAS**, the Political Reform Act of 1974 (Government Code Sections 81000, et seq., hereinafter the “PRA”) requires the Local Agency Formation Commission of Napa County (hereinafter LAFCO) to adopt a Conflict of Interest Code; and

**WHEREAS**, the Fair Political Practices Commission (hereinafter referred to as “FPPC”) has adopted a regulation (Section 18730 of Title 2 of the California Code of Regulations) containing a standard conflict of interest code which may be incorporated by reference into the code of a local agency; and

**WHEREAS**, LAFCO is required to review and amend its Conflict of Interest Code biennially to determine if amendments are needed; and

**WHEREAS**, an amendment to the Conflict of Interest Code is necessary to update the list of designated filers; and

**WHEREAS**, LAFCO staff has provided notice of the proposed amendment to its adopted Conflict of Interest Code to the County of Napa, as the code reviewing body for LAFCO; and

**WHEREAS**, at a regular meeting of LAFCO, held on October 7, 2024, oral and/or written comments on the proposed amendment to the Conflict of Interest Code were received from affected persons and or the general public, and these comments and the proposed revisions were considered by LAFCO;

**NOW, THEREFORE, BE IT RESOLVED** by LAFCO that the Conflict of Interest Code shall be amended and adopted in the manner set forth in Exhibit “A,” attached hereto and incorporated herein by reference, effective upon confirmation by the Napa County Board of Supervisors acting as the code reviewing body for LAFCO.

**BE IT FURTHER RESOLVED** by LAFCO that the Clerk is hereby directed to certify as to the adoption of this resolution and forward the Conflict of Interest Code as set forth in Exhibit “A” to the County of Napa for its review.

**BE IT FURTHER RESOLVED** by LAFCO that the adoption of this resolution and the amendment of LAFCO’s Conflict of Interest Code is not a project for purposes of the California Environmental Quality Act (hereinafter CEQA) pursuant to section 15061(b)(3) of the CEQA Guidelines, as there is no possibility that this activity may have a significant effect on the environment, and section 15378(b)(2) of the CEQA Guidelines, as an administrative and personnel-related policymaking activity.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on October 7, 2024, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

AYES: Commissioners \_\_\_\_\_

NOES: Commissioners \_\_\_\_\_

ABSENT: Commissioners \_\_\_\_\_

ABSTAIN: Commissioners \_\_\_\_\_

\_\_\_\_\_  
 Anne Cottrell  
 Commission Chair

ATTEST: \_\_\_\_\_  
 Brendon Freeman  
 Executive Officer

Recorded by: Stephanie Pratt  
 Clerk/Jr. Analyst

DRAFT



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Conflict of Interest Code*

(Adopted: January 9, 2003; Last Amended: October 3, 2016; Proposed Amendment: October 7, 2024)

1. Purpose. The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations, Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act (the "Act"). Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference as if set forth fully herein.
2. List of Designated Employees. For the purposes of the Act and this Conflict of Interest Code, the Designated Employees of LAFCO shall be the persons holding those offices and performing the functions of the positions set forth in Appendix "A," attached hereto and incorporated by reference herein.
3. List of Disclosure Categories. For purposes of the requirements of the Act and the provisions of this code, the disclosure categories for the Designated Employees of LAFCO shall be those set forth in Appendix "B," attached hereto and incorporated by reference herein.
4. Documents Comprising Conflict of Interest Code. For purposes of the Act, the terms of Section 18730 of Title 2 of the California Code of Regulations, as may be amended from time to time, and Appendices "A" and "B" shall together constitute the Conflict of Interest Code of LAFCO on and after the date of confirmation by the Napa County Board of Supervisors.
5. Effective Date of Code. This Conflict of Interest Code shall become effective when confirmed by the Napa County Board of Supervisors acting as the code reviewing body for LAFCO.
6. Documents to be filed with the Board of Supervisors. As the "Filing Officer" under this Code, the LAFCO Secretary shall file three certified copies of the Conflict of Interest Code, as approved/amended by the LAFCO Commission, with the Napa County Board of Supervisors as the code reviewing body for LAFCO.
7. Time of Filing Statements of Economic Interests. All persons who are required by this Conflict of Interest Code to file Statements of Economic Interests ("Statements" or "Form 700s"), shall file assuming office, leaving office, and annual Statements as required by Section 18730 of Title 2 of California Code of Regulations.
8. Place of Filing. Designated employees shall file their Statements of Economic Interests with the LAFCO Secretary, who shall retain the original Statements in the LAFCO business office.

9. Public Inspection of Conflict of Interest Code and Statements. A copy of the Conflict of Interest Code and all filed Statements shall be maintained in the office of LAFCO and be available for public inspection and copying during regular business hours.

10. LAFCO Review of Adopted Code.

A. No later than October 1 of each even-numbered year, LAFCO shall submit to the Napa County Board of Supervisors, as the code reviewing body for LAFCO, a written statement signed by the LAFCO Executive Officer, or designee thereof, that either:

1. LAFCO has reviewed the Conflict of Interest Code, that the Conflict of Interest Code designates accurately all positions which make or participate in the making of governmental decisions for LAFCO, that the disclosure assigned those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income which may foreseeably be affected materially by the decisions made by those designated positions, and that the Conflict of Interest Code contains the provisions required by Government Code section 87302; or

2. LAFCO has reviewed the Conflict of Interest Code and has determined that amendment is necessary to designate all positions which make or participate in the making of governmental decisions for LAFCO, or to update the disclosure categories assigned to require the disclosure of all investments, business positions, interests in real property and sources of income which may be affected materially by the designated positions, or to include other provisions required by Government Code section 87302. If the statement contains this report, LAFCO shall submit the amendment to the Napa County Board of Supervisors within 90 days of the report.

B. Changed circumstances which require amendment of the Conflict of Interest Code shall include, but not be limited to:

1. The creation of positions which involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest;

2. The reclassification, renaming, or deletion of previously designated positions;

3. The addition, deletion, or modification of statutorily-required provisions of this Conflict of Interest Code; or

4. The addition, deletion, or modification of the specific types of investments, business positions, interests in real property, and sources of income which are reportable unless such changes have been automatically incorporated into this Conflict of Interest Code as the result of inclusion of amendments made to Section 18730 of Title 2 of the California Code of Regulations by the Fair Political Practices Commission.

## LIST OF DESIGNATED EMPLOYEES

Because of the nature of the powers and duties conferred on the Local Agency Formation Commission of Napa County under the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code Section 56000 et. seq.), the policies adopted by the LAFCO Commission, and the terms of support services and consultant agreements approved by the LAFCO Commission, the following positions within LAFCO may involve the making or participation in the making of decisions of LAFCO which may foreseeably have a material effect on financial interests of the holders of the positions. The positions are listed because their scope of authority or work involve either making final decisions for LAFCO which have financial consequences or developing and/or exercising such a level of expertise and ongoing relationship with those who make such decisions that the decision-makers can reasonably be expected to routinely trust and rely upon their advice.

For purposes of filing Statements of Economic Interests as required by this Conflict of Interest Code, the “Designated Employees” of LAFCO shall be those persons who actually occupy or carry out the functions of the following positions, whether as elected or appointed officers, compensated employees, or contracted consultants:

### **DESIGNATED EMPLOYEE POSITIONS**

**Members of the LAFCO Commission** (including any persons serving as **Alternate Commission Members**)

**LAFCO Executive Officer**

**LAFCO Assistant Executive Officer**

**LAFCO Clerk/Junior Staff Analyst**

**LAFCO Legal Counsel**

**Auditor-Controller** (Napa County Auditor-Controller, serving ex-officio)

**Contract Consultants for LAFCO** - Contract consultants shall be included in the list of Designated Employees and shall disclose their material financial interests in regard to all of the adopted disclosure categories, subject to the following limitation:

The LAFCO Executive Officer may determine in writing that a particular contract consultant, although a “designated position”, is hired to perform a range of duties that is limited in scope and thus is not required to comply or fully comply with all of the disclosure requirements described in Appendix “B”. This written determination shall include a description of the contract consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. This determination is a public record and shall be retained for public inspection and be available for inspection and copying in the same location and manner as LAFCO’s copy of the Conflict of Interest Code.

## DISCLOSURE CATEGORIES

The decisions which the Designated Employees may make, or participate in making, for LAFCO may involve exercising or directly influencing the exercise of powers conferred on LAFCO by the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code Section 56000 et. seq.).

The decisions by the Designated Employees in the course of their work for LAFCO may have the potential to materially impact any or all of those types of financial interests listed in all the Disclosure Schedules of the Statement of Economic Interests Form 700 adopted by the Fair Political Practices Commission.

For this reason, all of the Designated Employees under this Conflict of Interest Code, other than contract consultants who are exempted from disclosure on a case-by-case basis pursuant to Appendix "A," shall disclose the following financial interests:

- (i) All income as defined in Government Code Section 82030 (including but not limited to gifts, loans and travel payments); and
- (ii) All investments as defined in Government Code Section 82034; and
- (iii) All interests in real property as defined in Government Code Section 82033; and
- (iv) All business positions as defined in 2 California Code of Regulations Section 18730(b)(7)(D) in business entities as defined in Government Code section 82005 that may foreseeably be affected materially by the decisions made by LAFCO or any Designated Employee of LAFCO.

**CERTIFICATIONS**

I hereby certify that I am the Secretary and custodian of records of the Local Agency Formation Commission and that the attached Resolution is a true and correct copy of the original approved by the LAFCO Commission and on file in the LAFCO office.

Stephanie Pratt  
LAFCO Clerk/Jr. Analyst

By \_\_\_\_\_

I hereby certify that the Conflict of Interest Code for the Local Agency Formation Commission of Napa County was approved and confirmed by the Napa County Board of Supervisors, as the code reviewing body for LAFCO by action of the Board of Supervisors on \_\_\_\_\_, 20\_\_, and recorded in the certified minutes of the Board of Supervisors for that date.

Clerk of the Napa County Board of Supervisors

By \_\_\_\_\_

DRAFT





## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Conflict of Interest Code*

(Adopted:- January 9, 2003; Last Amended: -October 3, 2016; Proposed Amendment: October 7, 2024)

1. Purpose. The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations, Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act (the “Act”). Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference as if set forth fully herein.

2. List of Designated Employees. For the purposes of the Act and this Conflict of Interest Code, the Designated Employees of LAFCO shall be the persons holding those offices and performing the functions of the positions set forth in Appendix “A,” attached hereto and incorporated by reference herein.

3. List of Disclosure Categories. For purposes of the requirements of the Act and the provisions of this code, the disclosure categories for the Designated Employees of LAFCO shall be those set forth in Appendix “B,” attached hereto and incorporated by reference herein.

4. Documents Comprising Conflict of Interest Code. For purposes of the Act, the terms of Section 18730 of Title 2 of the California Code of Regulations, as may be amended from time to time, and Appendices “A” and “B” shall together constitute the Conflict of Interest Code of LAFCO on and after the date of confirmation by the Napa County Board of Supervisors.

5. Effective Date of Code. This Conflict of Interest Code shall become effective when confirmed by the Napa County Board of Supervisors acting as the code reviewing body for LAFCO.

6. Documents to be filed with the Board of Supervisors. As the “Filing Officer” under this Code, the LAFCO Secretary shall file three certified copies of the Conflict of Interest Code, as approved/amended by the LAFCO Commission, with the Napa County Board of Supervisors as the code reviewing body for LAFCO.

7. Time of Filing Statements of Economic Interests. All persons who are required by this Conflict of Interest Code to file Statements of Economic Interests (“Statements” or “Form 700s”), shall file assuming office, leaving office, and annual Statements as required by Section 18730 of Title 2 of California Code of Regulations—

7.

~~8.~~ 8. Place of Filing. Designated employees shall file their Statements of Economic Interests with the LAFCO Secretary, who shall retain the original Statements in the LAFCO business office.

9. Public Inspection of Conflict of Interest Code and Statements. A copy of the Conflict of Interest Code and all filed Statements shall be maintained in the office of LAFCO and be available for public inspection and copying during regular business hours.

10. LAFCO Review of Adopted Code.

A. No later than October 1 of each even-numbered year, LAFCO shall submit to the Napa County Board of Supervisors, as the code reviewing body for LAFCO, a written statement signed by the LAFCO Executive Officer, or ~~his~~ designee thereof, that either:

1. LAFCO has reviewed the Conflict of Interest Code, that the Conflict of Interest Code designates accurately all positions which make or participate in the making of governmental decisions for LAFCO, that the disclosure assigned those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income which may foreseeably be affected materially by the decisions made by those designated positions, and that the Conflict of Interest Code contains the provisions required by Government Code section 87302; or

2. LAFCO has reviewed the Conflict of Interest Code and has determined that amendment is necessary to designate all positions which make or participate in the making of governmental decisions for LAFCO, or to update the disclosure categories assigned to require the disclosure of all investments, business positions, interests in real property and sources of income which may be affected materially by the designated positions, or to include other provisions required by Government Code section 87302. If the statement contains this report, LAFCO shall submit the amendment to the Napa County Board of Supervisors within 90 days of the report.

B. Changed circumstances which require amendment of the Conflict of Interest Code shall include, but not be limited to:

1. The creation of positions which involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest;

2. The reclassification, renaming, or deletion of previously designated positions;

3. The addition, deletion, or modification of statutorily-required provisions of this Conflict of Interest Code; or

4. The addition, deletion, or modification of the specific types of investments, business positions, interests in real property, and sources of income which are reportable unless such changes have been

automatically incorporated into this Conflict of Interest Code as the result of inclusion of ~~the changes into the model code~~amendments made to Section 18730 of Title 2 of the California Code of Regulations by the Fair Political Practices Commission.

## APPENDIX “A”

### LIST OF DESIGNATED EMPLOYEES

Because of the nature of the powers and duties conferred on the Local Agency Formation Commission of Napa County under the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code Section 56000 et. seq.), the policies adopted by the LAFCO Commission, and the terms of support services and consultant agreements approved by the LAFCO Commission, the following positions within LAFCO may involve the making or participation in the making of decisions of LAFCO which may foreseeably have a material effect on financial interests of the holders of the positions. The positions are listed because their scope of authority or work involve either making final decisions for LAFCO which have financial consequences or developing and/or exercising such a level of expertise and ongoing relationship with those who make such decisions that the decision-makers can reasonably be expected to routinely trust and rely upon their advice.

For purposes of filing Statements of Economic Interests as required by this Conflict of Interest Code, the “Designated Employees” of LAFCO shall be those persons who actually occupy or carry out the functions of the following positions, whether as elected or appointed officers, compensated employees, or contracted consultants:

#### **DESIGNATED EMPLOYEE POSITIONS**

**Members of the LAFCO Commission** (including any persons serving as **Alternate Commission Members**)

**LAFCO Executive Officer**

**LAFCO Assistant Executive Officer**

**LAFCO Clerk/Junior Staff Analyst**

**LAFCO Legal Counsel**

**Auditor-Controller** (Napa County Auditor-Controller, serving ex-officio)

**Contract Consultants for LAFCO** - Contract consultants shall be included in the list of Designated Employees and shall disclose their material financial interests in regard to all of the adopted disclosure categories, subject to the following limitation:

The LAFCO Executive Officer may determine in writing that a particular contract consultant, although a “designated position”, is hired to perform a range of duties that is limited in scope and thus is not required to comply or fully comply with all of the disclosure requirements described in Appendix “B”. This written determination shall include a description of the contract consultant’s duties and, based upon that description, a

statement of the extent of disclosure requirements. This determination is a public record and shall be retained for public inspection and be available for inspection and copying in the same location and manner as LAFCO's copy of the Conflict of Interest Code.

## APPENDIX "B"

### DISCLOSURE CATEGORIES

The decisions which the Designated Employees may make, or participate in making, for LAFCO may involve exercising or directly influencing the exercise of powers conferred on LAFCO by the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code Section 56000 et. seq.).

The decisions by the Designated Employees in the course of their work for LAFCO may have the potential to materially impact any or all of those types of financial interests listed in all the Disclosure Schedules of the Statement of Economic Interests Form 700 adopted by the Fair Political Practices Commission.

For this reason, all of the Designated Employees under this Conflict of Interest Code, other than contract consultants who are exempted from disclosure on a case-by-case basis pursuant to Appendix "A," shall disclose the following financial interests:

- (i) All income ~~including gifts, loans and travel payments~~ as defined in Government Code Section 82030 (including but not limited to gifts, loans and travel payments); and
- (ii) All investments as defined in Government Code Section 82034; and
- (iii) All interests in real property as defined in Government Code Section 82033; and
- (iv) All business positions as defined in 2 California Code of Regulations Section 18730(b)(7)(D) in business entities as defined in Government Code section 82005 that may foreseeably be affected materially by the decisions made by LAFCO or any Designated Employee of LAFCO.

**CERTIFICATIONS**

I hereby certify that I am the Secretary and custodian of records of the Local Agency Formation Commission and that the attached Resolution is a true and correct copy of the original approved by the LAFCO Commission and on file in the LAFCO office.

~~Kathy Mabry~~, Stephanie Pratt  
LAFCO ~~Secretary~~ Clerk/Jr. Analyst

By \_\_\_\_\_

I hereby certify that the Conflict of Interest Code for the Local Agency Formation Commission of Napa County was approved and confirmed by the Napa County Board of Supervisors, as the code reviewing body for LAFCO by action of the Board of Supervisors on \_\_\_\_\_, 20\_\_, and recorded in the certified minutes of the Board of Supervisors for that date.

Clerk of the Napa County Board of Supervisors

By \_\_\_\_\_



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

**Agenda Item 5c (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Stephanie Pratt, Clerk/Jr. Analyst *SP*

**MEETING DATE:** October 7, 2024

**SUBJECT:** Current and Future Proposals

**SUMMARY**

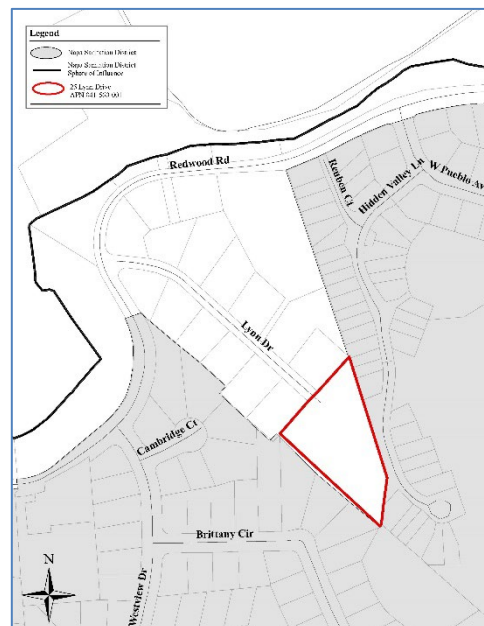
This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

This report summarizes all current and future boundary change proposals. There is currently one active proposal on file and eight anticipated new proposals that are expected to be submitted in the future. A summary follows.

***Active Proposals***

**Lynn Drive Annexation to NSD**

A representative for the landowner of 25 Lynn Drive in the City of Napa submitted an application to annex the parcel to the Napa Sanitation District (NSD). The parcel is within NSD’s sphere of influence (SOI), identified as Assessor Parcel Number (APN) 041-560-001, and is approximately 1.67 acres in size. The purpose of the proposal is to allow the one existing residence within the parcel and one additional future residence to connect to NSD’s public sewer infrastructure. The proposal is on today’s agenda as item 6a.



Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Mariam Aboudamous, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

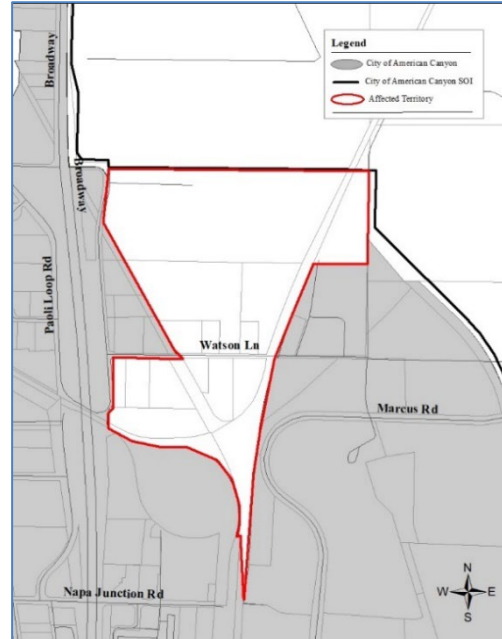
Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

### ***Anticipated Proposals***

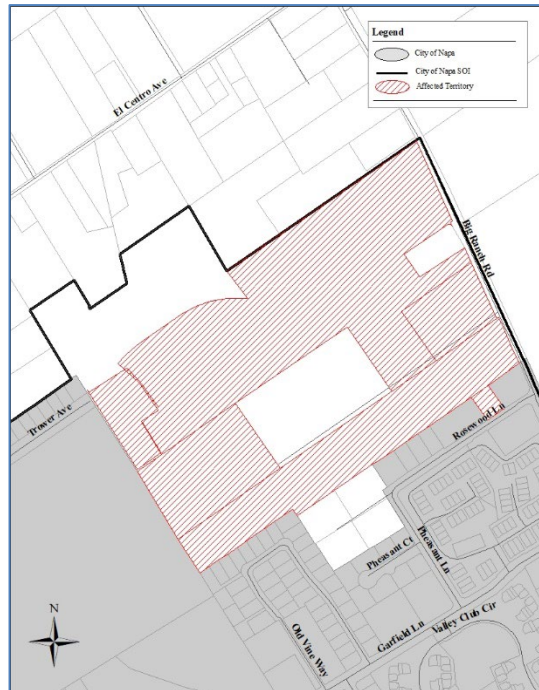
#### **Paoli Loop/Watson Lane Annexation to the City of American Canyon**

A landowner submitted a preliminary application to annex 16 parcels and a portion of railroad totaling approximately 83 acres of territory to the City of American Canyon. Concurrent detachment from County Service Area No. 4 is required under local policy. The area is located within the City's SOI near Watson Lane and Paoli Loop and identified as APNs 057-120-014, -015, -017, -028, -034, -036, -041, -045, -047, -048, -049, -050, & -051, 057-180-014 & -015, and 059-020-036. The purpose of annexation is to allow development of the area for industrial and residential purposes as well as help facilitate the extension of Newell Drive to South Kelly Road. The City of American Canyon, as lead agency under CEQA, certified a Final Environmental Impact Report for the Paoli/Watson Lane Annexation Project. It is anticipated a complete application for annexation will be submitted in the foreseeable future.



#### **Big Ranch Road/Rosewood Lane Annexation to the City of Napa**

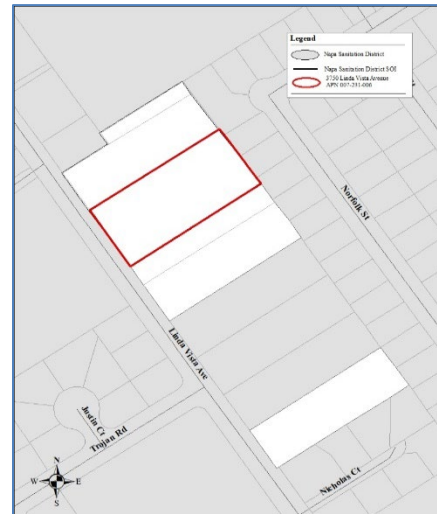
The City of Napa is processing an application from multiple landowners for the annexation of five entire parcels and a portion of a sixth parcel totaling approximately 53.5 acres. The parcels are located within the City's SOI at 2275 Big Ranch Road, 2285 Big Ranch Road, 2305 Big Ranch Road, 1130 Trower Avenue (portion), and 1438 Rosewood Lane, and identified as APNs 038-240-022, 038-240-005, 038-240-023, 038-240-014, and 038-160-029, respectively. Annexation to the City would allow the parcels to be developed consistent with the City's adopted Big Ranch Road Specific Plan and a future master plan for the area. Notably, the current configuration of the planned annexation would result in the creation of new unincorporated islands, which is prohibited under state law unless LAFCO makes a specific finding related to the orderly development of the City. It is anticipated an application for annexation will be submitted to LAFCO in the foreseeable future.





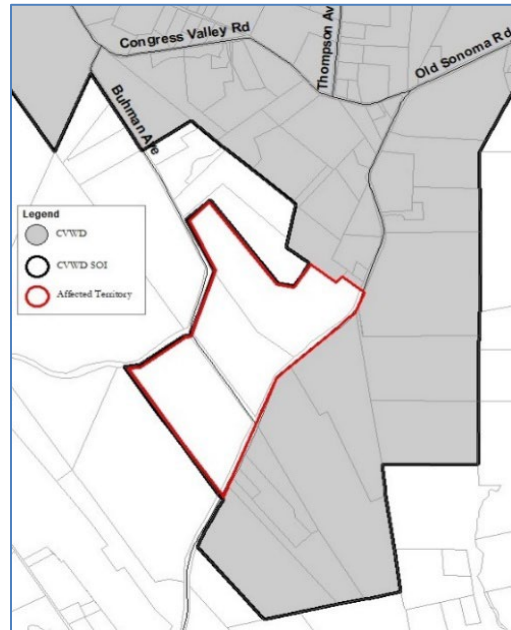
### Linda Vista No. 22 Annexation to NSD

A representative for the landowner of one unincorporated parcel submitted a preliminary application to annex one parcel to NSD. The parcel is in NSD's SOI, identified as APN 007-231-006, located at 3750 Linda Vista Avenue, and is approximately 1.2 acres in size. Annexation to NSD would facilitate an SB9 urban lot split, dividing the one parcel into five and connecting all existing and future structures to NSD. The application is pending analysis of potential environmental impacts.



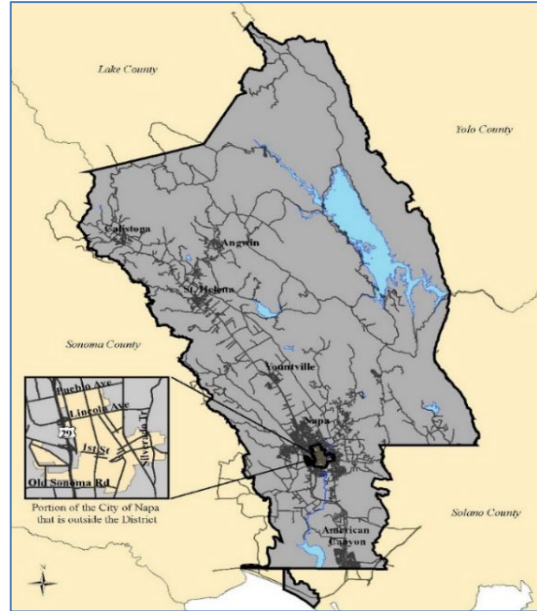
### Old Sonoma Road/Buhman Avenue Annexation to CVWD

A landowner previously submitted a proposal to annex three unincorporated parcels totaling approximately 141.5 acres in size to the Congress Valley Water District (CVWD). The parcels are located in CVWD's SOI along the northwestern side of Old Sonoma Road at its intersection with Buhman Avenue and identified as APNs 047-030-005, 047-030-020, and 047-080-001. Current land uses include two single-family residences and commercial vineyards with auxiliary structures and facilities. Two of the parcels already receive water service through grandfathered outside service agreements. Annexation would establish permanent water service to all three parcels. CVWD has requested, and the landowners have agreed, to postpone LAFCO action. There is no current timetable for the process to be resumed.



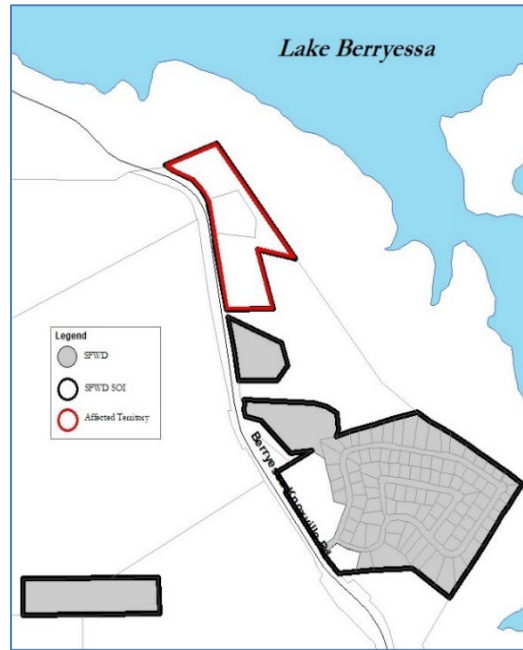
### NCRCDD Donut Hole Annexation

Staff from the Napa County Resource Conservation District (NCRCDD) has inquired about annexation of approximately 1,300 acres of incorporated territory located in the City of Napa. This area comprises the only remaining territory located within NCRCDD’s SOI but outside its jurisdictional boundary and is commonly referred to as a “donut hole”. The purpose of annexation would be to allow NCRCDD to expand its service programs and hold public meetings within the affected territory; activities that are currently prohibited within the area. In February 2020, the Commission approved a request for a waiver of LAFCO’s proposal processing fees. The Commission recently completed a Municipal Service Review for NCRCDD that includes a recommendation for the District to annex the donut hole. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



### 7140 & 7150 Berryessa-Knoxville Road Annexation to SFWD

A landowner has inquired about annexation of one entire unincorporated parcel and a portion of a second unincorporated parcel totaling approximately 7.9 acres in size to the Spanish Flat Water District (SFWD). The parcels were added to SFWD’s SOI in 2021, are located at 7140 and 7150 Berryessa-Knoxville Road, and identified as APNs 019-280-004 (entire) and 019-280-006 (portion). Current land uses within the parcels include a commercial boat and recreational vehicle storage facility (Lakeview Boat Storage), approximately 6,000 square feet of enclosed storage structures, an administrative office, and a detached single-family residence. The parcels are currently dependent on private water and septic systems to support existing uses. Annexation would facilitate the connection of existing uses to SFWD’s water and sewer services. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



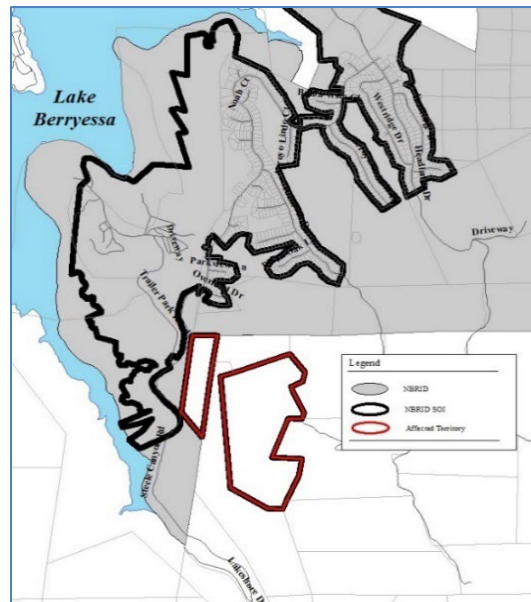
### Materials Diversion Facility Annexation to the City of Napa

Staff from the City of Napa has inquired about annexation of approximately 2.9 acres of unincorporated territory comprising a portion of a parcel owned by the Napa-Vallejo Waste Management Authority. The APN of the entire parcel is 057-090-060. A property sale and a lot line adjustment are planned to create new parcels. The purpose of the property acquisition and future annexation is to expand the City’s existing materials diversion facility operations. The property is located outside the City of Napa’s SOI near the City of American Canyon. Annexation to the City of Napa is allowed given the property is owned by the City and soon will be used by the City for municipal purposes.<sup>1</sup> It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



### Wastewater Treatment Plant Annexation to NBRID

Staff from the Napa Berryessa Resort Improvement District (NBRID) has inquired about annexation of two unincorporated parcels totaling approximately 101 acres in size that serve as the location of the District’s wastewater treatment plant facilities. The parcels were added to NBRID’s SOI in 2021, are owned by NBRID, and are identified as APNs 019-220-028 & -038. Annexation would be for purposes of reducing NBRID’s annual property tax burden. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



<sup>1</sup> See [California Government Code §56742](#).



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

1754 Second Street, Suite C  
Napa, California 94559  
Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

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

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**Agenda Item 5d (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *BF*

**MEETING DATE:** October 7, 2024

**SUBJECT:** Legislative Report

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**BACKGROUND AND SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

On April 8, 2024, the Commission directed staff to submit letters to the Legislature supporting Assembly Bill (AB) 817 (*open meetings: teleconferencing*) and Senate Bill (SB) 1209 (*indemnification*). The Commission also discussed AB 3277 (*districts: property tax*) and agreed to watch the bill.

Staff previously submitted letters in support of AB 817 and SB 1209 to the Legislature, and those letters were included as part of Legislative Reports on past meeting agendas. In addition, staff recently submitted a letter requesting the Governor sign SB 1209, included as Attachment 1.

AB 3277 was signed into law on July 2, 2024.

AB 817 failed a deadline pursuant to Rule 61(b)(13) and is a dead bill.

SB 1209 was signed into law on September 28, 2024. A statement from Senator Dave Cortese on the importance of SB 1209 is provided on the following page.

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Mariam Aboudamous, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

Senator Dave Cortese issued the following statement regarding the California Senate's approval of his SB 1209:

*“Ultimately, SB 1209 is about good governance which aims to protect taxpayers and ratepayers from being saddled with additional, unexpected, and unnecessary fees. It does so by extending the same indemnification provisions afforded to city, county, and special district jurisdictions to Local Agency Formation Commissions (LAFCOs),” said Senator Cortese. “By indemnifying LAFCOs, we prevent the buck from being passed down onto consumers.”*

*“I am pleased and grateful to learn that the Assembly has approved SB 1209 and we are one step close to the bill becoming law. Approval of SB 1209 will provide California LAFCOs with the same indemnification authority currently held by counties, cities, and special districts. This authority is essential to LAFCOs’ ability to meet their statutory obligations and make decisions without being hindered by the potential costs of defending lawsuits,” said Margie Mohler, CALAFCO Chair and Mayor, Town of Yountville.*

*For most applications to public agencies, such as those for land-use, private parties indemnify the involved city or county. Similarly, LAFCOs have normally required an indemnification provision in applications and conditions of approval.*

*However, in 2022, the Second District Court of Appeals determined that LAFCO, despite prevailing in the underlying court case, could not require or rely upon indemnification because it is not expressly authorized in the Cortese-Knox-Hertzberg Local Government Act of 2000.*

*Without the ability to indemnify, the LAFCO will necessarily have to consider whether to make concessions to the applicant, or to not defend its actions. Applicants are typically public agencies (cities and districts), a small percentage are developers, and an even smaller percentage are a member of the general public.*

## **ATTACHMENTS**

- 1) SB 1209 Request for Governor Signature
- 2) SB 1209 as Signed by Governor



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

1754 Second Street, Suite C  
 Napa, California 94559  
 Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

---

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

---

August 27, 2024

The Honorable Gavin Newsom  
 Governor, State of California  
 1021 O Street, Suite 9000  
 Sacramento, CA 95814

Re: **SB 1209** (Cortese): Local agency formation commission: indemnification - **REQUEST FOR SIGNATURE**

Dear Governor Newsom,

The Napa Local Agency Formation Commission (LAFCO) respectfully requests your signature on **SB 1209**, which would authorize a Local Agency Formation Commission (LAFCO) to require an applicant to indemnify the LAFCO, its agents, officers, and employees from and against any claim, action, or proceeding that may stem from a LAFCO decision to approve an application.

Specifically, SB 1209 adds new language to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (The Act) that authorizes LAFCOs to enter into indemnification agreements with applicants. Counties and cities are already empowered to enter into, and require, indemnification and routinely do so with respect to discretionary land-use approvals. SB 1209 will provide LAFCOs with a similar authority in this situation.

This bill is in response to a 2022 decision of the Second District Court of Appeals, which found that existing State law does not provide LAFCOs with the explicit authority needed to require indemnification. Absent an indemnification authority - and because LAFCO funding is statutorily required from the county, cities, and special districts within a county - any costs to defend litigation end up being absorbed by a LAFCO's funding agencies. Consequently, SB 1209 will allow LAFCOs to use indemnification agreements which, in turn, will ensure they can meet their statutory obligations and make decisions without being hindered by the potential costs of defending lawsuits.

Thus, for the above reasons, Napa LAFCO respectfully requests that you sign SB 1209.

Yours sincerely,

Brendon Freeman  
 Executive Officer  
 Napa LAFCO

cc: Honorable Dave Cortese, California State Senate  
 Brady Borcharding, Deputy Legislative Secretary to the Governor  
 René LaRoche, Executive Director, CALAFCO

---

Margie Mohler, Commissioner  
 Councilmember, Town of Yountville

Beth Painter, Commissioner  
 Councilmember, City of Napa

Mariam Aboudamous, Alternate Commissioner  
 Councilmember, City of American Canyon

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Kenneth Leary, Vice Chair  
 Representative of the General Public

Eve Kahn, Alternate Commissioner  
 Representative of the General Public

Brendon Freeman  
 Executive Officer

**Senate Bill No. 1209**

\_\_\_\_\_

Passed the Senate August 26, 2024

\_\_\_\_\_

*Secretary of the Senate*

\_\_\_\_\_

Passed the Assembly August 22, 2024

\_\_\_\_\_

*Chief Clerk of the Assembly*

\_\_\_\_\_

This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2024, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_

*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add Section 56383.5 to the Government Code, relating to local government.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1209, Cortese. Local agency formation commission: indemnification.

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. The act continues in existence in each county a local agency formation commission (LAFCO) that consists of members appointed, as specified, and oversees those changes of organization and reorganization. The act authorizes a LAFCO to, among other things, review and approve with or without amendment, wholly, partially, or conditionally, or disapprove proposals for changes of organization or reorganization, as specified.

This bill would authorize a LAFCO to require, as a condition for, among other things, processing a change of organization or reorganization, that the applicant agrees to defend, indemnify, and hold harmless the LAFCO, its agents, officers, and employees from and against any claim, action, or proceeding, as specified, to attack, set aside, void, or annul an approval by the LAFCO. The bill would require the LAFCO to promptly notify the applicant of any claim, action, or proceeding to attack, set aside, void, or annul an approval by the LAFCO and require the LAFCO to fully cooperate in the defense. The bill would specify that an applicant who is a party to the agreement is not responsible to defend, indemnify, or hold harmless the LAFCO if the LAFCO fails to notify the applicant or cooperate fully in the defense, and is not required to pay or perform any settlement relating to the agreement, unless the applicant approves the settlement. The bill would specify that nothing in its provisions are to be construed to prohibit the LAFCO from participating in the defense of any claim, action, or proceeding to attack, set aside, void, or annul an approval by the commission if specified conditions are met, including that the



LAFCO bears its own attorney's fees and costs of the claim, action, or proceeding.

*The people of the State of California do enact as follows:*

SECTION 1. Section 56383.5 is added to the Government Code, to read:

56383.5. (a) The commission may require, as a condition for processing a change of organization or reorganization, a sphere amendment or a sphere update, or any other action or determination requested from the commission, that the applicant agrees to defend, indemnify, and hold harmless the commission, its agents, officers, and employees from any claim, action, or proceeding against the commission, its agents, officers, or employees to attack, set aside, void, or annul an approval by the commission.

(b) (1) An agreement to defend, indemnify, and hold harmless entered into pursuant to subdivision (a) shall require the commission to promptly notify the applicant of any claim, action, or proceeding to attack, set aside, void, or annul an approval by the commission and shall require the commission to cooperate fully in the defense.

(2) An applicant who is a party to an agreement to defend, indemnify, and hold harmless entered into pursuant to subdivision (a) shall not be responsible to defend, indemnify, or hold harmless if the commission fails to notify the applicant or cooperate fully in the defense pursuant to paragraph (1).

(c) An applicant who is a party to an agreement to defend, indemnify, and hold harmless entered into pursuant to subdivision (a) shall not be required to pay or perform any settlement relating to the agreement, unless the applicant approves the settlement.

(d) Nothing in this section shall be construed to prohibit the commission from participating in the defense of any claim, action, or proceeding to attack, set aside, void or annul an approval by the commission if both of the following conditions are met:

(1) The commission bears its own attorney's fees and costs of the claim, action, or proceeding.

(2) The commission defends the claim, action, or proceeding in good faith.

Approved \_\_\_\_\_, 2024

\_\_\_\_\_  
*Governor*



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

1754 Second Street, Suite C  
Napa, California 94559  
Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

---

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

---

**Agenda Item 5e (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *B F*

**MEETING DATE:** October 7, 2024

**SUBJECT:** Update on Countywide Fire and Emergency Medical Services  
Municipal Service Review and Sphere of Influence Reviews

---

**BACKGROUND AND SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

On November 28, 2023, the Commission entered into a contract with AP Triton to prepare the Countywide Fire and Emergency Medical Services (EMS) Municipal Service Review (MSR) and Sphere of Influence (SOI) Reviews.

The AP Triton team is scheduling site visits and stakeholder interviews to occur in late October or early November.

It is anticipated that a draft MSR and SOI Reviews will be presented to the Commission in the first half of 2025.

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Mariam Aboudamous, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*



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Agenda Item 6a (Action Item)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer BF
Stephanie Pratt, Clerk/Jr. Analyst SP
MEETING DATE: October 7, 2024
SUBJECT: Proposed Lynn Drive Annexation to the Napa Sanitation District and Associated CEQA Findings

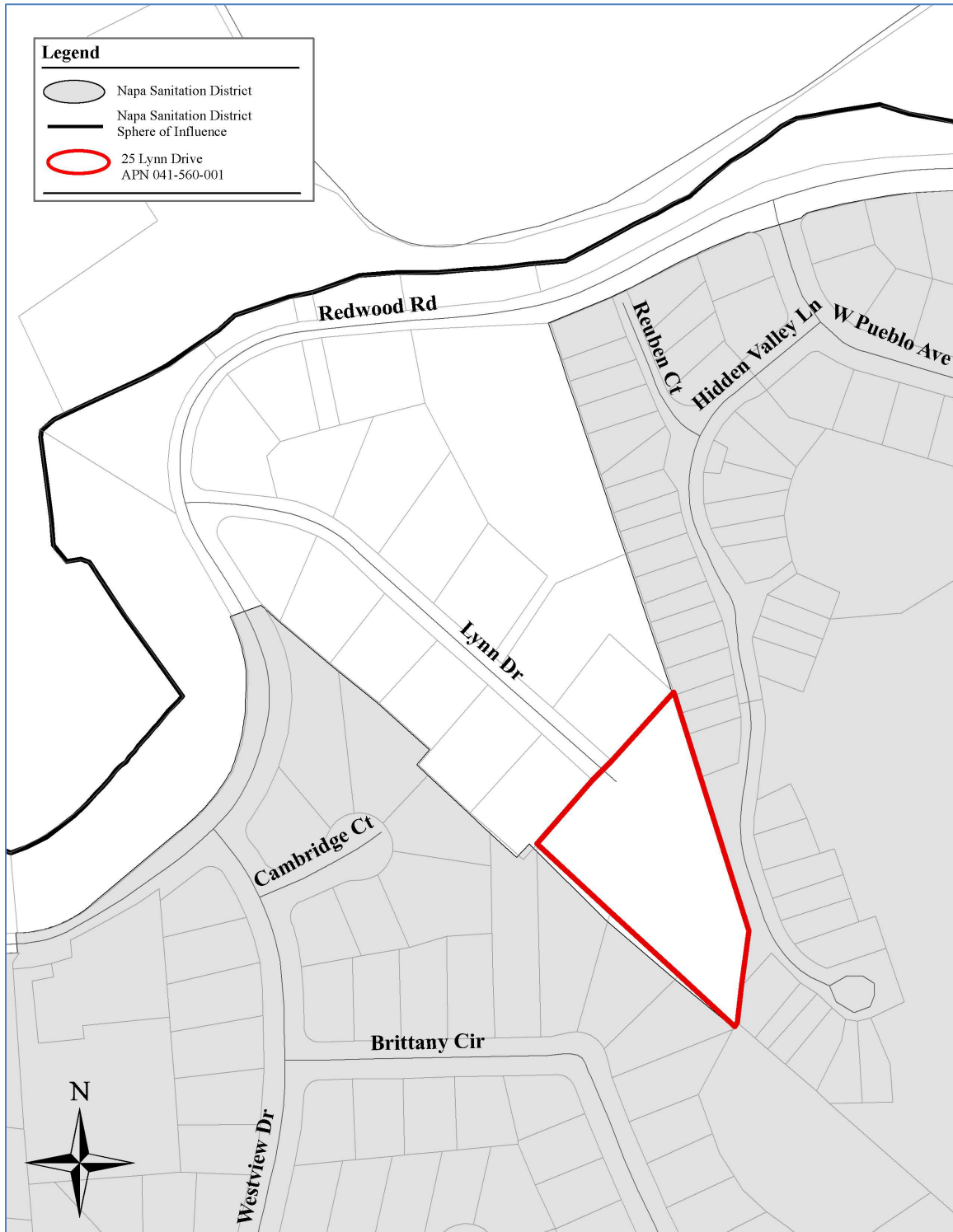
RECOMMENDATION

Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations for the Lynn Drive Annexation to the Napa Sanitation District, making California Environmental Quality Act (CEQA) findings and approving the proposed annexation with recommended standard conditions (Attachment 1).

BACKGROUND AND SUMMARY

- Applicant: Landowner (petition)
Proposed Action: Annexation to NSD
Assessor Parcel Number: 041-560-001
Location: 25 Lynn Drive
Area Size: 1.67 acres
Jurisdiction: City of Napa ("City")
Sphere of Influence Consistency: Yes
Policy Consistency: Yes
Tax Sharing Agreement: Yes - master tax exchange agreement
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: Exempt - see page 4 of this report
Current Land Uses: One single-family residence
Purpose: Permanent connection to sewer service for one single-family residence and one proposed additional single-family residence
Development Plans: Yes - one additional single-family residence
Application: Attachment 2
Maps of Affected Territory: Following pages

**Vicinity map showing affected territory:**



**Aerial map showing affected territory:**



## **DISCUSSION**

### ***Factors for Commission Determinations***

Mandated Factors: Attachment 3

### ***Property Tax Agreement***

Master Property Tax Agreement: No change in allocation for annexations to NSD

### ***Protest Proceedings***

Waived: Legally uninhabited with 100% consent of property owners<sup>1</sup>

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The proposed annexation is eligible for the following CEQA exemptions pursuant to Title 14 of the California Code of Regulations (14 CCR):

- 14 CCR §15061(b)(3) (common sense exemption) – it can be seen with certainty that there is no possibility that this annexation may have a significant effect on the environment.
- 14 CCR §15301 (existing facilities) – this approval will result in negligible or no expansion of the existing private structure (a single-family residence) and existing public facilities (NSD’s wastewater collection system).
- 14 CCR §15303 (new construction or conversion of small structures) – this approval allows installation of small new sewage equipment for a small single-family residence, as contemplated by subsection (d) of §15303.
- 14 CCR §15319(b) (annexations of lots for exempt facilities) – this approval will result in annexation of an individual, small parcel of the minimum size for facilities exempted by §15303 (new construction or conversion of small structures).
- 14 CCR §15282(k) (other statutory exemptions) – the installation of new pipeline to connect this existing single-family residence to NSD is exempt so long as the project does not exceed one mile in length.

## **ATTACHMENTS**

- 1) Draft Resolution Approving the Proposal and Making CEQA Findings
- 2) Application Materials
- 3) Factors for Commission Determinations

---

<sup>1</sup> California Government Code §56662(a) defines territory as “uninhabited” if fewer than 12 registered voters reside within the territory.

**RESOLUTION NO. \_\_\_\_**

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

**LYNN DRIVE  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

**WHEREAS**, an application for a proposed change of organization 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 1.67 acres of incorporated land to the Napa Sanitation District and represents one entire parcel located at 25 Lynn Drive in the City of Napa and identified by the County of Napa Assessor’s Office as Parcel Number (APN) 041-560-001; 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 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 noticed public meeting held on the proposal on October 7, 2024; 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 finds the proposal consistent with the sphere of influence established for the Napa Sanitation District; and

**WHEREAS**, the Commission finds that all owners of land affected by the proposal consent to the subject annexation; and

**WHEREAS**, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission considered available exemptions under CEQA, in accordance with Title 14 of the California Code of Regulations (hereinafter “CEQA Guidelines”); and



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

1. The Factors for Commission Determinations provided in the Executive Officer's written report are hereby incorporated herein by this reference and are adequate.

The underlying activity, annexation of the affected territory, is exempt from further review pursuant to California Code of Regulations (CCR) Title 14 section 15061(b)(3), where it can be seen with certainty that there is no possibility that this annexation may have a significant effect on the environment. The proposed annexation is exempt from further review pursuant to CCR Title 14 section 15282(k), which exempts the installation of new pipeline as long as the project does not exceed one mile in length. The proposed annexation is exempt from further review pursuant to CCR Title 14 section 15301, which exempts annexations that will result in negligible or no expansion of the existing private structure and existing public facilities. The proposed annexation is exempt from further review pursuant to CCR Title 14 section 15303, which exempts new construction or conversion of small structures. The proposed annexation is exempt from further review pursuant to CCR Title 14 section 15319(b), which exempts annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or rezoning of either the gaining or losing environmental agency, whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. The records upon which these findings are made are located at the Commission's administrative office located at 1754 Second Street, Suite C, Napa, California 94559.

2. The proposal is APPROVED subject to completion of item number 11 below.
3. This proposal is assigned the following distinctive short-term designation:

**LYNN DRIVE  
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 waives conducting authority proceedings 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) All outstanding Commission fees.
  - (c) Written confirmation from the Napa Sanitation District that it is acceptable to record a Certificate of Completion.
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.
13. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on October 7, 2024, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

AYES: Commissioners \_\_\_\_\_

NOES: Commissioners \_\_\_\_\_

ABSENT: Commissioners \_\_\_\_\_

ABSTAIN: Commissioners \_\_\_\_\_

\_\_\_\_\_  
Anne Cottrell  
Commission Chair

ATTEST: \_\_\_\_\_  
Brendon Freeman  
Executive Officer

Recorded by: Stephanie Pratt  
Clerk/Jr. Analyst

Exhibit A

**Lynn Drive**

**Annexation to the Napa Sanitation District**

Geographic Description

All that certain real property situated in the City of Napa, County of Napa, State of California, described as follows:

**Beginning** at the most Southern corner of the 11.90 acres tract of land described in the deed to Lynn Parker and wife, recorded October 7, 1952 in book 397, page 557, Official records of Napa County, said point being on the Northerly line of the Napa Sanitation District Boundary;

Thence, along said Northerly line of said District Boundary, and also along the Easterly line of said 11.90 acres tract of land the following two (2) courses and distances:

(1) North 6° 55' 00" East, 152.00 feet;

and

(2) North 19° 05' 00" West 361.53 feet, more or less, to the Southeastern line of Lynn Park as shown on the map entitled, "Final Map of Lynn Park Subdivision", filed July 14th, 1955 in book 6 of maps, at page 27 in the office of the County recorder of said Napa County;

Thence, leaving Northerly line of said District Boundary and along said Southeastern line of Lynn Park,

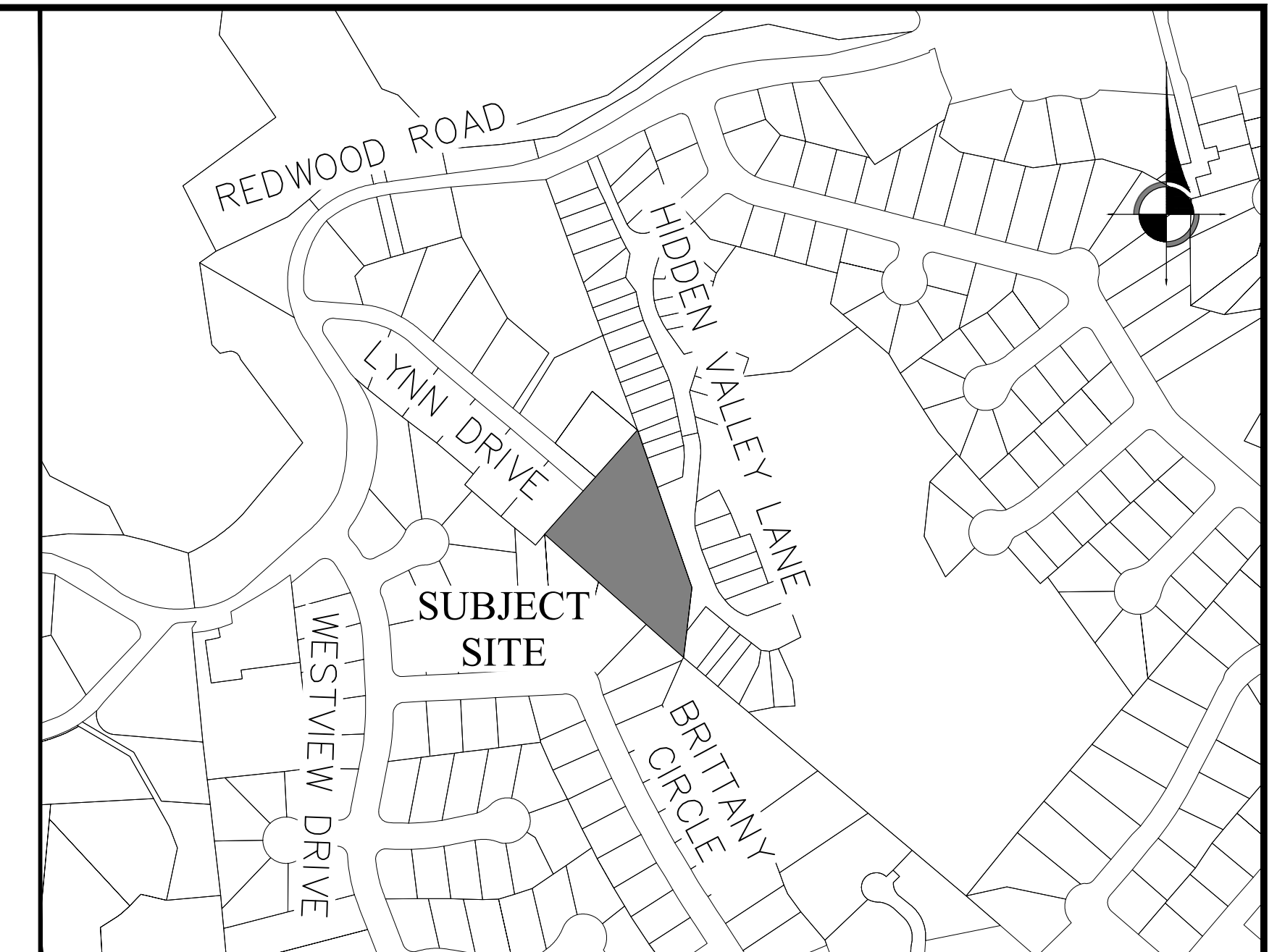
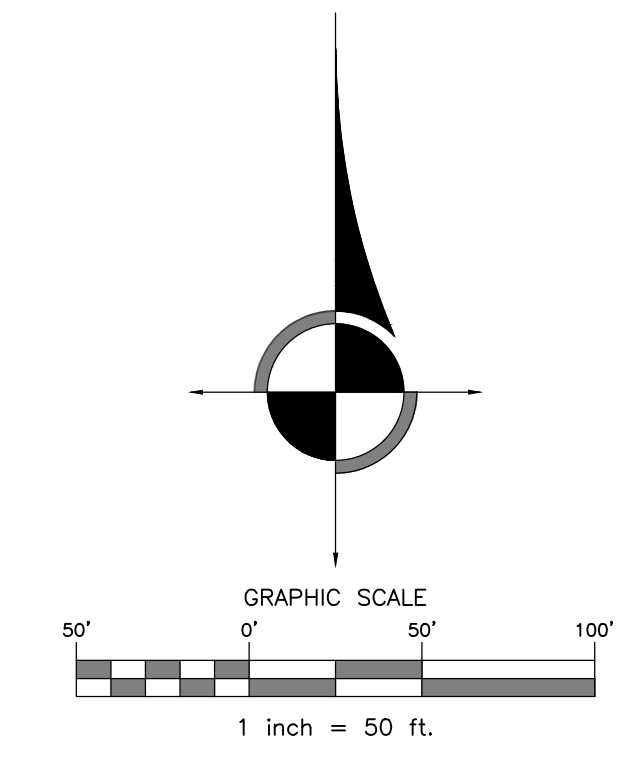
(3) South 41° 35' 00" West 304.75 feet, more or less, to the Southwestern line of the 11.90 acres tract above referred to and also to said Northerly line of said District Boundary;

Thence, along said Northerly line of said District Boundary, and also along said Southwestern line of said 11.90 acres tract,

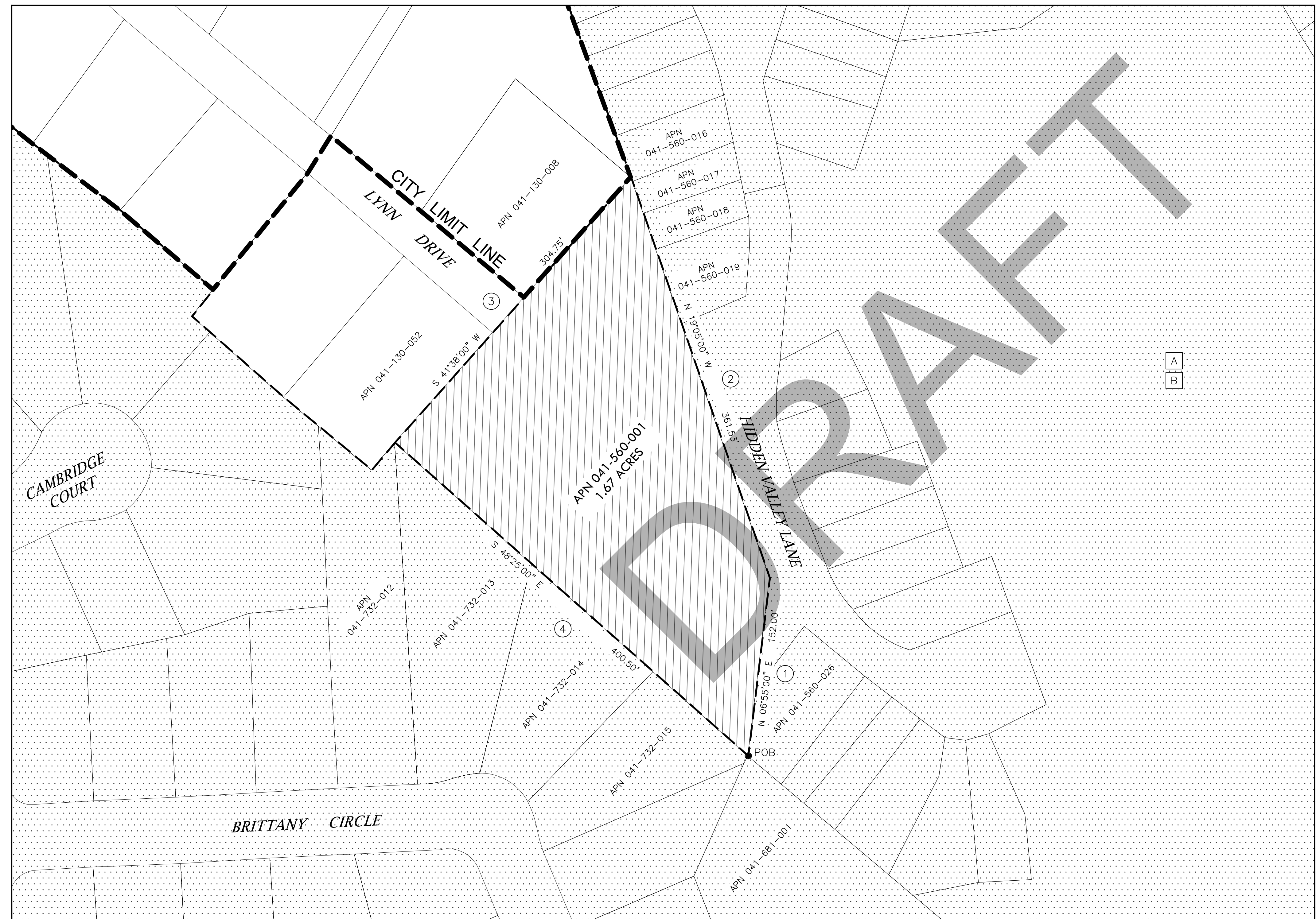
(4) South 48° 25' 00" East 400.50 feet to the **Point of Beginning**.

Containing 1.67 acres of land more or less

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



VICINITY MAP - SCALE 1" = 300'



25 LYNN DRIVE  
APN 041-560-001

**LEGEND**

- ADJACENT ANNEXATION BOUNDARY
- PROPOSED NSD ANNEXATION
- EXISTING NSD AREA
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- TPOB TRUE POINT OF BEGINNING

**DISCLAIMER**

FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

**ANNEXATION DISTRICTS:**

- A** HIDDEN VALLEY PARK ANNEXATION – NAPA SANITATION DISTRICT – LAFCO RESOLUTION NO. 71-14, JULY 14, 1971
- B** HIDDEN VALLEY PARK MINOR BOUNDARY CHANGE – NAPA SANITATION DISTRICT – LAFCO RESOLUTION NO. 71-21, NOVEMBER 10, 1971

Job Name:	LYNN DRIVE ANNEXATION	CHECKED BY:	TCR
		DRAWN BY:	AHS
Description:	ANNEXATION PLAT CITY OF NAPA, COUNTY OF NAPA PORTION OF NAPA RANCHO	PROJECT NUMBER:	2024-025-NAP
		SCALE:	1" = 50'
		DATE:	AUG 21, 2024
		SHEET:	1 of 1

**RIECHERS ENGINEERING**  
5 CANOPY LANE, NAPA, CA, 94558  
TEL: 707-690-4425  
WWW.RIECHERSENGINEERING.COM

**FORM D**

For Staff Use

**Attachment 2**

Date Filed: \_\_\_\_\_

Proposal Name: \_\_\_\_\_

**PROPOSAL APPLICATION  
Change of Organization/Reorganization**

**I. APPLICANT INFORMATION**

---

**A. Name:** \_\_\_\_\_  
Contact Person Agency/Business (If Applicable)

**Address:** \_\_\_\_\_  
Street Number Street Name City Zip Code

**Contact:** \_\_\_\_\_  
Phone Number Facsimile Number E-Mail Address

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

**II. PROPOSAL DESCRIPTION**

---

**A. Affected Agencies:**

_____	_____
Name	Address
_____	_____
Name	Address
_____	_____
Name	Address

*Use Additional Sheets as Needed*

**B. Proposal Type:** (Check as Needed)

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

**C. Purpose Statement:** (Specific)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

III. GENERAL INFORMATION

A. Location:

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)		_____

B. Landowners:

(1) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

(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: \_\_\_\_\_

(1b) County Zoning Standard: \_\_\_\_\_

(2a) Applicable City General Plan Designation: \_\_\_\_\_

(2b) Applicable City Pre-zoning Standard:  
(Required for City Annexations) \_\_\_\_\_

**E. Existing Land Uses:**

(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? \_\_\_\_\_  
\_\_\_\_\_

**G. Physical Characteristics:**

(1) Describe Topography: \_\_\_\_\_  
\_\_\_\_\_

(2) Describe Any Natural Boundaries: \_\_\_\_\_  
\_\_\_\_\_

(3) Describe Soil Composition and Any Drainage Basins: \_\_\_\_\_  
\_\_\_\_\_

(4) Describe Vegetation: \_\_\_\_\_  
\_\_\_\_\_

**H. Williamson Act Contracts**  
(Check One)

Yes

No

**IV. GOVERNMENTAL SERVICES AND CONTROLS**

---

**A. Plan For Providing Services:**

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

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

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

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

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

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**V. ENVIRONMENTAL INFORMATION**

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**A. Environmental Analysis** (City annexations require pre-zoning.)

(1) **Lead Agency for Proposal:** \_\_\_\_\_  
Name

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

Environmental Impact Report

Negative Declaration/Mitigated Negative Declaration

Categorical/Statutory Exemption: \_\_\_\_\_  
Type

None

*Provide Copies of Associated Environmental Documents*

**VI. ADDITIONAL INFORMATION**

---

**A. Approval Terms and Conditions Requested For Commission Consideration:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*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: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_

(2) Recipient Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_

(3) Recipient Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**VII. CERTIFICATION**

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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:** \_\_\_\_\_ 

**Printed Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_ 8/15/24

### **FACTORS FOR COMMISSION CONSIDERATION**

Government Code §56668 & §56668.3 require the review of a proposal to include the following factors:

FACTOR TO CONSIDER	COMMENT
1. Population and density [§56668(a)]	<b>Consistent:</b> Population 2
2. Land area and land use [§56668(a)]	<b>Consistent:</b> 1.67 acres Residential, one existing home
3. Assessed valuation [§56668(a)]	<b>Consistent:</b> \$1,744,750
4. Topography, natural boundaries and drainage basins [§56668(a)]	<b>Consistent:</b> Lot is on a small hill. Mixture of soils including Cole silt loam (0% to 2% slopes), Millsholm loam (15% to 30% slopes), and Yolo loam (0 to 10 percent slopes).  Drainage Basin: <i>Napa River-Lower Napa City Reach</i>
5. Proximity to other populated areas [§56668(a)]	<b>Consistent:</b> Incorporated residential area within the City of Napa
6. Likelihood of significant growth in the area, adjacent areas during next 10 years [§56668(a)]	<b>Consistent:</b> Napa General Plan generates the area for very low density residential use
7. Need for government services [§56668(b)]	<b>Consistent:</b> Existing core services provided by the City of Napa at adequate levels: <i>Fire and emergency protection, law enforcement, water</i>  Additional service: <i>Annexation to NSD for sewer service</i>
8. Government services present cost, adequacy and controls in area [§56668(b)]	<b>Consistent:</b> <a href="#"><u>Napa Countywide Water &amp; Wastewater MSR</u></a>
9. Government services probable future needs and controls in area [§56668(b)]	<b>Consistent:</b> <a href="#"><u>Napa Countywide Water &amp; Wastewater MSR</u></a>

<p>10. Government services effect of proposal on cost, adequacy and controls in area and adjacent areas [§56668(b)]</p>	<p><b>Consistent:</b> <a href="#">Napa Countywide Water &amp; Wastewater MSR</a></p>
<p>11. Effects on adjacent areas, on mutual social and economic interests, and on local governmental structure in the County [§56668(c)]</p>	<p><b>Consistent:</b> There is no documentation or evidence suggesting any implication for environmental justice.</p>
<p>12. Effects on planned efficient patterns of urban development [§56668(d)]</p>	<p><b>Consistent:</b> City General Plan land use designation: <i>Very-Low Density Residential (0 to 2 units per acre)</i> City Zoning: <i>Single Family Residential (minimum lot size 20,000 square feet)</i></p>
<p>13. Effects on maintaining physical and economic integrity of agricultural lands [§56668(e)]</p>	<p><b>Consistent:</b> No effect</p>
<p>14. Boundaries: logical, contiguous, not difficult to serve, definite and certain [§56668(f)]</p>	<p><b>Consistent:</b> One parcel surrounded on three sides by NSD's existing boundary and service area. Properties to the immediate north are located outside NSD's boundary and service area but are within the sphere of influence.</p>
<p>15. Conformance to lines of assessment, ownership [§56668(f)]</p>	<p><b>Consistent:</b> One parcel: APN 041-560-001</p>
<p>16. Creation of islands, corridors, irregular boundaries [§56668(f)]</p>	<p><b>Consistent:</b> No effect</p>
<p>17. Consistency with regional transportation plan [§56668(g)]</p>	<p><b>Consistent:</b> No specific projects in regional transportation plan (RTP), <i>Plan Bay Area 2050</i></p>
<p>18. Consistency with city or county general and specific plans [§56668(h)]</p>	<p><b>Consistent:</b> City General Plan land use designation: <i>Very-Low Density Residential (0 to 2 units per acre)</i> City Zoning: <i>Single Family Residential (minimum lot size 20,000 square feet)</i></p>

<p>19. Consistency with spheres of influence [§56668(i)]</p>	<p><b>Consistent:</b> Included within NSD's Sphere of Influence since it was added by the Commission in 2006 as part of a comprehensive sphere review and update.</p>
<p>20. Comments from affected agencies and other public agencies [§56668(j)]</p>	<p><b>Consistent:</b> No comments received</p>
<p>21. Ability of agency to provide service including sufficiency of revenues [§56668(k)]</p>	<p><b>Consistent:</b> <a href="#">Napa Countywide Water &amp; Wastewater MSR</a></p>
<p>22. Timely availability of adequate water supply [§56668(l)]</p>	<p><b>Consistent:</b> <a href="#">Napa Countywide Water &amp; Wastewater MSR</a></p>
<p>23. Fair share of regional housing needs [§56668(m)]</p>	<p><b>Consistent:</b> One additional residential unit planned</p>
<p>24. Information or comments from landowners, voters, or residents in proposal area [§56668(n)]</p>	<p><b>Consistent:</b> 100% consent of landowners</p>
<p>25. Existing land use designations [§56668(o)]</p>	<p><b>Consistent:</b> City General Plan land use designation: <i>Very-Low Density Residential (0 to 2 units per acre)</i> City Zoning: <i>Single Family Residential (minimum lot size 20,000 square feet)</i></p>
<p>26. Effect on environmental justice [§56668(p)]</p>	<p><b>Consistent:</b> No documentation or evidence suggesting the proposal will have any implication</p>
<p>27. Safety Element of GP concerns; identified as very high fire hazard zone [§56668(q)]</p>	<p><b>Consistent:</b> Not located in a high fire hazard zone or a state responsibility area</p>
<p>28. Special district annexations: for the interest of landowners or inhabitants within the district and affected territory [§56668.3(a)(1)]</p>	<p><b>Consistent</b> Proposal approval would benefit by providing permanent access to public sewer service, eliminating potential public health hazards associated with private septic systems</p>



**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*

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**Agenda Item 6b (Action)**

**TO:** Local Agency Formation Commission

**FROM:** Brendon Freeman, Executive Officer B F

**MEETING DATE:** October 7, 2024

**SUBJECT:** Consider Establishment of an Ad Hoc Policy Subcommittee

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**RECOMMENDATION**

It is recommended the Commission establish an ad hoc subcommittee with two appointed members to advise staff in completing a review and update of adopted local policies. The ad hoc subcommittee would disband upon completion of the policy review and update.

**BACKGROUND AND SUMMARY**

In recent months, several Commissioners have expressed interest in revisiting certain adopted local policies for purposes of exploring areas of improvement.

Staff believes there are approximately 10 adopted local policies in need of revisions to address issues that include, but are not limited to, the Commission's budget, outside service agreements, disadvantaged unincorporated communities, and state legislation.

Staff recommends the Commission provide advisory assistance by way of establishing a new ad hoc subcommittee and appointing two members. Alternate Commissioners may be appointed, if interested. The subcommittee would immediately terminate upon completion of the policy review and update process.

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Mariam Aboudamous, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*