



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

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

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

Agenda Item 6b

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Interim Executive Officer

MEETING DATE: June 29, 2015

SUBJECT: Proposed Sphere of Influence Amendment for the Napa Sanitation District Involving the County Jail

RECOMMENDATION

Adopt the resolution (Attachment One) making California Environmental Quality Act (CEQA) findings and approving the proposed sphere of influence amendment for the Napa Sanitation District (NSD) to include the County Jail site.

SUMMARY

The County Jail site has been in industrial use for many years. Re-development of the area within NSD's sphere of influence would be consistent with adopted policies promoting the use of public sewer infrastructure to serve urban development. The site has recently been re-designated by the County as "Public Institutional" and will be developed as the new County Jail within the next ten years, which will require extension of public sewer services.

The County of Napa has submitted a written request for an amendment to NSD's sphere of influence to include the County Jail site. The County Jail site is already included in the Commission's draft sphere of influence update for NSD. However, timing remains an issue and the County is currently seeking State jail construction funding to help finance the County Jail project; funding that is much more likely to be granted if the County can demonstrate existing service commitments for the project. The County must submit a proposal for funding by August 28, 2015. This deadline is problematic given that there are currently no assurances that the comprehensive NSD sphere update will be completed by this date. Therefore, the purpose of the sphere amendment request is to expeditiously demonstrate that public sewer service will be extended to the County Jail site to support the County's project financing endeavors.

ANALYSIS

The County Jail site includes one entire unincorporated parcel totaling 27.1 acres and located on the east side of Soscol Avenue (Napa-Vallejo Highway/State Route 221) immediately south of Napa State Hospital. The County Assessor identifies the parcel as 046-370-021. The County Jail site is depicted in Exhibit A of the draft resolution (Attachment One).

Juliana Inman, Chair
Councilmember, City of Napa

Greg Pitts, Commissioner
Councilmember, City of St. Helena

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

Diane Dillon, Vice Chair
County of Napa Supervisor, 3rd District

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

Keith Caldwell, Alternate Commissioner
County of Napa Supervisor, 5th District

Brian J. Kelly, Commissioner
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Interim Executive Officer

Required Factors for Review

Government Code Section 56425(e) requires LAFCOs to consider and prepare a written statement of determinations with respect to five specific factors when processing a sphere of influence amendment for any local agency. Responses to these five factors are provided below.

(1) Present and Planned Land Use

The County Jail site is designated as “Public Institution” in the County General Plan and has been assigned an “Industrial” zoning classification. The site is currently used for equipment storage, retail, and wholesale of building materials. The site contains two temporary buildings and a lot that is used for storage.

(2) Present and Probable Need for Public Facilities and Services

The County of Napa initiated an Adult Correctional System Master Plan in 2004 that identified deficiencies in programs, practices and capacity of the County’s jail facilities. In order to address the identified correctional system needs, the County proposes phased construction of new facilities to replace the existing jail in downtown City of Napa.

The County Jail project description consists of a new jail and a “staff secure facility.” The first phase of the new jail would be designed with an initial capacity of 64-cells , but would include core support facilities designed for expansion and occupancy of up to 526 beds which could be added in multiple phases through the addition of housing units. Ancillary facilities would include a storage and maintenance unit, administrative offices, food services, laundry, medical and mental health units, programming rooms, visiting areas, and inmate intake and release.” The Staff Secure Facility would house 72 additional inmates, and would serve as a transitional step for inmates moving back to the community. The facility would also provide programming space, recreational areas, and staff offices, as well as kitchen and laundry space.

The County Jail would require extension of utilities, including sewer service from NSD. The site was recently added to the City of Napa’s sphere of influence in response to a formal request made by the County. Expansion of NSD’s sphere of influence to include the County Jail site would allow extension of sewer service.

(3) Present Capacity and Adequacy of Public Services

NSD’s capacity to provide adequate services to the County Jail’s correctional facilities is established in the Commission’s Central County Region Municipal Service Review as well as the more focused conclusions of the environmental impact report for the County Jail.

(4) Social and Economic Communities of Interest

A substantial proportion of both staff and inmate population of the County Jail will be residents of the City of Napa and surrounding unincorporated areas that are within NSD’s boundary and will utilize the District’s public sewer services. At least to this extent, a community of interest may be said to exist between the jail site and NSD when the jail is built.

(5) Present and Probable Need for Public Services for Disadvantaged Unincorporated Communities

No disadvantaged unincorporated communities meeting the definition under State law have been identified anywhere in Napa County.

CEQA

The County, as lead agency, has certified an environmental impact report (EIR) for the County Jail project (County Jail Project, Final Environmental Impact Report, January 2014), which identifies and addresses all potential environmental impacts associated with the development project. Staff has reviewed the EIR and believes the County has made an adequate determination relative to the purview of the Commission as a responsible agency. Copies of the EIR were previously transmitted to Commissioners as part of the central county region municipal service review in 2014.

PROCEDURES FOR CONSIDERATION

This item has been agenzized for consideration as part of a noticed public hearing. The following procedures are recommended with respect to the Commission's consideration of this item:

- 1) Receive verbal report from staff;
- 2) Open the public hearing and invite testimony (mandatory); and
- 3) Discuss item and – if appropriate – close the hearing and consider action on recommendation.

ATTACHMENTS

- 1) Draft Resolution Approving the Requested Sphere of Influence Amendment
- 2) Application Materials from the County of Napa

RESOLUTION NO. _____

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

**NAPA SANITATION DISTRICT
SPHERE OF INFLUENCE AMENDMENT
COUNTY JAIL**

WHEREAS, the Local Agency Formation Commission of Napa County, hereinafter referred to as “the Commission”, has received a proposal from the County of Napa to amend the sphere of influence for the Napa Sanitation District to include certain territory for use as a new County jail facility; and

WHEREAS, the County of Napa has certified a final environmental impact report for the County jail project making findings and determinations on the environmental impacts; and

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

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on June 29, 2015; and

WHEREAS, the Commission considered all the factors required by law under California Government Code Section 56425.

NOW, THEREFORE, the Napa Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER**, based upon the information contained in the Executive Officer’s report, correspondence from affected agencies and information received during the public hearings, as follows:

1. The sphere of influence of the Napa Sanitation District is hereby amended to include all areas within the current sphere of influence of the Napa Sanitation District as of the date of this resolution plus the area known as the County Jail Site as shown in Exhibit One.
2. The Commission certifies that it has reviewed and considered the environmental impact report (EIR) prepared and certified for this project by County of Napa acting as lead agency (County Jail Project, Final Environmental Impact Report, January 2014), as well as the findings adopted by the County as set forth in its resolution in January 2014. The Commission has determined that the EIR is adequate for its use in approving the sphere of influence amendment and annexation.
3. The Commission adopts and incorporates by reference the County’s findings as set forth in its resolution incorporated herein by this reference, on the identified impacts and associated mitigation measures. The Commission’s findings are based on its independent judgment and analysis. The records upon which these findings are made are located at the Commission office at 1030 Seminary Street, Suite B, Napa, California.

4. The Commission further adopts the applicable mitigation measures contained within the County's "Mitigation Monitoring and Reporting Program" (MMRP), incorporated herein by this reference as though wholly set forth herein.. The Commission finds that changes or alterations to the project and mitigation measures to lessen environmental effects to less than significant levels as identified in the EIR are within the responsibility of the County of Napa and not LAFCO. The County, therefore, shall be responsible for implementing all mitigation identified in the MMRP and for overall administration of the MMRP. The County will report to LAFCO on the implementation of the MMRP and all monitoring reports prepared by the County shall be provided to the Commission. .

5. Pursuant to California Government Code Section 56425 of the Government Code, the Commission adopts the statement of determinations as shown in Exhibit Two.

6. The effective date of this sphere of influence update shall be immediate.

7. The Executive Officer shall revise the official records of the Commission to reflect this update of the sphere of influence.

The foregoing resolution was duly and regularly adopted by the Commission at a meeting held on June 29, 2015 by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSENT: Commissioners _____

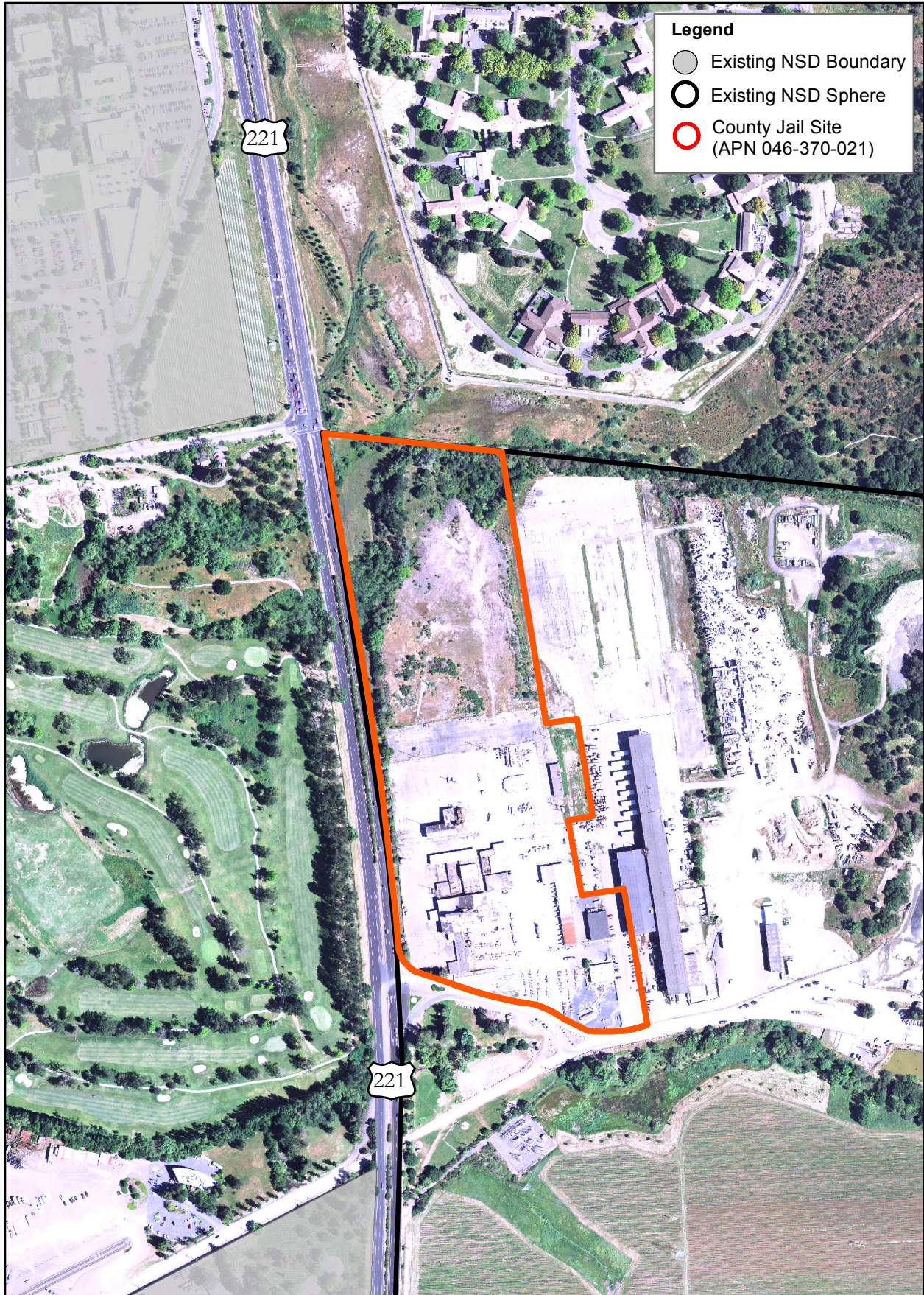
ABSTAIN: Commissioners _____

ATTEST: Brendon Freeman
 Interim Executive Officer

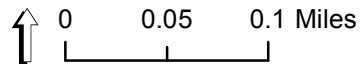
Recorded by: _____
 Kathy Mabry
 Commission Secretary

EXHIBIT ONE

Proposed SOI Amendment: County Jail



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



* Prepared by LAFCO Staff
June 11, 2015

EXHIBIT TWO
STATEMENT OF DETERMINATIONS

NAPA SANITATION DISTRICT
SPHERE OF INFLUENCE AMENDMENT
COUNTY JAIL

1. Present and planned land uses in the sphere, including agricultural and open-space lands.

Lands within the Napa Sanitation District's updated sphere of influence are predominately developed for urban uses or expected to be developed for urban uses within the next five years. Agricultural and open-space lands in the updated sphere of influence are relatively limited.

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

Lands within the Napa Sanitation District's updated sphere of influence presently need an elevated level of public sewer services or are expected to need an elevated level of public sewer services within the next five years to accommodate and support urban uses. The Napa Sanitation District is best positioned to provide the necessary range of supporting urban services.

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

The Commission's recently completed municipal service review on the Central County region indicates the Napa Sanitation District has generally established adequate administrative, service, and financial capacities to accommodate present and planned urban uses within the updated sphere of influence.

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

A substantial proportion of both staff and inmate population of the County Jail will be residents of the City of Napa and surrounding unincorporated areas that are within NSD's boundary and will utilize the District's public sewer services. At least to this extent, a community of interest may be said to exist between the jail site and NSD if and when the jail is built. The remaining land within the County Jail Study Area is expected to be developed for urban type purposes within the next five to ten years and will eventually require public sewer services from NSD. The amendment affirms and strengthens these established community ties.

5. The present and probable need for public sewer facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

A review of available economic data compiled as part of the most recent American Communities Survey does not identify any distinct areas within the Napa Sanitation District's existing sphere of influence meeting the definition of a disadvantaged unincorporated community.

Local Agency Formation Commission of Napa County
 1030 Seminary Street, Suite B
 Napa, California 94559
 (707) 259-8645 Telephone
<http://www.napa.lafco.ca.gov>

Questionnaire for Amending a Sphere of Influence

1. Applicant information:

Name: County of Napa
 Address: 1195 Third Street, Suite 310 94559
 Telephone Number: 253-4621 (Primary) 253-4421 (Secondary)
 E-Mail Address: LABRY.FURBIO@COUNTYOFNAPA.ORG

2. What is the purpose for the proposed sphere of influence amendment?

To allow for sewer service from the
Napa Sanitation District to service the jail

3. Describe the affected territory in terms of location, size, topography, and any other pertinent characteristics.

Subject property is adjacent to existing sewer service
It is two miles from downtown Napa. Parcel is
27.11 acres

4. Describe the affected territory's present and planned land uses.

currently is used for storage, retail and
wholesale sales of building materials. Site
is planned for a new county jail

5. Identify the County of Napa's current land use designation and zoning standard for the affected territory.

Zoned Industrial

6. Is the affected territory subject to a Williamson Act contract? If yes, please provide a copy of the contract along with any amendments.

NO

7. If applicable, identify the governmental agencies currently providing the listed municipal services to the affected territory.

Water: City of Napa

Sewer: N/A

Fire: Napa County Fire

Police: Napa County Sheriff

Print Name: Lawrence Florin

Date: 6/20/15

Signature: 