



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 8b (Action)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer

MEETING DATE: December 5, 2016

SUBJECT: Proposed County Jail Annexation to the Napa Sanitation District

RECOMMENDATION

Approve the County of Napa's request for a fee waiver and adopt the draft resolution (Attachment One) making California Environmental Quality Act (CEQA) findings and approving the proposed annexation. Standard conditions are also recommended.

SUMMARY

The Commission has received a resolution of application from the County of Napa requesting the annexation of approximately 27.1 acres of unincorporated territory to the Napa Sanitation District (NSD). The application materials are included as Attachment Four. The County has requested a waiver of the Commission's proposal processing fees (Attachment Seven). The County is planning to construct a Re-entry Facility and a new Jail at 2300 Napa Vallejo Highway. The County certified an environmental impact report (EIR) for the County Jail Project in January 2014. The territory proposed to be annexed is within NSD's sphere of influence (SOI) and comprises one entire parcel identified by the County Assessor as 046-370-021. The purpose of the proposed annexation is to allow the both facilities to connect to NSD's public sewer system. An aerial map of the proposed annexation territory is provided as Attachment Three to this report.

ANALYSIS

The subject parcel has been assigned a *Public Institution* General Plan land use designation and has been zoned as *Industrial* by the County of Napa. NSD has provided assurances that the District can provide public sewer services to the subject parcel without adversely affecting existing ratepayers in terms of costs or service levels. A map of the territory proposed to be annexed is provided on the following page.

Greg Pitts, Vice Chair
Councilmember, City of St. Helena

Juliana Inman, Commissioner
Councilmember, City of Napa

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

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

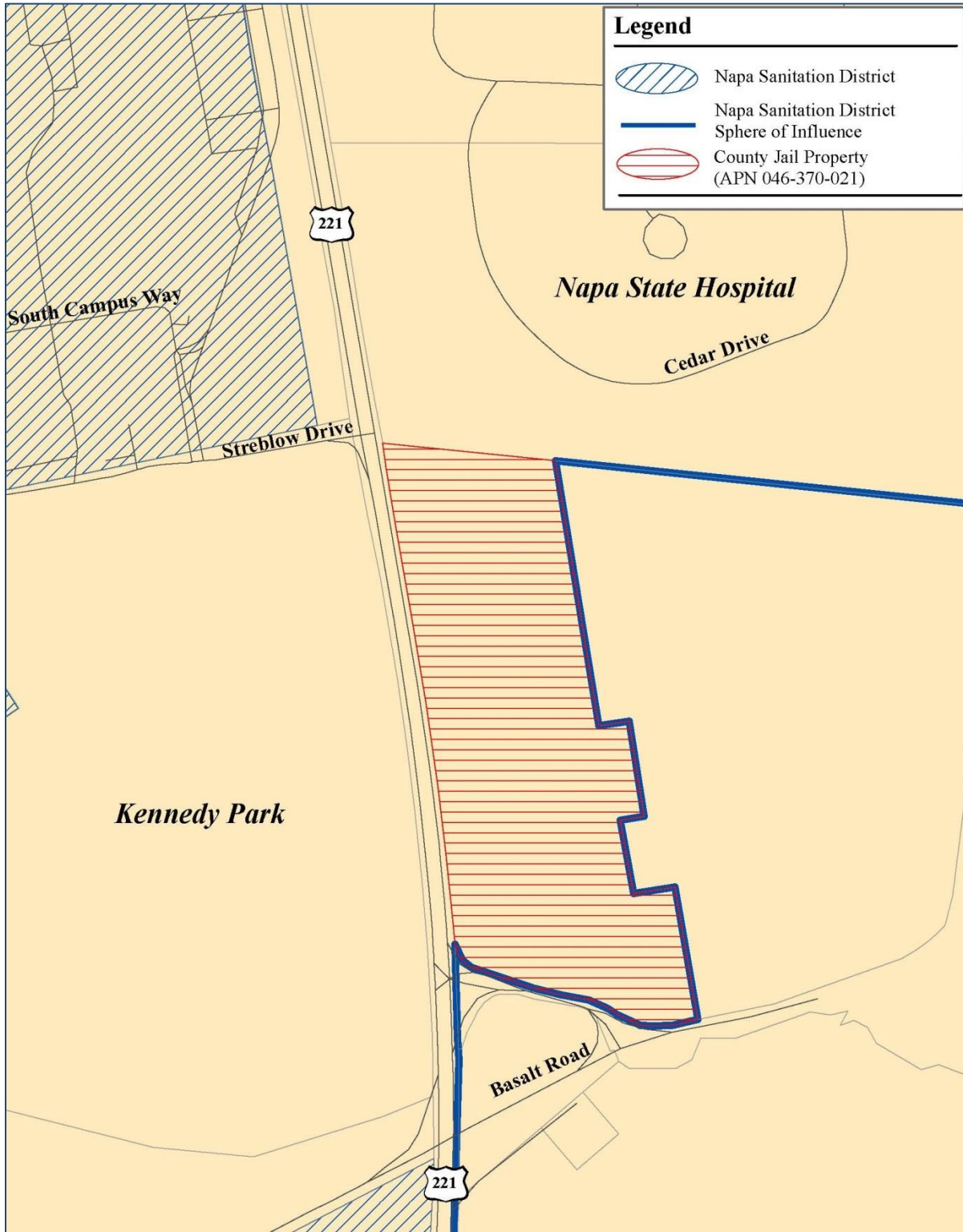
Brad Wagenknecht, Commissioner
County of Napa Supervisor, 1st District

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
Executive Officer



Policy Considerations

The Commission's *General Policy Determinations* Section VII(D)(1)(a) requires the Commission to consider concurrent annexation to the City of Napa ("City") whenever an application is submitted that involves annexation to NSD. This policy is applicable where the territory proposed to be annexed is within the City's SOI and rural urban limit (RUL) and where annexation is legally possible. The subject parcel is located within the City's SOI. However, the subject parcel is outside the City's RUL. Therefore, the referenced policy does not apply to this annexation proposal. Additionally, concurrent annexation would require the City to first prezone the subject parcel. Given these considerations, it does not appear appropriate or feasible to require concurrent annexation to the City.

It is important to note that, while annexation to the City is not currently feasible, both facilities will require certain municipal services from the City. Toward this end, the City has formally requested the Commission approve an outside service agreement to allow the City to provide water service to the subject parcel. The Commission will consider authorizing the outside water service request as part of public hearing item 6a on today's agenda.

Factors for Commission Consideration

Government Code (G.C.) Sections 56668 and 56668.3 require the Commission to consider 17 specific factors anytime it reviews proposals for change of organization or reorganization involving special districts. No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs with respect to considering boundary changes in context with locally adopted policies and practices. References to the "affected territory" hereafter include the entire parcel that serves as the location of the County Jail Project with a situs address at 2300 Napa Vallejo Highway.

(1) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent areas, during the next 10 years.

The affected territory is unincorporated and lies to the immediate east of the City of Napa's jurisdictional boundary near the southern portion of the City. There is currently no use in the affected property as the property has been vacated. The affected territory includes two temporary buildings and a vacant lot. The County of Napa owns the affected territory and its current assessment value is \$0.

The affected territory is legally uninhabited given that its current resident population is zero. Peak elevation within the affected territory is approximately 25 feet above sea-level. The affected territory is located within the *Napa River Watershed – Arroyo Creek* drainage basin.

Proposal approval would facilitate the development of the affected territory to include a new County Jail and Re-entry Facility as contemplated in the County Jail Project EIR. The first phase of the new Jail would be designed with an initial capacity of 96 beds, 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 Re-entry Facility would house 72 additional beds, 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.

Adjacent lands to the immediate north of the affected territory are unincorporated and located outside NSD's jurisdictional boundary but within NSD's SOI. These lands to the north are currently used as the Napa State Hospital.¹ Lands to the immediate east of the affected territory are unincorporated and located outside NSD's jurisdictional boundary and SOI. Lands to the northwest of the affected territory are incorporated and located within both NSD's and the City of Napa's jurisdictional boundaries. These lands to the northwest are currently used as part of Napa Valley College. Lands to the immediate west of the affected territory are incorporated and located within the City of Napa's jurisdictional boundary. These lands to the west are currently used as a golf course as part of the City-owned Kennedy Park.² Proposal approval would not be considered growth inducing with respect to adjacent areas based on existing and foreseeable future land uses.

(2) The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

Core municipal services already provided or available to the affected territory include fire, emergency medical, police, roads, garbage collection, vector control, soil conservation, and flood control; all at levels deemed adequate given current and planned uses. The future need for additional and elevated public services extending beyond the baseline would be triggered if the proposal is approved. Specifically, the development of the affected territory to include a Re-entry Facility and new Jail is expected to result in new and elevated demands on water and sewer services. Additional information regarding projected new water and sewer service demands associated with the development of the affected territory as contemplated in the County Jail Project EIR is provided below.

¹ NSD provides sewer service to Napa State Hospital through an outside service agreement.

² NSD provides sewer service to Kennedy Park through an outside service agreement.

Water

Proposal approval and development of the affected territory as anticipated would result in new annual potable water demands totaling approximately 24.6 acre-feet or 8.0 million gallons. The City of Napa would provide potable water service to the affected territory assuming the City's requested outside service agreement is approved by the Commission. The City's request will be considered as part of public hearing item 6a on today's agenda. The City has established adequate capacities and controls to accommodate these projected new water demands.

Sewer

Proposal approval and development of the affected territory as anticipated would result in new annual sewer service demands for NSD. The future average daily sewer flow generated from the affected territory at buildout is estimated to be 22,000 gallons and increases by two and one-half to 55,000 gallons during wet weather periods. These current flow estimates represent approximately 0.2% of NSD's current system demand and can be accommodated without measurably impacting existing service quality or ratepayers. However, these new demands will add incremental pressure on NSD's system-wide network of sewer infrastructure and mitigation measures will need to be implemented as identified in the County Jail Project EIR and as further discussed in factor 11 on page seven of this report.

(3) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on local governmental structure.

The proposal would recognize and strengthen existing social and economic ties between NSD and the affected territory. These ties were initially established in June 2015 when the Commission included the affected territory in NSD's SOI, marking an expectation the site would eventually develop and require public sewer service from the District as the region's sole service provider.

(4) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in G.C. Section 56377.

The proposal is consistent with the Commission's policies as codified under its *General Policy Determinations*. This includes consistency with the public serving land use designation for the affected territory under the County General Plan, avoidance of premature conversion of agricultural uses, and consistency with NSD's SOI. The affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377. Specifically, the affected territory is not devoted to an open-space use under the County General Plan.

(5) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.

The affected territory does not qualify as “agricultural land” under LAFCO law. Specifically, the affected territory is not used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program.

(6) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The proposal includes all of the property identified by the County of Napa Assessor’s Office as 046-370-021. The County has submitted a final map and geographic description of the affected territory that has been reviewed by the County Surveyor to ensure conformance with the requirements of the State Board of Equalization.

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

The Metropolitan Transportation Commission’s regional transportation plan (RTP), *Plan Bay Area*, was updated in 2013 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2040.³ No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

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

The proposal would provide permanent public sewer service to the affected territory. The availability of this municipal service is generally consistent with the County General Plan, which designates the affected territory as *Public Institutional*, as well as the County Zoning Ordinance, which designates the affected territory as *Industrial*. Lands with these land use designations are typically expected to be developed with uses compatible with the extension of sewer services. Further, the proposal would be consistent with the County Jail Project EIR, which contemplates annexation of the affected territory to NSD for purposes of establishing public sewer service.

(9) The SOI of any local agency which may be applicable to the proposal.

The affected territory is located entirely within NSD’s SOI. The Commission added the affected territory to NSD’s SOI in June 2015 in response to a formal request from the County of Napa.

³ Plan Bay Area is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. On July 18, 2013, Plan Bay Area was jointly approved by the Association of Bay Area Governments Executive Board and by the Metropolitan Transportation Commission. Plan Bay Area includes the region’s Sustainable Communities Strategy and the 2040 Regional Transportation Plan.

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

Staff provided notice of the proposal to all subject agencies and interested parties as required under G.C. Section 56658 on October 7, 2016. The applicant – the County of Napa – provided a comment confirming its support for the proposal (Attachment Five). NSD has provided its support for the proposal by way of approving a resolution (Attachment Six).

(11) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

Information collected and analyzed in the Commission’s Central County Region Municipal Service Review concluded NSD has established adequate administrative controls and capacities in maintaining appropriate service levels. This includes regularly reviewing and amending, as needed, NSD’s two principal user fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) connection fees and (b) user fees. The connection fee is currently \$8,950 and serves as NSD’s buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive sewer service. The annual user fee for a single-family unit is currently \$554.88 and is intended to proportionally recover NSD’s ongoing maintenance and operation expenses.

The connection to NSD will be established through Streblov Drive to connect to NSD’s 66-inch truck main and 8-inch line that serves the nearby golf course. The connection through Streblov Drive would be approximately 0.5 miles. The County would be responsible for funding and constructing the necessary connections in conformance with NSD’s standards. The connection point would be inspected, repaired as necessary, and accepted by NSD as a public main. A capacity analysis would be completed to ensure that sewer main is capable of serving the project. In addition, the County Jail Project would require collection system facility upgrades for NSD to reduce system-wide inundation and infiltration issues.

(12) Timely availability of water supplies adequate for projected needs as specified in G.C. Section 65352.5.

Approval of the proposed annexation to NSD would not directly generate new water demand. However, the County Jail Project will require annexation to the City of Napa or approval of an outside service agreement to allow the City of Napa to provide water service and therefore City water demand will increase. Toward this end, the City of Napa has requested an outside service agreement to provide water service to the affected territory. Consideration of the outside service agreement is included as public hearing item 6a on today’s agenda.

(13) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.

The proposal would not impact any local agencies in accommodating their regional housing needs. The proposal will not facilitate the development of housing units given that the affected territory is designated for a non-residential land use and is already planned for the new County Jail under the County's land use authority.

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

The County of Napa is the landowner of the affected territory and has submitted a resolution of application seeking the annexation to NSD. The County has also submitted a comment supporting approval of the proposal.

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

The affected territory has been designated as *Public Institution* in the County General Plan. This land use designation is intended to provide for existing and future uses of a governmental, public use, or public utility nature such as a public hospital, public use airport, sanitation district facilities, government equipment yard, state or federal administrative offices, recycling-composting facilities, or any other facilities for which the determinations set forth, pertaining to criteria for eminent domain in the California Code of Civil Procedures Section 1245.230(c)(1) through (3), can be made. There is no minimum lot size for lands designated as *Public Institution* in the County General Plan.

The County has zoned the affected territory as *Industrial*. This zoning district provides allowances for the following uses without a use permit: agriculture, minor antennas, telecommunication facilities, and emergency shelters. The minimum lot size for lands zoned *Industrial* is 20,000 square feet or approximately 0.5 acres.

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

There is no documentation or evidence suggesting the proposed annexation will have any implication for environmental justice in Napa County. The planned new County Jail will provide for the fair treatment of people of all races, cultures, and incomes with respect to location of the affected territory given that the Jail will be located away from core residential and commercial land uses.

(17) For annexations involving special districts, whether the proposed action will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.

Proposal approval would benefit the County of Napa as the landowner as well as future employees and inmates at the County Jail by providing permanent access to public sewer service within the affected territory.

Property Tax Agreement

The current property assessment value of the affected territory is \$0. However, California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before LAFCO can consider a change of organization. This statute states jurisdictional changes affecting the service areas or service responsibilities of districts must be accompanied by a property tax exchange agreement, which shall be negotiated by the affected county on behalf of the districts.

In 1980, the County adopted a resolution on behalf of NSD specifying no adjustment in the allocation of property taxes shall occur as a result of jurisdictional changes involving the District. This resolution has been applied to all subsequent changes of organization involving NSD. In processing this proposal, staff provided notice to the affected agencies the Commission would again apply this resolution unless otherwise informed. No comments were received.

Protest Proceedings

Protest proceedings shall be waived in accordance with G.C. Section 56662(a) given that the affected territory is uninhabited, the landowner is the applicant and has provided written support for the proposed annexation, and no written opposition to a waiver of protest proceedings has been received from any agency.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (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, including annexation to NSD. Staff has reviewed the EIR and believes the County adequately analyzed the potential environmental impacts and made adequate determinations regarding impacts related to the Commission's purview 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. Complete copies of the EIR, the County's resolutions including its determinations and findings, and the Mitigation Monitoring and Reporting Program (MMRP) are available on the Commission's website and can be viewed by clicking the links below.

- County Jail Project Draft EIR:
http://www.napa.lafco.ca.gov/uploads/documents/CountyJailProject_DEIR.pdf

- County Jail Project Final EIR:
http://www.napa.lafco.ca.gov/uploads/documents/CountyJailProject_FEIR.pdf
- County Jail Project MMRP:
http://www.napa.lafco.ca.gov/uploads/documents/CountyJailProject_MMRP.pdf
- County Resolution No. 2014-14 Certifying the County Jail Project Final EIR:
http://www.napa.lafco.ca.gov/uploads/documents/CountyJailProject_Resolution2014-14_CertifyingFEIR.pdf
- County Resolution No. 2014-34 Adopting Findings and a Statement of Overriding Considerations for the County Jail Project:
http://www.napa.lafco.ca.gov/uploads/documents/CountyJailProject_Resolution2014-34_Findings.pdf

ALTERNATIVES FOR COMMISSION ACTION

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

Alternative Action One (Recommended):

Approve the County of Napa's request for a fee waiver and adopt the draft resolution identified as Attachment One approving the proposal with standard terms and conditions.

Alternative Action Two:

Deny the County of Napa's request for a fee waiver and adopt the draft resolution identified as Attachment Two approving the proposal with standard terms and conditions, including a condition requiring the County to submit the appropriate application processing fees to the Commission.

Alternative Action Three:

Continue consideration of the proposed annexation to a future meeting.

Alternative Action Four:

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

ATTACHMENTS

- 1) Draft Resolution Approving the Proposal (With Fee Waiver)
- 2) Draft Resolution Approving the Proposal (No Fee Waiver)
- 3) Aerial Map of Affected Territory
- 4) Application Materials
- 5) Correspondence from the County of Napa (Dated October 7, 2016)
- 6) Napa Sanitation District Resolution No. 16-026 (Dated November 16, 2016)
- 7) County of Napa Fee Waiver Request

RESOLUTION NO. _____

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

**COUNTY JAIL ANNEXATION TO
THE NAPA SANITATION DISTRICT**

WHEREAS, the Local Agency Formation Commission of Napa County, hereinafter referred to as the “Commission,” is responsible for regulating boundary changes affecting cities and special districts under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the Commission has received a resolution of application from the County of Napa proposing the annexation of certain territory for use as a new County jail facility the Napa Sanitation District; and

WHEREAS, the proposal seeks Commission approval to annex approximately 27.1 acres of unincorporated land to the Napa Sanitation District and represents one entire parcel identified by the County of Napa Assessor’s Office as 046-370-021; 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, the Executive Officer reviewed said proposal and prepared a written report, including his recommendations thereon; and

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

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on said proposal on December 5, 2016; and

WHEREAS, the Commission considered all the factors required by law under Sections 56668 and 56668.3 of the California Government Code, as set forth in the Executive Officer’s report; and

WHEREAS, the Commission found the proposal consistent with the sphere of influence established for the Napa Sanitation District; and

WHEREAS, the Commission determined to its satisfaction that all owners of land included in said proposal consent to the subject annexation; and

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission serves as responsible agency for the annexation and has determined the annexation is a “project” subject to CEQA; and

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

1. The Commission, as responsible agency, 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 annexation.
2. 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.
3. 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.
4. The proposal is APPROVED subject to completion of item number 13 below.
5. The County’s request for a waiver of all proposal processing fees is APPROVED in accordance with the Commission’s adopted fee schedule.
6. This proposal is assigned the following distinctive short-term designation:

**COUNTY JAIL ANNEXATION TO
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7. The affected territory is shown on the map and described in the geographic description in the attached Exhibit “A”.
8. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
9. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.

10. While there is currently no general bonded indebtedness of the Napa Sanitation District, the affected territory may be taxed for any future general bonded indebtedness of the Napa Sanitation District.
11. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
12. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56662(a).
13. Recordation is contingent upon receipt by the Executive Officer of written confirmation by the Napa Sanitation District that its terms and conditions have been satisfied.
14. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on the December 5, 2016, by the following vote:

AYES: Commissioners

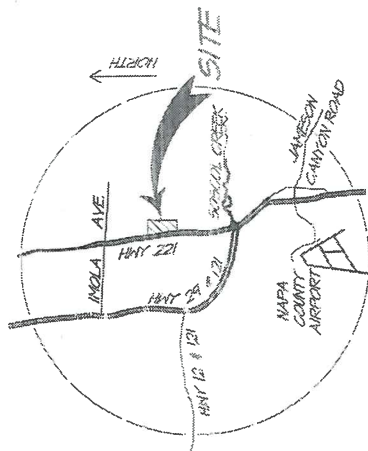
NOES: Commissioners

ABSTAIN: Commissioners

ABSENT: Commissioners

ATTEST: Kathy Mabry
Commission Secretary

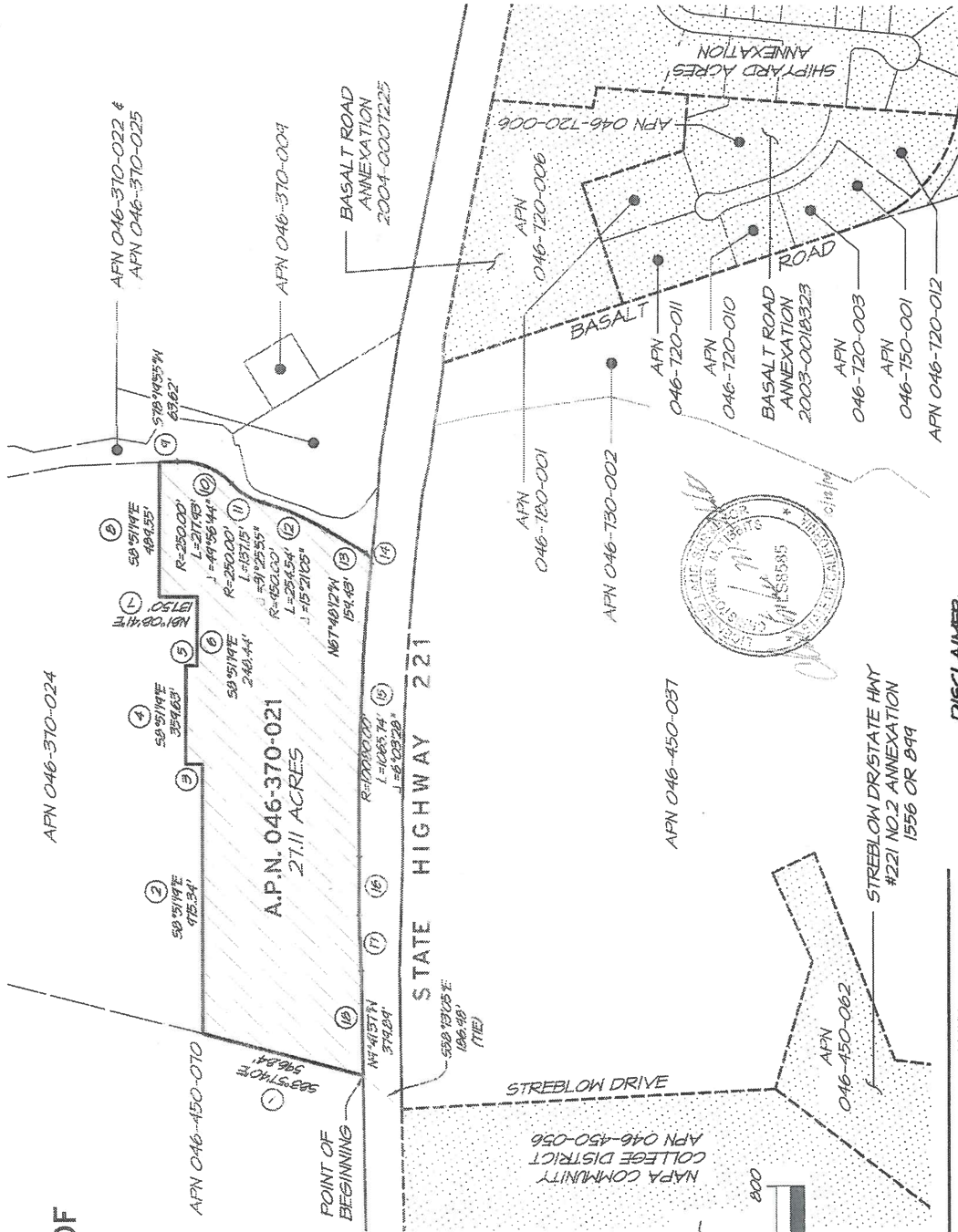
EXHIBIT A PLAT MAP DELINEATING THE BOUNDARY OF NAPA COUNTY JAIL ANNEXATION TO THE NAPA SANITATION DISTRICT BEING A PORTION OF TULOCAY RANCHO



VICINITY MAP

NOT TO SCALE

FINAL



| LINE TABLE | |
|------------|---------------------|
| # | BEARING DIST |
| ① | N81°08'41"E 60.00' |
| ② | S81°28'41"W 40.00' |
| ③ | S81°28'41"W 214.22' |
| ④ | N11°01'57"W 200.06' |

| CURVE TABLE | |
|-------------|-------------------------|
| # | RADIUS LENGTH DELTA |
| ① | 40.00' 44.80' 64°10'03" |



GRAPHIC SCALE

LEGEND

- PROPOSED NSD ANNEXATION BOUNDARY 27.11± ACRES (TOTAL)
- EXISTING NSD ANNEXATION BOUNDARY
- EXISTING PROPERTY LINE
- EXISTING DISTRICT BOUNDARY
- PROPOSED NSD ANNEXATION BOUNDARY
- APN
- NSD
- ASSESSOR'S PARCEL NUMBER
- NAPA SANITATION DISTRICT

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.



RSA+ CONSULTING CIVIL ENGINEERS + SURVEYORS + 1980
OCT 12, 2016 4162.01NSD Annexation Exhibit.dwg

4762.0
Napa County Jail Annexation
October 12, 2016

EXHIBIT "A"
Napa County Jail Annexation
To Napa Sanitation District

GEOGRAPHIC DESCRIPTION

A portion of the Tulocay Rancho in the County of Napa, State of California, **Beginning** on the eastern right of way line of State Highway No. 221 at the northwest corner of Parcel A as shown on the map entitled, "Map of the Lands of Basalt Rock Company, Inc.", filed December 12, 1979 in Book 11 of Parcel Maps at Page 11 in the Office of the County Recorder of Napa County, (said map shows the Highway as No. 12 and 29), said corner bearing South 58°13'05" East a distance of 186.98 feet from the southeastern corner of the Napa Community College District;

Thence (1) South 83°57'40" East, 596.84 feet;

Thence (2) South 08°51'19" East, 975.34 feet;

Thence (3) North 81°08'41" East, 60.00 feet;

Thence (4) South 08°51'19" East, 359.63 feet;

Thence (5) South 81°08'41" West, 40.00 feet;

Thence (6) South 08°51'19" East, 248.44 feet;

Thence (7) North 81°08'41" East, 137.50 feet;

Thence (8) South 08°51'19" East, 489.55 feet;

Thence (9) South 78°19'55" West, 63.62 feet to a tangent curve;

Thence (10) along a tangent curve concave to the north having a radius of 250.00 feet, through a central angle of 49°56'44", an arc length of 217.93 feet with said curve having a chord bearing North 76°41'44" West a distance of 211.09 feet to a reverse curve;

Thence (11) along a reverse curve concave the south having a radius of 250.00 feet, through a central angle of 31°25'55", an arc length of 137.15 feet with said curve having a chord bearing North 67°26'19" West a distance of 135.43 feet, to a reverse curve;

Thence (12) along a reverse curve concave to the north having a radius of 950.00 feet, through a central angle of 15°21'05", an arc length of 254.54 feet with said curve having a chord bearing North 75°28'44" West a distance of 253.77 feet;

Thence (13) North 67°48'12" West, 159.43 feet to a tangent curve;

FINAL

4762.0

Napa County Jail Annexation
October 12, 2016

Thence (14) along a tangent curve concave to the northeast having a radius of 40.00 feet, through a central angle of $64^{\circ}10'03''$, an arc length of 44.80 feet with said curve having a chord bearing North $35^{\circ}43'10''$ West a distance of 42.49 feet to a reverse curve;

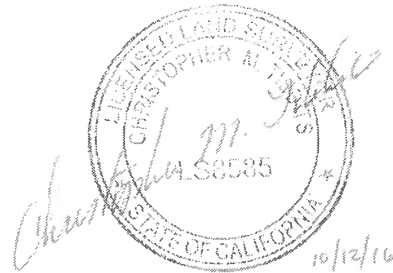
Thence (15) along a reverse curve concave to the west having a radius of 10,080.00 feet, through a central angle of $06^{\circ}03'28''$, an arc length of 1,065.74 feet with said curve having a chord bearing North $06^{\circ}39'53''$ West a distance of 1,065.24 feet;

Thence (16) North $08^{\circ}21'37''$ West, 214.22 feet;

Thence (17) North $11^{\circ}07'37''$ West, 200.06 feet;

Thence (18) North $09^{\circ}41'37''$ West, 379.89 feet to the **Point of Beginning**.

Containing 27.11 acres of land, more or less.



FINAL

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WHEREAS, the Local Agency Formation Commission of Napa County, hereinafter referred to as the “Commission,” is responsible for regulating boundary changes affecting cities and special districts under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the Commission has received a resolution of application from the County of Napa proposing the annexation of certain territory for use as a new County jail facility the Napa Sanitation District; and

WHEREAS, the proposal seeks Commission approval to annex approximately 27.1 acres of unincorporated land to the Napa Sanitation District and represents one entire parcel identified by the County of Napa Assessor’s Office as 046-370-021; 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, the Executive Officer reviewed said proposal and prepared a written report, including his recommendations thereon; and

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

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on said proposal on December 5, 2016; and

WHEREAS, the Commission considered all the factors required by law under Sections 56668 and 56668.3 of the California Government Code, as set forth in the Executive Officer’s report; and

WHEREAS, the Commission found the proposal consistent with the sphere of influence established for the Napa Sanitation District; and

WHEREAS, the Commission determined to its satisfaction that all owners of land included in said proposal consent to the subject annexation; and

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission serves as responsible agency for the annexation and has determined the annexation is a “project” subject to CEQA; and

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

1. The Commission, as responsible agency, 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 annexation.
2. 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.
3. 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.
4. The proposal is APPROVED subject to completion of item number 12 below.
5. This proposal is assigned the following distinctive short-term designation:

**COUNTY JAIL ANNEXATION TO
THE NAPA SANITATION DISTRICT**

6. The affected territory is shown on the map and described in the geographic description in the attached Exhibit “A”.
7. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
8. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
9. While there is currently no general bonded indebtedness of the Napa Sanitation District, the affected territory may be taxed for any future general bonded indebtedness of the Napa Sanitation District.

10. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
11. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56662(a).
12. Recordation is contingent upon receipt by the Executive Officer of the following items:
 - a) Written confirmation by the Napa Sanitation District that its terms and conditions have been satisfied.
 - b) Payment of all proposal processing fees in accordance with the Commission's adopted fee schedule.
13. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on the December 5, 2016, by the following vote:

AYES: Commissioners

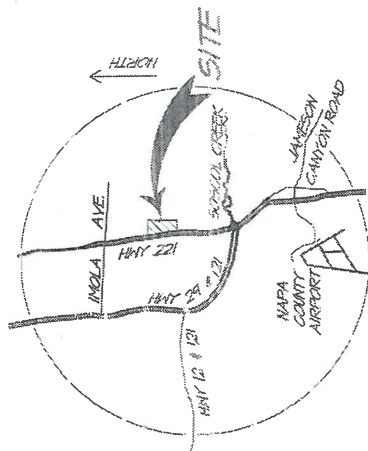
NOES: Commissioners

ABSTAIN: Commissioners

ABSENT: Commissioners

ATTEST: Kathy Mabry
Commission Secretary

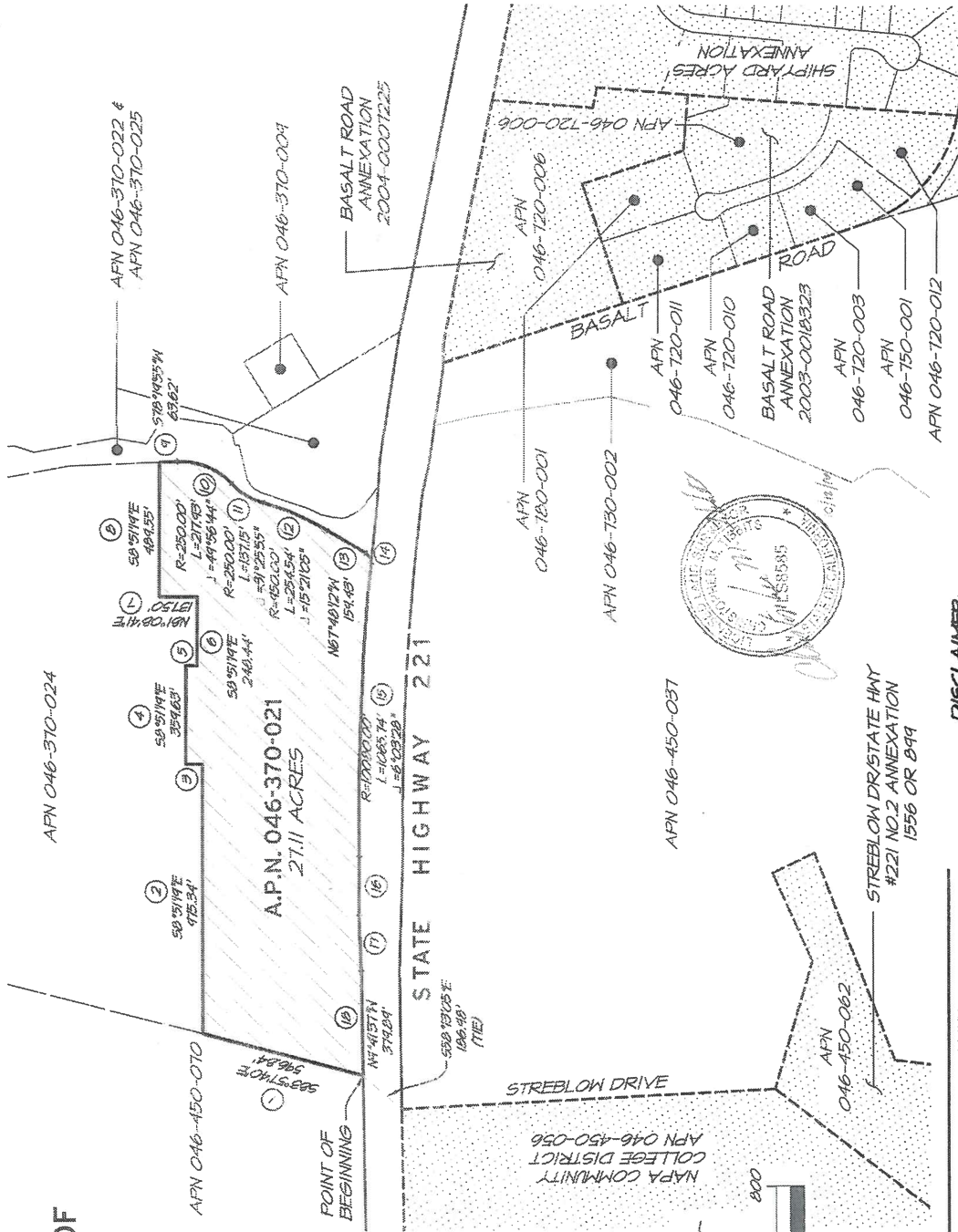
EXHIBIT A PLAT MAP DELINEATING THE BOUNDARY OF NAPA COUNTY JAIL ANNEXATION TO THE NAPA SANITATION DISTRICT BEING A PORTION OF TULOCAY RANCHO



VICINITY MAP

NOT TO SCALE

FINAL



| LINE TABLE | |
|------------|-------------|
| # | BEARING |
| ① | N81°08'41"E |
| ② | S81°08'41"W |
| ③ | N02°21'57"W |
| ④ | N11°07'57"W |

| CURVE TABLE | |
|-------------|--------|
| # | RADIUS |
| ① | 40.00' |
| ② | 44.80' |

| PROPOSED NSD ANNEXATION BOUNDARY | |
|----------------------------------|--------|
| # | LENGTH |
| ① | 44.80' |
| ② | 44.80' |

| EXISTING PROPERTY LINE | |
|------------------------|--------|
| # | LENGTH |
| ① | 44.80' |
| ② | 44.80' |

LEGEND

- EXISTING DISTRICT BOUNDARY
- PROPOSED NSD ANNEXATION BOUNDARY
- APN
- NSD
- NAPA SANITATION DISTRICT



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.



OCT 12, 2016 4162.01NSD Annexation Exhibit.dwg

4762.0
Napa County Jail Annexation
October 12, 2016

EXHIBIT "A"
Napa County Jail Annexation
To Napa Sanitation District

GEOGRAPHIC DESCRIPTION

A portion of the Tulocay Rancho in the County of Napa, State of California, **Beginning** on the eastern right of way line of State Highway No. 221 at the northwest corner of Parcel A as shown on the map entitled, "Map of the Lands of Basalt Rock Company, Inc.", filed December 12, 1979 in Book 11 of Parcel Maps at Page 11 in the Office of the County Recorder of Napa County, (said map shows the Highway as No. 12 and 29), said corner bearing South 58°13'05" East a distance of 186.98 feet from the southeastern corner of the Napa Community College District;

Thence (1) South 83°57'40" East, 596.84 feet;

Thence (2) South 08°51'19" East, 975.34 feet;

Thence (3) North 81°08'41" East, 60.00 feet;

Thence (4) South 08°51'19" East, 359.63 feet;

Thence (5) South 81°08'41" West, 40.00 feet;

Thence (6) South 08°51'19" East, 248.44 feet;

Thence (7) North 81°08'41" East, 137.50 feet;

Thence (8) South 08°51'19" East, 489.55 feet;

Thence (9) South 78°19'55" West, 63.62 feet to a tangent curve;

Thence (10) along a tangent curve concave to the north having a radius of 250.00 feet, through a central angle of 49°56'44", an arc length of 217.93 feet with said curve having a chord bearing North 76°41'44" West a distance of 211.09 feet to a reverse curve;

Thence (11) along a reverse curve concave the south having a radius of 250.00 feet, through a central angle of 31°25'55", an arc length of 137.15 feet with said curve having a chord bearing North 67°26'19" West a distance of 135.43 feet, to a reverse curve;

Thence (12) along a reverse curve concave to the north having a radius of 950.00 feet, through a central angle of 15°21'05", an arc length of 254.54 feet with said curve having a chord bearing North 75°28'44" West a distance of 253.77 feet;

Thence (13) North 67°48'12" West, 159.43 feet to a tangent curve;

FINAL

4762.0

Napa County Jail Annexation
October 12, 2016

Thence (14) along a tangent curve concave to the northeast having a radius of 40.00 feet, through a central angle of $64^{\circ}10'03''$, an arc length of 44.80 feet with said curve having a chord bearing North $35^{\circ}43'10''$ West a distance of 42.49 feet to a reverse curve;

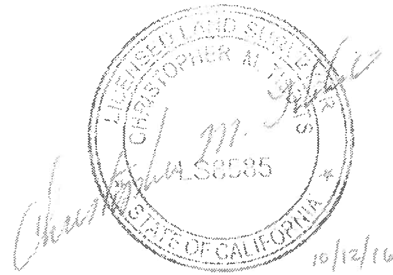
Thence (15) along a reverse curve concave to the west having a radius of 10,080.00 feet, through a central angle of $06^{\circ}03'28''$, an arc length of 1,065.74 feet with said curve having a chord bearing North $06^{\circ}39'53''$ West a distance of 1,065.24 feet;

Thence (16) North $08^{\circ}21'37''$ West, 214.22 feet;

Thence (17) North $11^{\circ}07'37''$ West, 200.06 feet;

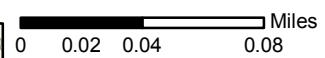
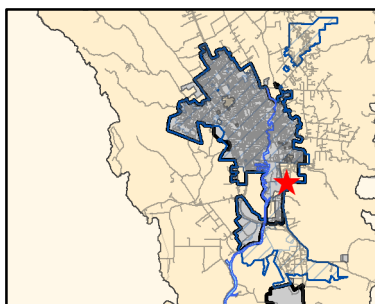
Thence (18) North $09^{\circ}41'37''$ West, 379.89 feet to the **Point of Beginning**.

Containing 27.11 acres of land, more or less.



FINAL

County Jail Annexation to the Napa Sanitation District



September 6, 2016
Prepared by BF



LAFCO of Napa County
1030 Seminary Street, Suite B
Napa, California 94559
www.napa.lafco.ca.gov

RESOLUTION NO. 2016-132

RESOLUTION OF APPLICATION BY THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, REQUESTING THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY TO UNDERTAKE PROCEEDINGS FOR THE ANNEXATION OF THE FUTURE SITE OF THE NAPA COUNTY JAIL INTO THE BOUNDARIES OF THE NAPA SANITATION DISTRICT

WHEREAS, Napa County (the "County") owns 27.11 acres of land at 2300 Napa Vallejo Highway, Napa, California (APN 046-370-021) (hereinafter referred to as the "Property"); and

WHEREAS, on April 8, 2014, the Napa County Board of Supervisors adopted Resolution No. 2014-34 and thereby made all necessary findings and adopted all appropriate mitigation measures as required by the California Environmental Quality Act ("CEQA");

WHEREAS, on April 8, 2014, via the aforementioned Resolution No. 2014-34, the Napa County Board of Supervisors also determined the planned development of the Property was in accordance with the County's General Plan.

WHEREAS, on June 29, 2015, LAFCO adopted a resolution at the request of the County to amend Napa Sanitation District's (NSD) Sphere of Influence (SOI) to include the Property; and

WHEREAS, the Property remains outside NSD's jurisdictional boundaries; and

WHEREAS, the County desires to connect to NSD's system to secure wastewater treatment services for future development of the Property; and

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code Sections 56000 et seq.) sets forth the procedures for the organization and reorganization of public entities, including the alteration of their SOI and jurisdictional boundaries; and

WHEREAS, the County desires to have the Property formally annexed into NSD's jurisdictional boundaries as part of the County's planned development of the Property, which includes a plan for NSD to provide wastewater treatment services to the Property; and

WHEREAS, Government Code Section 56100 et seq. sets forth the procedures for Napa County, as an affected agency, to request the expansion of NSD's jurisdictional boundaries to include the Property; and

WHEREAS, Government Code Section 56654 empowers the County, as an affected agency, to apply for the expansion of NSD's jurisdictional boundaries to include its Property by adoption of a resolution of application (this "Resolution of Application"); and

WHEREAS, Government Code Section 56654(d) requires the Resolution of Application to contain all the matters specified for a petition in Section 56700 and be submitted with a plan for services prepared pursuant to Section 56653; and

WHEREAS, the County desires to submit its Resolution of Application to LAFCO and has prepared an application that includes all the information required by the aforementioned sections of the Government Code and otherwise required by the Cortese-Knox-Hertzberg Local Government Reorganization Act on the forms provided by LAFCO.

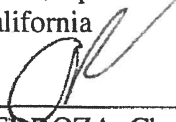
NOW, THEREFORE, BE IT RESOLVED by the Napa County Board of Supervisors as follows:

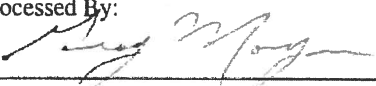
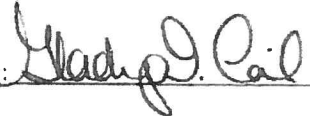
1. The Board hereby finds that the facts set forth in the recitals to this Resolution of Application are true and correct, and establish the factual basis for the Board's adoption of this Resolution of Application.
2. This Resolution of Application is hereby adopted and LAFCO is requested to proceed with the annexation of the Property into NSD's jurisdictional boundaries in accordance with the procedures set forth by the Cortese-Knox-Hertzberg Local Government Reorganization Act.
3. The Director of Public Works or designee is hereby authorized to sign all necessary submittals to LAFCO and any other government agencies in furtherance of securing the annexation of the Property into NSD's jurisdictional boundaries.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Napa County Board of Supervisors, State of California, at a regular meeting of the Board held on the 4th day of October, 2016, by the following vote:

| | | |
|---------|-------------|--|
| AYES: | SUPERVISORS | CALDWELL, WAGENKNECHT, DILLON, LUCE and PEDROZA |
| NOES: | SUPERVISORS | NONE |
| ABSENT: | SUPERVISORS | NONE |

NAPA COUNTY, a political subdivision of the State of California

By: 
 ALFREDO PEDROZA, Chairman of the Board of Supervisors

| | | |
|--|--|--|
| APPROVED AS TO FORM Office of County Counsel By: <u>Thomas S. Capriola</u> Deputy County Counsel Date: <u>September 22, 2016</u> | APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: October 4, 2016 Processed By:  Deputy Clerk of the Board | ATTEST: GLADYS I. COIL Clerk of the Board of Supervisors By:  |
|--|--|--|

D. Land Use Factors:

(1a) County General Plan Designation: Public Institutional

(1b) County Zoning Standard: zoned Industrial (I), the intent of which, is to provide an environment exclusively for and conducive to the development and protection of a variety of industrial uses such as administrative facilities, research institutions, and specialized manufacturing organizations. (Napa County Code Section 18.36.010.) To the extent applicable, the Project would generally be consistent with current zoning, as the potential environmental impacts have been reviewed under CEQA, and found to be less intensive than defined industrial uses.

(2a) Applicable City General Plan Designation: N/A

(2b) Applicable City Rezoning Standard: N/A

E. Existing Land Uses:

(Specific)

Vacant land. Future jail and staff secure facility site.

F. Development Plans:

(1a) Territory Subject to a Development Project?



Yes



No

(1b) If Yes, Describe Project: The proposed development is a new jail and a staff secure facility. The new jail will be built in multiple phases.

(1c) If No, When Is Development Anticipated? _____

G. Physical Characteristics:

(1) Describe Topography:

The site is mainly flat. Existing asphalt paving exists. A majority of the site drains to the man-made creek to the north.

(2) Describe Any Natural Boundaries:

A man-made creek runs along the northern and a portion of the western boundaries.

(3) Describe Soil Composition and Any Drainage Basins:

Soils on-site are loam and clay loam. Drainage flows overland to man-made channels.

(4) Describe Vegetation:

Southern half of the site has no vegetation. Northern half has trees of multiple species surrounding creek.

III. GENERAL INFORMATION

| | | | |
|---------------------|--|------------------------|--------------|
| A. Location: | <u>2300 Napa Vallejo Highway</u> | <u>046-370-021</u> | <u>27.11</u> |
| | Street Address | Assessor Parcel Number | Acres |
| | _____ | _____ | _____ |
| | Street Address | Assessor Parcel Number | Acres |
| | _____ | _____ | _____ |
| | Street Address | Assessor Parcel Number | Acres |
| | _____ | _____ | _____ |
| | Street Address | Assessor Parcel Number | Acres |
| | _____ | _____ | _____ |
| | Total Location Size (Including Right-of-Ways) _____ | | |

B. Landowners:

- (1) Assessor Parcel Number : 046-370-021 Name: Napa County
- Mailing Address: 1195 3rd Street, #101, Napa, CA
94559
- Phone Number: 707-253-4351 E-mail: Steve.lederer@countyofnapa.org
- (2) Name: _____
- Assessor Parcel Number : _____
- 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: 0
- (2) Total Number of Registered Voters: 0

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:

A new 8" sewer main will be extended from the existing sewer line on Streblow Drive
at the Kennedy Golf Course entrance. The new main will run down Streblow, under the
highway and creek and into the site. It will serve the full build-out jail.

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

New sewer main and sewer laterals with ability to connect and drain to Napa
Sanitation District facilities.

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

Project will start in Spring 2017. Sewer will be installed most likely in early/mid
Summer 2017.

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

A new sewer main will be installed. New roads will also be installed on-site.

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

Funds will come from Napa County General Fund.

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(1) **Lead Agency for Proposal:** Napa County
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:

Approve annexation of 1 parcel at 2300 Napa Vallejo Highway into the boundary of the Napa

Sanitation District.

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:** Juan Arias – Napa County Public Works

Mailing Address: 1195 Third Street #101, Napa CA, 94559

E-Mail: Juan.Arias@countyofnapa.org

(2) **Recipient Name:** Jeremy Sill – RSA+

Mailing Address: 1515 Fourth Street, Napa CA, 94559

E-Mail: JSill@rsacivil.com

(3) **Recipient Name:** _____

Mailing Address: _____

E-Mail: _____

Indemnification Agreement

Name of Proposal:

Should the Local Agency Formation Commission of Napa County ("Napa LAFCO") be named as a party in any litigation (including a "validation" action under California Civil Code of Procedure 860 et seq.) or administrative proceeding in connection with a proposal, the applicant Napa County agrees to indemnify, hold harmless, and promptly reimburse Napa LAFCO for:

1. Any damages, penalties, fines or other costs imposed upon or incurred by Napa LAFCO, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. The Napa LAFCO Executive Officer may require a deposit of funds to cover estimated expenses of the litigation. Applicant and/or real party in interest agree that Napa LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit Applicant's and/or real party in interest's obligations to indemnify and reimburse defense cost; and

2. All reasonable expenses and attorney's fees in connection with the defense of Napa LAFCO.

This indemnification obligation shall include, but is not limited to, expert witness fees or attorney fees that may be asserted by any person or entity, including the applicant, arising out of, or in connection with, the approval of this application. This indemnification is intended to be as broad as permitted by law.



Agency Representative Signature

Steve Lederer

Print Name

10/3/16

Date



Principal Landowner Signature

Steve Lederer

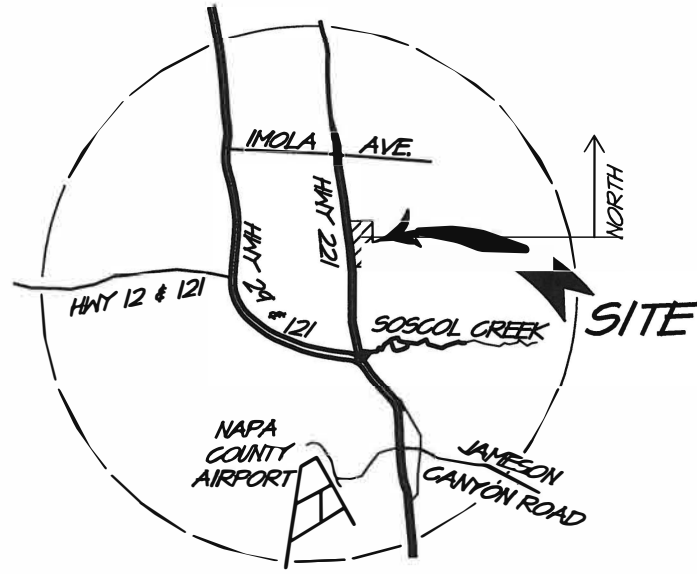
Print Name

10/3/16

Date

EXHIBIT A

MAP DELINEATING THE BOUNDARY OF NAPA COUNTY JAIL ANNEXATION TO THE NAPA SANITATION DISTRICT BEING A PORTION OF TULOCAY RANCHO

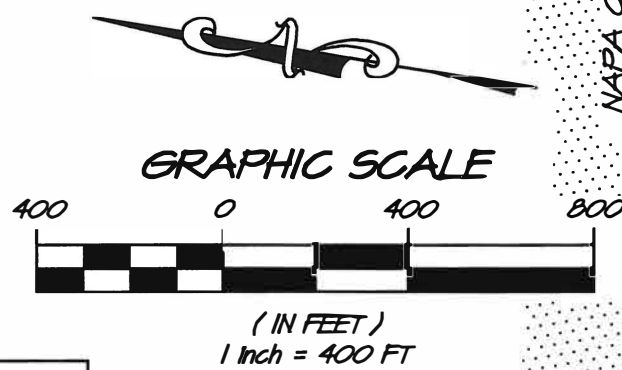


VICINITY MAP

NOT TO SCALE

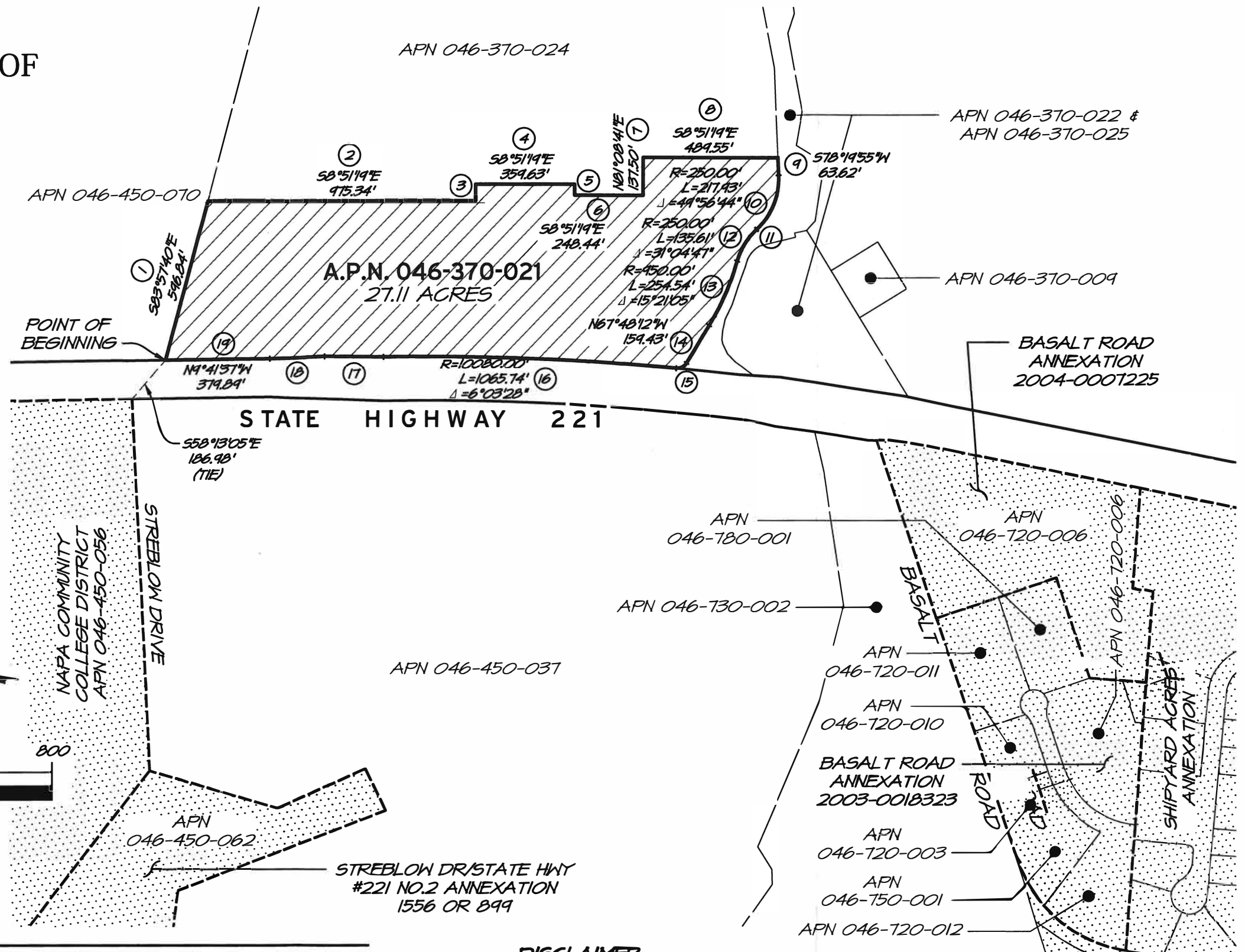
| LINE TABLE | | |
|------------|-------------|---------|
| # | BEARING | DIST |
| ③ | N81°08'41"E | 60.00' |
| ⑤ | S81°08'41"W | 40.00' |
| ⑦ | N08°21'37"W | 214.22' |
| ⑬ | N11°07'37"W | 200.06' |

| CURVE TABLE | | | |
|-------------|---------|--------|-----------|
| # | RADIUS | LENGTH | DELTA |
| ⑪ | 250.00' | 1.54' | 0°21'08" |
| ⑮ | 40.00' | 44.80' | 64°10'03" |



LEGEND

| | | | |
|--|--|-----|----------------------------------|
| | PROPOSED NSD ANNEXATION BOUNDARY 27.11± ACRES (TOTAL) | | EXISTING PROPERTY LINE |
| | EXISTING NSD ANNEXATION BOUNDARY | | EXISTING DISTRICT BOUNDARY |
| | | | PROPOSED NSD ANNEXATION BOUNDARY |
| | | APN | ASSESSOR'S PARCEL NUMBER |
| | | NSD | NAPA SANITATION DISTRICT |



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

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

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

4762.0
Napa County Jail Annexation
August 16, 2016

EXHIBIT "A"
Napa County Jail Annexation
To Napa Sanitation District

GEOGRAPHIC DESCRIPTION

A portion of the Tulocay Rancho in the County of Napa, State of California, **Beginning** on the eastern right of way line of State Highway No. 12 and 29 at the northwest corner of Parcel A as shown on the map entitled, "Map of the Lands of Basalt Rock Company, Inc.", filed December 12, 1979 in Book 11 of Parcel Maps at Page 11 in the Office of the County Recorder of Napa County, said corner bearing South $58^{\circ}13'05''$ East a distance of 186.98 feet from the southeastern corner of the Napa Community College District;

Thence (1) South $83^{\circ}57'40''$ East, 596.84 feet;

Thence (2) South $08^{\circ}51'19''$ East, 975.34 feet;

Thence (3) North $81^{\circ}08'41''$ East, 60.00 feet;

Thence (4) South $08^{\circ}51'19''$ East, 359.63 feet;

Thence (5) South $81^{\circ}08'41''$ West, 40.00 feet;

Thence (6) South $08^{\circ}51'19''$ East, 248.44 feet;

Thence (7) North $81^{\circ}08'41''$ East, 137.50 feet;

Thence (8) South $08^{\circ}51'19''$ East, 489.55 feet;

Thence (9) South $78^{\circ}19'55''$ West, 63.62 feet to a tangent curve;

Thence (10) along a tangent curve concave to the north having a radius of 250.00 feet, through a central angle of $49^{\circ}56'44''$, an arc length of 217.93 feet with said curve having a chord bearing North $76^{\circ}41'44''$ West a distance of 211.09 feet to a reverse curve;

Thence (11) along a reverse curve concave the south having a radius of 250.00 feet, through a central angle of $0^{\circ}21'08''$, an arc length of 1.54 feet with said curve having a chord bearing North $51^{\circ}53'56''$ West a distance of 1.54 feet, to the southernmost corner of said Parcel A;

Thence (12) continuing along said reverse curve through a central angle of $31^{\circ}04'47''$, an arc length of 135.61 feet with said curve having a chord bearing North $67^{\circ}36'53''$ West a distance of 133.95 feet to a reverse curve;

Thence (13) along a reverse curve concave to the north having a radius of 950.00 feet, through a central angle of $15^{\circ}21'05''$, an arc length of 254.54 feet with said curve having a chord bearing North $75^{\circ}28'44''$ West a distance of 253.77 feet;

4762.0
Napa County Jail Annexation
August 16, 2016

Thence (14) North $67^{\circ}48'12''$ West, 159.43 feet to a tangent curve;

Thence (15) along a tangent curve concave to the northeast having a radius of 40.00 feet, through a central angle of $64^{\circ}10'03''$, an arc length of 44.80 feet with said curve having a chord bearing North $35^{\circ}43'10''$ West a distance of 42.49 feet to a reverse curve;

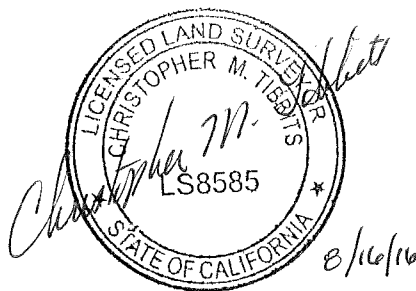
Thence (16) along a reverse curve concave to the west having a radius of 10,080.00 feet, through a central angle of $06^{\circ}03'28''$, an arc length of 1,065.74 feet with said curve having a chord bearing North $06^{\circ}39'53''$ West a distance of 1,065.24 feet;

Thence (17) North $08^{\circ}21'37''$ West, 214.22 feet;

Thence (18) North $11^{\circ}07'37''$ West, 200.06 feet;

Thence (19) North $09^{\circ}41'37''$ West, 379.89 feet to the **Point of Beginning**.

Containing 27.11 acres of land, more or less.



From: [Lederer, Steven](#)
To: [Freeman, Brendon](#)
Subject: RE: Request for Review: Proposed County Jail Annexation to the Napa Sanitation District
Date: Friday, October 07, 2016 11:36:50 AM

Napa County is supportive of Napa County's proposal and has no further comments.

From: Freeman, Brendon
Sent: Friday, October 07, 2016 11:29 AM
To: Damron, Andrew; Florin, Lawrance; Lederer, Steven; Arias, Juan; Tuteur, John; Brady, Kathleen; Redford, Christy; Maffei, Wesley; Woodbury, John; 'Leigh Sharp'; 'psweeney@nvusd.org'; Schmitz, Danielle
Subject: Request for Review: Proposed County Jail Annexation to the Napa Sanitation District

Please see the attached communication regarding an application submitted to LAFCO proposing the annexation of approximately 27.1 acres of unincorporated territory to the Napa Sanitation District. The affected territory comprises one entire parcel located at 2300 Napa Vallejo Highway and identified by the County Assessor as 046-370-021. Comments and recommendations are welcome through **November 7, 2016**. Please let me know if you have any questions.

Thank you,

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

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RESOLUTION NO. 16-026

**A RESOLUTION ESTABLISHING TERMS AND CONDITIONS AND ORDERING ANNEXATION OF
TERRITORY**

NAPA SANITATION DISTRICT, NAPA COUNTY, CALIFORNIA

COUNTY JAIL ANNEXATION - DISTRICT ANNEXATION ANNEX-000023

APN: 046-370-021

Address: 2300 Napa Vallejo Highway

RESOLVED, by the Board of Directors of the Napa Sanitation District, Napa County, California, as follows:

WHEREAS, on October 7, 2016 the Executive Officer of the Local Agency Formation Commission of Napa County (the "Commission") notified the Napa Sanitation District (the "District") that an application to annex territory to the District designated as "Proposed County Jail Annexation to the Napa Sanitation District" (the "Application") had been submitted to the Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq, the "Act");

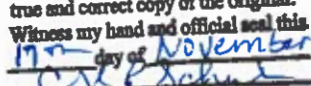
WHEREAS, Government Code Section 56857(e) provides for a waiver of specific LAFCO Commission and district noticing process prescribed in Government Code Section 56857(a), (b) & (c) subject to a resolution of the affected districts;

WHEREAS, because of the geographical location of the territory to be annexed, the District can adequately and economically furnish services which are urgently needed within said territory, and no other governmental agency is now able to so furnish such services and there is presently no prospect that any other such agency will be able to so furnish such services within the reasonably foreseeable future;

WHEREAS, the regular County assessment roll is utilized by this District;

WHEREAS, the affected territory will be taxed for existing general bonded indebtedness of this District;

WHEREAS, it is the practice of the District to impose Terms and Conditions on annexing territory that represent and are consistent with the policies and procedures of the District;

I do hereby certify that this is a full
true and correct copy of the original.
Witness my hand and official seal this
17th day of November, 2016

Cheryl P. Schuh

WHEREAS, the affected local agencies associated with the Application are the County of Napa and the District; and

WHEREAS, Government Code Section 56662(a), a portion of the Act, provides that conducting authority proceedings for a proposed change of organization may be waived without hearing and notice if the Commission receives the consent of all affected local agencies that will gain or lose territory as a result of the respective change of organization and by the owner of the involved affected territory.

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED, that

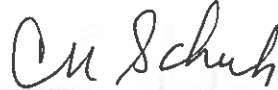
1. The District offers its consent to the waiver of the conducting authority proceedings for the annexation of the subject territory of the Application contingent upon the following:
 - a. The Application is approved by the Commission subject to the Terms and Conditions described in Exhibit "B" hereto attached and by reference incorporated herein;
 - b. Recordation of the annexation by the Executive Officer of the Commission is made contingent upon notification from the District that the Terms and Conditions described in Exhibit "B" have been met to the satisfaction of the District; and
 - c. The effective date of the annexation is designated by the Commission as the date of recordation.
2. The District supports the proposed change of organization or reorganization.
3. To ensure compliance with the policies and procedures of the District, and to ensure the timely completion of annexation proceedings, any modifications desired by the Commission to the Terms and Conditions set forth in Exhibit "B" shall be reviewed and approved by the District prior to consideration and approval of the annexation by the Commission.
4. The General Manager of the District is hereby authorized to determine that the Terms and Conditions described in Exhibit "B" have been met and to notify the Executive Officer of the Commission upon this determination.
5. The District Secretary is directed to immediately file a certified copy of this Resolution in the office of the Commission.

I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted and passed by the Board of Directors of the Napa Sanitation District, Napa County, California, on the 16th day of November 2016 by the following vote:

AYES, and in favor thereof, Directors: GRAVES, GRAVETT, MOTT, CALDWELL, TECHEL

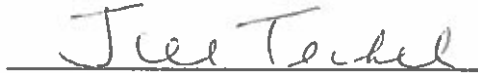
NOES, Directors: None

ABSENT, Directors: None



Secretary, Napa Sanitation District
Napa County, California

APPROVED:



Chair of the Board of Directors
Napa Sanitation District

EXHIBIT "B"

TERMS AND CONDITIONS

COUNTY JAIL ANNEXATION - DISTRICT ANNEXATION ANNEX-000023

APN: 046-370-021

Address: 2300 Napa Vallejo Highway

1. Upon and after the effective date of said annexation, the Territory, all inhabitants within such Territory, and all persons entitled to vote by reason of residing or owning land with the Territory, shall be subject to the jurisdiction of the Napa Sanitation District, hereinafter referred to as "the District"; shall have the same rights and duties as if the Territory had been a part of the District upon its original formation; shall be liable for the payment of principal, interest, and any other amounts which shall become due on account of any outstanding or then authorized by thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations and codes of the District, as now or hereafter amended.
2. The property owner hereby agrees to abide by all codes, rules and regulations of the District governing the manner in which sewers shall be used, the manner of connecting thereto, and the plumbing and drainage in connection therewith.
3. In the event that pursuant to rules, regulations or codes of the District, as now or hereafter amended, the District shall require any payment of a fixed or determinable amount of money, either as a lump sum or in installments, for the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of the District, such payment will be made to the District in the manner and at the time as provided by the rules, regulations or codes of the District, as now or hereafter amended.
4. The property owner agrees that prior to connection to the facilities of the District; property owner shall pay all applicable fees and charges to the District associated with connection of the property in accordance with the computation of regular capacity charges and charges in effect at the time paid. The property owner further agrees to pay the regular permit and inspection charges in effect at the time paid for the connection to be made to the District's system.
5. The property owner shall deposit with the District an annexation fee of \$1,204.00 to reimburse the District engineering, legal, and all other costs incurred by the District in preparing and examining maps and plans, legal descriptions, agreements and other documents associated with processing subject annexation

6. The property owner shall file with LAFCO monies payable to the State Board of Equalization, as required by LAFCO.
7. The property owner shall pay to the County of Napa Assessor's Office a Mapping Services Fee, as required by the County of Napa.
8. The property owner shall pay to LAFCO of Napa County fees as required for updating the County's GIS database.
9. The property owner further agrees to pay such annual sewer service fees to the District as may be established, from time to time, by the rules and regulations of the District which are of universal application within the District. Property owner hereby authorizes the District to collect such charges on the tax roll pursuant to California Health and Safety Code section 5473 and specifically waive any right to challenge the District's ability to do so because the Property is outside of the District Boundaries.
10. No change in the facilities to be connected to the District's system shall be made without first having given written notice to the District that such change is to be made. No additional connections shall be connected to the facilities of the Napa Sanitation District without having first given written notice to the District that such additional facilities are to be connected to the system. Prior to making any such change in facilities or to the addition of any units to the District's system, the property owner shall pay to the District such additional inspection, capacity, and annual fees which may then be established by the Board of Directors of the District.
11. The property owner shall eliminate any privately owned sewage disposal system(s) located on the subject property to the Napa County Division of Environmental Health requirements.
12. The property owner shall abide by all District requirements and enter into Agreements with the District, as deemed necessary by the District, for construction of public and private sanitary sewer facilities. The property owner shall be responsible for all design and construction costs associated with the sanitary sewer improvements required to serve the property.
13. The subject property proposes to connect to an existing sewer main that is over capacity during wet weather flow conditions. Development of the subject property will increase projected sewer flows and create additional impacts to the public sewer system. The property owner shall contribute monies toward inflow/infiltration reduction project(s) to mitigate wet weather flow (consistent with Napa Sanitation District Board Resolution No. 11-025) for each single family dwelling or commercial building developed on the property. Contribution toward the inflow/infiltration reduction project will be required prior to building permit approval or issuance.
14. The property owner shall install approximately 4,400 linear feet of 8-inch sanitary sewer main from existing private sewer system on Streblov Drive east to the proposed jail facilities,

including highway crossings and creek crossings for sewer service to the property. The District may require the property owner to enter into a Deferred Improvement Agreement to accommodate potential future modifications.

15. The property owner shall own, operate and maintain all sewer and recycled water facilities east of the Napa Vallejo Highway and all new facilities that physically cross beneath the Napa Vallejo Highway and the State's right-of-way, and those that cross beneath the creek(s) east of the highway.

16. The property owner shall arrange for the dedication of approximately 1,000 linear feet of existing private 8-inch and 16-inch sewer mains in Streblov Drive to the District and provide a permanent 20-foot wide public sanitary sewer easement (centered on the sewer mains) dedicated from the City of Napa to the District. The property owner shall provide all necessary legal descriptions and plats for the public sanitary sewer easement.

17. The property owner shall replace or rehabilitate approximately 20 feet of existing 16-inch sanitary sewer main on Streblov Drive to the satisfaction of the District prior to the District assuming ownership, operation and maintenance of existing private sewer mains on Streblov Drive.

18. The property owner shall install sleeved highway and creek crossings for future recycled water service to the proposed jail property.

19. The property owner shall submit a Plan and Profile of the aforesaid sanitary sewer and recycled water improvements prepared by a registered civil engineer, conforming to District standards.

20. All sewer work performed in the public right of way shall be performed by a Class A licensed contractor. The property owner shall pay to the District public lateral inspection fees and sanitary sewer main inspection fees based on the inspection rates in effect at the time construction permits are issued.

21. All sewer work within the California Department of Transportation's (Caltrans) right of way shall be subject to Caltrans approval. The property owner shall be solely responsible for applying for, obtaining, and complying with all Caltrans approvals and permits.

22. The property owner shall be solely responsible for obtaining and complying with all necessary regulatory permits for improvements within, over and beneath environmentally sensitive areas, wetland areas, or waters of the United States.

23. The property owner shall pay to the District the required inspection fees, development fees, and capacity charges at the rates in effect at the time of construction for each building developed on the property, per District Code.

24. The property owner shall fulfill condition numbers 5 – 8 and agree to all other conditions prior to the District's issuance of a letter to LAFCO authorizing recordation of subject annexation, and in no case more than 1 year after LAFCO's adoption of a resolution approving

subject annexation, unless extended by LAFCO. Any extensions granted shall in total not exceed 1 year.

Department of Public Works

1195 Third Street, Suite 101
Napa, CA 94559-3092
www.countyofnapa.org/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Steven E. Lederer
Director



A Tradition of Stewardship
A Commitment to Service

November 8, 2016

Brendon Freeman, Executive Officer
Local Agency Formation Commission of Napa County
1030 Seminary Street, Suite B
Napa, California 94559

Re: Napa County Jail Property (APN: 046-370-021) annexation - LAFCO fees waiver request

Dear Mr. Freeman,

The proposed Re-entry and New Jail Facilities to be constructed at APN: 046-370-021 will serve very important community needs. The jail is an integral part of our criminal justice system serving the community through the use of incarceration as a means of providing public safety and programming and rehabilitation to serve as deterrents to future criminal behavior and thereby reducing recidivism. The jail site will include a re-entry facility which will serve as a step-down facility between the traditional methods of incarceration and subsequent release from custody. People assigned to serve the latter part of their sentence in this location will be required to go through programs that are intended to reduce recidivism while providing them with opportunities to find education, housing, and employment. The goal of this facility is to reduce the needs for hardened jail beds by increasing programming opportunities in a partnership with the Department of Corrections and the Probation Department.

Therefore the County of Napa respectfully requests that LAFCO waive the fees associated with the annexation application. Thank you for your assistance on the annexation process and please let me know if you have questions.

Steven E. Lederer
Director of Public Works

A handwritten signature of Steven E. Lederer in black ink, written over a horizontal line.