



## Local Agency Formation Commission of Napa County

Subdivision of the State of California

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

■ Diane Dillon, Chair ■ Margie Mohler, Vice Chair ■ Mariam Aboudamous ■ Kenneth Leary  
■ Brad Wagenknecht ■ Ryan Gregory, Alternate ■ Eve Kahn, Alternate ■ Beth Painter, Alternate

**Administrative Office**  
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Consistent with the California Governor's Executive Order N-29-20 promoting social distancing, there will be no physical or in-person meeting location available to the public. Instead, the meeting will be conducted by teleconference. All staff reports for items on the meeting agenda are available on the Commission's website at [https://www.napa.lafco.ca.gov/staff\\_reports.aspx](https://www.napa.lafco.ca.gov/staff_reports.aspx). The meeting will be accessible for all members of the public to attend via the link and phone number listed below.

### REGULAR MEETING AGENDA

Monday, June 7, 2021, 2:00 PM

**This meeting will be conducted by teleconference. Written public comments may be submitted PRIOR to the meeting by 10:00 A.M. on June 7, 2021. Public comments DURING the meeting: See "COVID-19 – Notice of Meeting Procedures" on page 3 of the agenda.**

*Join Teleconference Meeting **Electronically** (computer, tablet, or smartphone):*

<https://countyofnapa.zoom.us/j/85908338034>

*Join Teleconference Meeting by **Telephone**:*

Dial: (669) 900-6833

Follow the prompts: Meeting ID: 85908338034#

If you need assistance before or during the meeting, please contact Commission Clerk Kathy Mabry at: [kmabry@napa.lafco.ca.gov](mailto:kmabry@napa.lafco.ca.gov) or call the LAFCO office at (707) 259-8645.

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

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF AGENDA**

The Chair will consider approving the agenda as prepared by the Executive Officer with any requests to remove or rearrange items by members of the Commission or staff. A vote of the full Commission is not required for this item.

**4. PUBLIC COMMENTS**

The public is encouraged to address the Commission concerning any matter not on the Agenda. The Commission is prohibited from discussing or taking action on any item not appearing on the posted Agenda. See "COVID-19 – Notice of Meeting Procedures" on page 3 of the agenda to submit comments.

**5. CONSENT ITEMS**

All items calendared as consent are considered ministerial or non-substantive action or information items. As such, all consent items may be approved or accepted under one vote of the Commission. With the concurrence of the Chair, a Commissioner may request discussion of an item on the consent calendar.

- a) [Approval of Meeting Minutes: April 5, 2021 Regular Meeting](#)
- b) [Third Quarter Budget Report for Fiscal Year 2020-2021](#)
- c) [Current and Future Proposals](#)
- d) [CALAFCO Quarterly Report](#)

## 6. PUBLIC HEARING ITEMS

Any member of the public may address the Commission with respect to a scheduled public hearing item. See “COVID-19 – Notice of Meeting Procedures” on page 3 of the agenda to submit comments.

### a) Final Budget for Fiscal Year 2021-2022 and Amendment to the Schedule of Fees and Deposits (Approx. 15 Minutes)

The Commission will consider a final budget for fiscal year 2021-2022. Proposed operating expenses total \$554,141 and proposed operating revenues total \$540,270 with the remaining shortfall of \$13,871 to be covered by drawing from reserves. The Commission will also consider a proposed amendment to its *Schedule of Fees and Deposits*. The recommended actions are for the Commission to adopt the final budget by resolution, adopt the amendment to the *Schedule of Fees and Deposits* by resolution, and authorize the Executive Officer to sign a five-year lease agreement for office space at 1754 Second Street in Napa.

## 7. ACTION ITEMS

Items calendared for action do not require a public hearing before consideration by the Commission. Applicants may address the Commission. Any member of the public may provide comments on an item. See “COVID-19 – Notice of Meeting Procedures” on page 3 of the agenda to submit comments.

### a) Proposed Policy on Spheres of Influence and Amendment to the General Policy Determinations (Approx. 15 Minutes)

The Commission will consider a fourth draft *Policy on Spheres of Influence*. It is recommended the Commission adopt a resolution adopting the *Policy on Spheres of Influence* and amend the *General Policy Determinations*.

### b) Somky Ranch Annexation to the Napa Sanitation District and Associated CEQA Findings (Approx. 5 Minutes)

The Commission will consider a proposal from the Napa Sanitation District (NSD) submitted by resolution of application for the annexation of three unincorporated parcels totaling approximately 303.5 acres in size to NSD. The affected territory is located adjacent to the Napa County Airport on the north side (no situs address) and identified by the County Assessor as 057-010-038, 057-010-039, and 046-400-016. The annexation is intended to reduce NSD’s annual property tax burden through the annexation of property owned by the District. Annexation is exempt from CEQA under CEQA Guidelines Section 15319(a). The recommended action is for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

### c) Browns Valley Road No. 14 Annexation to the Napa Sanitation District and Associated CEQA Findings (Approx. 5 Minutes)

The Commission will consider a proposal submitted by landowner petition for the annexation of one incorporated parcel totaling approximately 3.5 acres in size to NSD. The affected territory is located in the City of Napa at 3084 Browns Valley Road and identified by the County Assessor as 041-170-010. The annexation is intended to eliminate the onsite private septic system for the existing single-family residence. Annexation is exempt from CEQA under CEQA Guidelines Section 15282(k). The recommended action is for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

### d) Camilla Drive No. 6 Annexation to the Napa Sanitation District and Associated CEQA Findings (Approx. 5 Minutes)

The Commission will consider a proposal submitted by landowner petition for the annexation of one incorporated parcel totaling approximately 1.1 acres in size to NSD. The affected territory is located in the City of Napa at 14 Camilla Drive and identified by the County Assessor as 041-121-002. The annexation is intended to eliminate the onsite private septic system for the existing single-family residence. Annexation is exempt from CEQA under CEQA Guidelines Section 15282(k). The recommended action is for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

### e) Legislative Report (Approx. 10 Minutes)

The Commission will receive a report on legislative items directly or indirectly affecting LAFCOs. The recommended action is for the Commission to discuss Senate Bill 13 and any other bills of interest and consider directing the Executive Officer to propose amendments or submit position letters to the Legislature as desired.

f) **Work Program for Fiscal Year 2021-2022 (Approx. 5 Minutes)**

The Commission will consider a draft Work Program for fiscal year 2021-2022 prepared by staff. The recommended action is for the Commission to adopt the Work Program by resolution.

g) **CALAFCO Nominations and Annual Conference Items (Approx. 5 Minutes)**

The Commission will consider appointing voting delegates to represent the agency at CALAFCO's Annual Conference scheduled for October 6<sup>th</sup> to 8<sup>th</sup> at the Hyatt Regency Newport Beach John Wayne Airport. The Commission will also consider making nominations for the CALAFCO Board of Directors and achievement awards.

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

This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No discussion or action may occur or be taken, except to place the item on a future agenda if approved by a majority of the Commission.

**9. CLOSED SESSIONS:**

a) **Public Employee Performance Evaluation – (Government Code Section 54957(b)(1))**

Employee: Executive Officer

b) **Conference with Labor Negotiators – (Government Code Section 54957.6)**

Agency Designated Representative: Commission Chair

Unrepresented Employee: Executive Officer

**10. ADJOURNMENT TO NEXT SCHEDULED MEETING**

Monday, August 2, 2021 at 2:00 P.M. The meeting will be conducted by teleconference due to COVID-19 in compliance with Executive Order N-29-20.

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## MEETING INFORMATION

### **COVID-19 – Notice of Meeting Procedures**

**TELECONFERENCE MEETING:** In order to slow the spread of the Coronavirus (COVID-19) pandemic, the Commission will conduct this meeting as a teleconference in compliance with the Governor's Executive Order N-29-20 and Napa County Shelter at Home Order issued March 18, 2020, and members of the Commission or Commission staff may participate in this meeting telephonically or electronically. Members of the public may participate in the meeting, as described below.

*Join Teleconference Meeting **Electronically** (computer, tablet, or smartphone):*

<https://countyofnapa.zoom.us/j/85908338034>

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Dial: (669) 900-6833

Follow the prompts: Meeting ID: 85908338034#

If you need assistance before or during the meeting, please contact Commission Clerk Kathy Mabry at: [kmabry@napa.lafco.ca.gov](mailto:kmabry@napa.lafco.ca.gov) or call the LAFCO office at (707) 259-8645.

**SUBMITTING WRITTEN COMMENTS TO BE READ AT THE MEETING:** Any member of the public may submit a written comment to the Commission before the meeting by **June 7, 2021 at 10:00 A.M.** by email to [kmabry@napa.lafco.ca.gov](mailto:kmabry@napa.lafco.ca.gov) or by mail to Napa LAFCO at 1030 Seminary Street, Suite B, Napa, CA 94559-2814. If you are commenting on a particular item on the agenda, please identify the agenda item number and letter. Any comments of 500 words or less (per person, per item) will be read into the record if: (1) the subject line includes “COMMENT TO COMMISSION – PLEASE READ”; and (2) it is received by the Commission Clerk prior to the deadline of **June 7, 2021 at 10:00 A.M.**

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

**SUBMITTING SPOKEN COMMENTS DURING THE COMMISSION MEETING:**

Electronically:

1. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
2. When the Commission calls for the item on which you wish to speak, click “participants”, a menu will appear. On computer or tablet: click on the “raise hand” icon or word. On a smartphone: click on your name in the list of participants, click on “raise hand”. Staff will unmute speakers in turn.
3. When you are called upon to speak, please provide your name and address for the record.
4. When called, please limit your remarks to the time limit allotted (3 minutes).

By phone (please avoid the speakerphone function to prevent echoing):

1. Your phone number will appear but not your name.
2. When the Commission calls for the item on which you wish to speak, press \*9 to “raise your hand”. Staff will unmute speakers in turn. You will be called upon using the last four digits of your phone number, since your name is not visible. You will be prompted to press \*6 to be unmuted.
3. When you are called upon to speak, please provide your name and address for the record.
4. When called, please limit your remarks to the time limit allotted (3 minutes).

**VIEWING RECORDING OF TELECONFERENCE MEETING:** The Commission’s teleconference meeting will be recorded. Members of the public may access the teleconference meeting and other archived Commission meetings by going to [https://www.napa.lafco.ca.gov/cm\\_meeting\\_video.aspx](https://www.napa.lafco.ca.gov/cm_meeting_video.aspx). Please allow up to one week for production time.

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

**CONDUCT OF HEARINGS:** A contested matter is usually heard as follows: (1) discussion of the staff report and the environmental document; (2) testimony of proponent; (3) testimony of opponent; (4) public testimony; (5) rebuttal by proponent; (6) provision of additional clarification by staff as required; (7) close of the public hearing; (8) Commission discussion and Commission vote.

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

**OFF AGENDA ITEMS:** Matters under the jurisdiction of the Commission and not on the posted agenda may be addressed by the public under “Public Comments” on the Agenda. The Commission limits testimony on matters not on the agenda to 500-words or less for a particular subject and in conformance with the COVID-19-Notice of Meeting Procedures. The Commission cannot take action on any unscheduled items.

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

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

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

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

**TO:** Local Agency Formation Commission

**PREPARED BY:** Kathy Mabry, Commission Clerk *KM*

**MEETING DATE:** June 7, 2021

**SUBJECT:** Approval of Meeting Minutes:  
**April 5, 2021 Regular Meeting**

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**DISCUSSION AND RECOMMENDATION**

The Commission will consider approving the draft meeting minutes prepared by staff for the April 5, 2021 Regular Meeting, included as Attachment One.

Staff recommends approval.

**ATTACHMENT**

- 1) Draft Minutes for April 5, 2021 Regular Meeting

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Margie Mohler, Vice Chair  
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

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

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

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

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*





**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MEETING MINUTES OF APRIL 5, 2021**

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

Chair Mohler called for a moment of silence to honor former Commissioner Gregory Rodeno who passed away in March 2021.

Chair Mohler then called the regular meeting of April 5, 2021 to order at 2:00 PM. At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Margie Mohler, Chair	Ryan Gregory	Brendon Freeman, Executive Officer
Diane Dillon, Vice Chair	Eve Kahn (* Voting)	DeeAnne Gillick, Commission Counsel
Brad Wagenknecht	Beth Painter	Dawn Mittleman Longoria, Analyst II
Mariam Aboudamous		Kathy Mabry, Secretary
<i>Public Member * - Vacant</i>		

**2. PLEDGE OF ALLEGIANCE**

Chair Mohler led the Pledge of Allegiance.

**3. APPROVAL OF AGENDA**

Chair Mohler asked if there were any requests to rearrange the agenda. There were no requests. Upon motion by Commissioner Wagenknecht and second by Commissioner Aboudamous, the Commission unanimously adopted the agenda as submitted:

**VOTE:**

**AYES:            WAGENKNECHT, ABOUDAMOUS, DILLON, KAHN AND MOHLER**

**NOES:            NONE**

**ABSENT:        NONE**

**ABSTAIN:       NONE**

**4. PUBLIC COMMENTS**

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

**5. CONSENT ITEMS**

- a) Approval of Meeting Minutes: February 1, 2021 Regular Meeting
- b) Proposed Amendment to Policy on Social Media Use (RESOLUTION #2021-04)
- c) Proposed Amendment to Policy on Executive Officer Performance Review (RES. #2021-05)
- d) Current and Future Proposals
- e) CALAFCO Reports
- f) Chair Rotation

Upon motion by Commissioner Wagenknecht and second by Commissioner Kahn, the consent items were unanimously approved:

**VOTE:**

**AYES:            WAGENKNECHT, KAHN, ABOUDAMOUS, DILLON AND MOHLER**

**NOES:            NONE**

**ABSENT:        NONE**

**ABSTAIN:       NONE**

**6. PUBLIC HEARING ITEMS**

**a) Appointment of Public Member**

The city and county members of the Commission considered making an appointment to fill the remainder of an unexpired term for the Regular Public Member position with a term that expires on May 2, 2022. Six candidates applied: Bruce Bardessono; Tom Gamble; Eve Kahn; Kenneth Leary; Nick Van Male; and Alton (Alex) Weeks.

Staff provided an overview, adding there were six supplemental items for this item in the form of support letters (3 for Eve Kahn and 1 for Kenneth Leary). The supplemental items were provided to the Commission and posted to the agency’s website prior to the meeting.

Chair Mohler thanked all of the candidates for applying for the Public Member position.

Chair Mohler invited the candidates to speak. With the exception of Bruce Bardessono, all candidates were present and spoke to the Commission.

Chair Mohler opened the public hearing.

Public comments were received from Jim Hinton who expressed support for Mr. Weeks, as well as for Mr. Leary. Leon Garcia expressed his support for Mr. Leary.

Chair Mohler closed the public hearing.

Commissioner comments included Commissioner Gregory’s support for Mr. Leary, and Commissioner Wagenknecht in support of Commissioner Kahn.

Commissioner Aboudamous nominated Kenneth Leary and Commissioner Mohler seconded the nomination.

Upon motion by Commissioner Aboudamous and second by Commissioner Mohler, Kenneth Leary was appointed to fill the remainder of an unexpired term for the Regular Public Member position effective June 7, 2021 with a term that expires on May 2, 2022:

**VOTE:**

<b>AYES:</b>	<b><u>ABOUDAMOUS, MOHLER, WAGENKNECHT AND DILLON</u></b>
<b>NOES:</b>	<b><u>NONE</u></b>
<b>ABSENT:</b>	<b><u>NONE</u></b>
<b>ABSTAIN:</b>	<b><u>KAHN</u></b>

**b) Proposed Budget for Fiscal Year 2021-2022 and Draft Amendment to the Schedule of Fees and Deposits**

The Commission considered adopting a resolution to approve a proposed budget for fiscal year 2021-2022. Proposed operating expenses total \$553,916 and proposed operating revenues total \$540,270 with the remaining shortfall of \$13,646 to be covered by drawing from reserves.

The Commission also discussed a draft amendment to its Schedule of Fees and Deposits for its consideration.

The recommended action was for the Commission to adopt the proposed budget by resolution, circulate the proposed budget for public review and comment, and circulate the draft amendment to the Schedule of Fees and Deposits for public review and comment.

The Executive Officer thanked this year’s Budget Committee members (Commissioners Mohler and Gregory) for their work on the proposed budget, as well as provided an overview of the agency’s expenses, revenues and shortfalls. Complete financial information was provided in the staff report for this agenda item.

Staff identified an error on page 4 of the staff report in the Town of Yountville’s portion, stating that the amount is written correctly on the budget sheet attached to the staff report.

Also, the date on the footnote under the table was incorrect written as 2020, but should be 2021.



**6. PUBLIC HEARING ITEMS – continued:**

Chair Mohler opened the public hearing.

Public comments were received from Erin Morris, City of Napa Planning Department.

Chair Mohler closed the public hearing.

Upon motion by Commissioner Wagenknecht and second by Commissioner Gregory, the Commission unanimously approved the following staff recommendations:

- 1) Adopt the Resolution of the Local Agency Formation Commission of Napa County adopting a Proposed Budget for the 2021-2022 Fiscal Year (**RESOLUTION #2021-06**);
- 2) Direct staff to circulate the adopted proposed budget to each of the funding agencies as well as the general public for review and comment;
- 3) Direct staff to circulate the draft amendment to the *Schedule of Fees and Deposits* (“Fee Schedule”) to the general public for public review and comment; and;
- 4) Direct the Budget Committee to return with recommendations for a final budget and Fee Schedule amendment for adoption at a noticed public hearing on June 7, 2021:

**VOTE:**

**AYES:** **WAGENKNECHT, GREGORY, ABOUDAMOUS, KAHN, AND MOHLER**

**NOES:** **NONE**

**ABSENT:** **DILLON**

**ABSTAIN:** **NONE**

**7. ACTION ITEMS**

**a) Montalcino Resort No. 2 Annexation to the Napa Sanitation District and Associated CEQA Findings**

The Commission considered approving a proposal submitted by resolution of application for the annexation of three unincorporated parcels totaling approximately 36.1 acres in size to the Napa Sanitation District (NSD). The affected territory is located in the Napa Valley Business Park with no current situs address, and identified by the County Assessor as 057-020-006, 057-020-017, and 057-020-018. The annexation is intended to facilitate the planned Montalcino Resort project.

The County of Napa, as Lead Agency pursuant to CEQA, previously certified an Environmental Impact Report (EIR) and a Subsequent EIR addressing the environmental impacts associated with the Montalcino Resort project, including annexation to NSD.

The recommended action is for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

Staff provided an overview of this item.

Upon motion by Commissioner Gregory and second by Commissioner Wagenknecht, the proposed annexation was approved by the Commission (**RESOLUTION #2021-07**):

**VOTE:**

**AYES:** **GREGORY, WAGENKNECHT, ABOUDAMOUS, KAHN, AND MOHLER**

**NOES:** **NONE**

**ABSENT:** **DILLON**

**ABSTAIN:** **NONE**

**7. ACTION ITEMS – continued:**

**b) Legislative Report**

The Commission received a report on legislative items directly or indirectly affecting LAFCOs. The recommended actions were for the Commission to do the following:

- (1) Authorize the Executive Officer to submit a letter to the Legislature in support of Assembly Bill (AB) 1581;
- (2) Authorize the Executive Officer to submit a letter to the Legislature in support of AB 959;
- (3) Direct the Executive Officer to watch AB 1250, Senate Bill (SB) 273, and SB 403, and return with updates as appropriate at future Commission meetings;
- (4) Discuss SB 13 and the City of St. Helena’s pending proposed amendment, and consider submitting a formal position letter to the Legislature; and (5) Discuss San Diego LAFCO’s proposed amendment to Government Code (G.C.) §56133(e) and consider taking a position in concept.

Staff provided an overview, noting comment letters were received from Phil Brun, City of Napa and Gary Margadant.

Commissioner comments were heard.

Upon motion by Commissioner Wagenknecht and second by Aboudamous, the Commission directed staff to authorize the Executive Officer to submit formal letters of support for Assembly Bills 1581, 959; watch AB 1250, Senate Bills 273 and 403; and continue to discuss SB 13 and the City of St. Helena’s pending proposed amendment, and San Diego LAFCO’s proposed amendment to Government Code (G.C.) §56133(e); and return with updates as appropriate at future Commission meetings:

**VOTE:**

**AYES:** WAGENKNECHT, ABOUDAMOUS, GREGORY AND KAHN  
**NOES:** MOHLER  
**ABSENT:** DILLON  
**ABSTAIN:** NONE

**c) Agreement for the Provision of Support Services**

The Commission received a report on the current status of the Commission’s Agreement for the Provision of Support Services (“the Agreement”) with the County of Napa, which was made effective July 1, 2003, and subsequently amended 10 times. The recommended action was for the Commission to provide formal direction to the Executive Officer with respect to pursuing any amendments to the Agreement with representatives of the County.

It was also recommended the Commission consider establishing an ad hoc subcommittee with two appointed members to assist the Executive Officer in this process.

Staff provided an overview of this item, followed by Commission discussion. Staff provided a copy of amendments that had been recommended by a previous ad hoc subcommittee, which included Commissioner Wagenknecht.

Upon motion by Commissioner Wagenknecht and second by Commissioner Kahn, staff was directed to pursue amendments to the Support Services Agreement with County staff, however, the Commission did not approve forming a sub-committee at this time:

**VOTE:**

**AYES:** WAGENKNECHT, KAHN, ABOUDAMOUS, GREGORY AND MOHLER  
**NOES:** NONE  
**ABSENT:** DILLON  
**ABSTAIN:** NONE

**7. ACTION ITEMS – continued:**

**d) Appointment of Outreach Committee Member**

The Commission considered appointing a member to fill a vacant seat on its ad hoc Outreach Committee. The Outreach Committee was established in February of 2020 with Commissioners Kahn and former Commission Kenneth Leary, for purposes of determining options and resources needed to develop a communications and outreach strategy. The Committee developed a draft Outreach Plan.

Alternate Commissioner Kahn currently serves on the Outreach Committee.

Former Commissioner Kenneth Leary vacated the other seat on the Outreach Committee.

Staff recommends the Commission appoint a member to fill the vacant seat on the Outreach Committee.

Chair Mohler stated for clarification that the City of Napa is the lead agency for the Island Annexation program, and not Napa LAFCO.

Following discussion, Commissioner Wagenknecht nominated future Commissioner Leary (appointed to the Regular Public Member position during item #6a) to the Outreach Committee.

However, Commissioner Wagenknecht amended his nomination to include Alternate

Commissioner Painter, along with future Commissioner Leary to serve as the two members of the Outreach Committee, and Commissioner Gregory seconded the motion:

**VOTE:**

<b>AYES:</b>	<b><u>WAGENKNECHT, GREGORY ABOUDAMOUS, AND MOHLER</u></b>
<b>NOES:</b>	<b><u>NONE</u></b>
<b>ABSENT:</b>	<b><u>DILLON</u></b>
<b>ABSTAIN:</b>	<b><u>KAHN</u></b>

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

There was no discussion of this item.

**9. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING**

The meeting was adjourned at 4:12 PM. The next regular LAFCO meeting is scheduled for Monday, June 7, 2021, at 2:00 PM. It is anticipated the meeting will be conducted by teleconference due to COVID-19 in compliance with Executive Order N-29-20.

**NOTE: At the next meeting, the Chair position will rotate and Commissioner Dillon will become the Chair and Commissioner Mohler will become Vice Chair as discussed in today’s agenda item #5f.**

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Margie Mohler, LAFCO Chair

ATTEST:

Dawn Mittleman Longoria, Analyst II

Prepared by:

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Kathy Mabry, Commission Secretary



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

**TO:** Local Agency Formation Commission

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

**MEETING DATE:** June 7, 2021

**SUBJECT:** Third Quarter Budget Report for Fiscal Year 2020-2021

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**BACKGROUND AND SUMMARY**

This item is for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair.

The Commission will receive a third quarter budget report for fiscal year 2020-2021 that compares budgeted versus actual transactions through March 31, 2021.

On June 1, 2020, the Commission adopted a final budget for fiscal year 2020-2021. Three budget adjustments were later approved with no effect on the Commission's bottom line.

The Commission's budget for 2020-2021 totals \$566,394 and represents operating expenditures divided between salaries and benefits, services and supplies, and contingencies. Budgeted revenues total \$519,084 and are divided between intergovernmental fees, service charges, and investments.

An operating shortfall of \$47,310 has been intentionally budgeted to reduce the burden on the local funding agencies (i.e., Napa County and the five cities/town). The shortfall will be covered by drawing down on the Commission's undesignated/unreserved fund balance ("reserves").

A summary of the Commission's actual and projected revenues, expenses, and reserves is provided on the following page.

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Margie Mohler, Vice Chair  
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

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

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

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

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

### ***Operating Revenues***

The Commission's operating revenues for 2020-2021 are budgeted at \$519,084. Actual revenues collected through the third quarter totaled \$508,910. This amount represents 98.0% of the budgeted amount with 75% of the fiscal year complete.

Actuals through the third quarter and related analysis suggest the Commission will finish the fiscal year with \$520,813 in total revenues, representing \$1,729 or 0.3% more than the amount in the adjusted budget.

See Attachment One for additional information on actual revenues through the third quarter and projected year-end revenues.

### ***Operating Expenses***

The Commission's operating expenses for 2020-2021 are budgeted at \$566,394. Actual expenses through the third quarter totaled \$416,585. This amount represents 73.6% of the budgeted total with 75% of the fiscal year complete.

Actuals through the third quarter and related analysis suggest the Commission will finish the fiscal year with \$549,616 in total expenses, representing \$16,778 or 2.9% less than the amount in the adjusted budget.

See Attachment One for additional information on actual expenses through the third quarter and projected year-end expenses.

### ***Reserves***

Local policy directs the Commission to maintain reserves equal to a minimum of four months, or 33.3%, of budgeted operating expenses.

The Commission's reserves totaled \$300,105 as of July 1, 2020, representing 53.0% of expenditures in the adjusted budget.

The Commission is projected to finish the fiscal year with a budget shortfall of \$28,803, which would reduce reserves to \$271,302, or 47.9%, of expenses in the budget. This projected year-end amount is consistent with the minimum established under local policy.

## **ATTACHMENT**

- 1) 2020-2021 Third Quarter Budget Sheet with Year-End Projections

# LAFCO FY 2020-2021 Third Quarter Budget Report

## Revenues and Expenses through 3/31/21 with Year-End Projections

Account	Category	Adopted Budget	Budget Adjustments	Adjusted Budget	Actual YTD	YTD Percent of Budget	Year-End Projection	Year-End Projection Percent of Budget
<b>Revenues</b>								
42690	Permits/Application Fees	21,060	-	21,060	16,380	77.8%	25,740	122.2%
43910	County of Napa	242,700	-	242,700	242,700	100.0%	242,700	100.0%
43950	Other-Governmental Agencies	242,700	-	242,700	242,700	100.0%	242,700	100.0%
45100	Interest	12,000	-	12,000	6,693	55.8%	8,924	74.4%
46800	Charges for Services	624	-	624	437	70.0%	749	120.0%
<b>Total Revenues</b>		<b>519,084</b>	<b>-</b>	<b>519,084</b>	<b>508,910</b>	<b>98.0%</b>	<b>520,813</b>	<b>100.3%</b>
<b>Expenses</b>								
51210	Director/Commissioner Pay	12,500	-	12,500	9,720	77.8%	12,270	98.2%
51300	Medicare	250	-	250	142	56.8%	250	100.0%
51305	FICA	500	-	500	391	78.2%	500	100.0%
52100	Administration Services	415,869	-	415,869	294,209	70.7%	407,278	97.9%
52125	Accounting/Auditing Services	7,500	-	7,500	6,177	82.4%	7,500	100.0%
52130	Information Technology Service	24,323	-	24,323	24,323	100.0%	24,323	100.0%
52140	Legal Services	17,500	10,000	27,500	19,851	72.2%	25,000	90.9%
52310	Consulting Services	-	25,551	25,551	25,550	100.0%	25,550	100.0%
52345	Janitorial Services	300	-	300	150	50.0%	300	100.0%
52515	Maintenance-Software	1,930	-	1,930	510	26.4%	1,930	100.0%
52600	Rents and Leases - Equipment	5,500	-	5,500	2,798	50.9%	4,000	72.7%
52605	Rents and Leases - Bldg/Land	29,523	886	30,409	25,340	83.3%	30,409	100.0%
52700	Insurance - Liability	813	-	813	610	75.0%	813	100.0%
52800	Communications/Telephone	3,500	-	3,500	652	18.6%	1,800	51.4%
52830	Publications & Legal Notices	1,500	-	1,500	437	29.1%	900	60.0%
52835	Filing Fees	50	-	50	100	200.0%	150	300.0%
52900	Training/Conference Expenses	6,000	(5,011)	989	200	20.2%	200	20.2%
52905	Business Travel/Mileage	1,000	-	1,000	-	0.0%	-	0.0%
53100	Office Supplies	1,250	-	1,250	1,323	105.8%	1,800	144.0%
53110	Freight/Postage	350	-	350	50	14.3%	150	42.9%
53120	Memberships/Certifications	2,985	75	3,060	3,060	100.0%	3,060	100.0%
53205	Utilities - Electric	1,500	-	1,500	959	63.9%	1,400	93.3%
53410	Computer Equipment/Accessories	6,000	(6,000)	-	-	0.0%	-	0.0%
53650	Business Related Meal/Supplies	250	-	250	33	13.1%	33	13.2%
<b>Total Expenditures</b>		<b>540,893</b>	<b>25,501</b>	<b>566,394</b>	<b>416,585</b>	<b>73.6%</b>	<b>549,616</b>	<b>97.0%</b>
<b>Net Surplus (Deficit)</b>		<b>(21,809)</b>	<b>(25,501)</b>	<b>(47,310)</b>	<b>92,325</b>	<b>16.3%</b>	<b>(28,803)</b>	<b>(8.9%)</b>



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

**TO:** Local Agency Formation Commission

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

**MEETING DATE:** June 7, 2021

**SUBJECT:** Current and Future Proposals

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**SUMMARY**

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

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

***Active Proposals***

**Somky Ranch Annexation to NSD**

NSD has submitted a proposal for annexation of approximately 293.3 acres of unincorporated territory to the District. The affected territory comprises three parcels that are owned by NSD and identified as Assessor Parcel Numbers 046-400-016, 057-010-038, and 057-010-039. The three parcels are used by NSD for wastewater treatment and disposal. The purpose of the proposal is to eliminate NSD's property tax burden for the three parcels. Annexation would not facilitate new development. This proposal is included on today's agenda as item 7b.





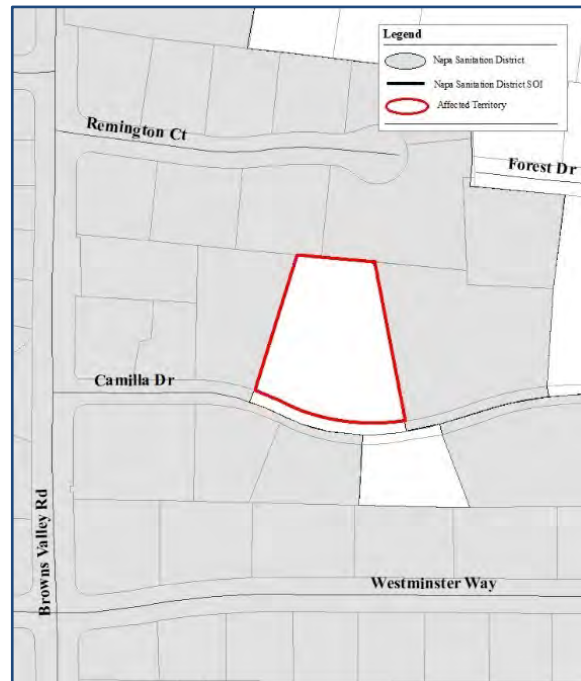
### Browns Valley Road No. 14 Annexation to NSD

The landowner of 3084 Browns Valley Road has submitted a proposal for annexation to NSD. The parcel is approximately 3.5 acres, located in the City of Napa, and identified as Assessor Parcel Number 041-170-010. The purpose of the proposal is to transition the existing single-family residence from a private septic system to public sewer service. Annexation could potentially facilitate the further development of the parcel to include up to nine additional residential units based on the City's General Plan land use designations. However, the landowner has indicated no interest in pursuing development in the foreseeable future. This proposal is included on today's agenda as item 7c.



### Camilla Drive No. 6 Annexation to NSD

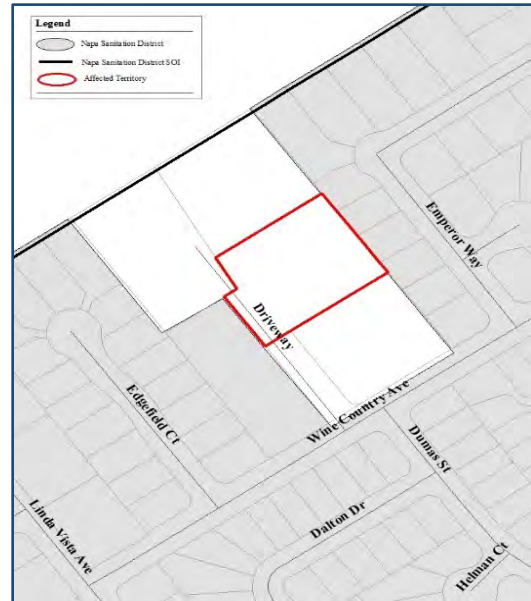
The landowner of 14 Camilla Drive has submitted a proposal for annexation to NSD. The parcel is approximately 3.5 acres, located in the City of Napa, and identified as Assessor Parcel Number 041-121-002. The purpose of the proposal is to transition the existing single-family residence from a private septic system to public sewer service. Annexation could potentially facilitate the further development of the parcel to include up to two additional residential units based on the City's General Plan land use designations. However, the landowner has indicated no interest in pursuing development in the foreseeable future. This proposal is included on today's agenda as item 7d.



### Anticipated Proposals

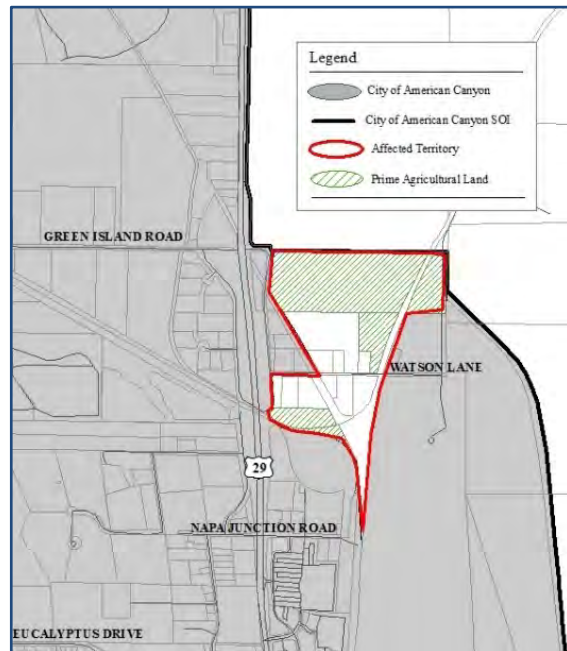
#### 1118 Wine Country Avenue Annexation to NSD

The Commission previously approved an outside sewer service agreement involving NSD and one single-family residence located at 1118 Wine Country Avenue and identified as Assessor Parcel Number 035-511-014. The Commission's approval included a condition that requires the landowner to annex the parcel to NSD within one year. The parcel is approximately 1.2 acres in size and located in the City of Napa. Annexation would not be expected to facilitate any new development. Staff will work with the landowner to contact neighboring landowners who may also be interested in annexation. It is anticipated a proposal for annexation will be submitted within the next eight months.



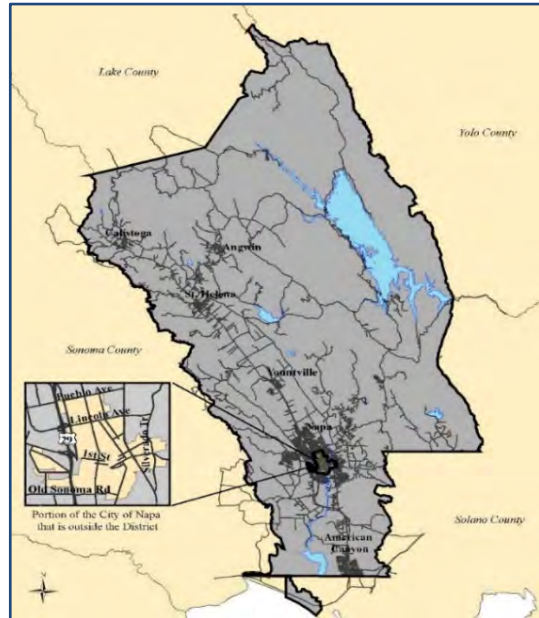
#### Watson Lane/Paoli Loop Annexation to the City of American Canyon

A landowner has submitted a notice of intent to circulate a petition to annex 16 parcels and a portion of railroad totaling approximately 77.7 acres of unincorporated territory to the City of American Canyon. The area is located within the City's SOI near Watson Lane and Paoli Loop and identified as Assessor Parcel Numbers 057-120-036, 057-120-017, 057-120-045, 057-120-050, 057-120-051, 057-120-049, 057-120-048, 057-120-041, 057-120-015, 057-120-047, 057-120-014, 057-120-034, 057-120-028, 057-180-014, 057-180-015, and 059-020-036. The area is also within the American Canyon Fire Protection District's jurisdictional boundary. The parcels are within an unincorporated pocket that is ineligible for the streamlined island annexation proceedings due to the existence of prime agricultural lands on five of the parcels. The purpose of annexation will be to allow development of the area for industrial and residential purposes. Annexation would also help facilitate the extension of Newell Drive to South Kelly Road. It is anticipated a proposal for annexation will be submitted within the next year.



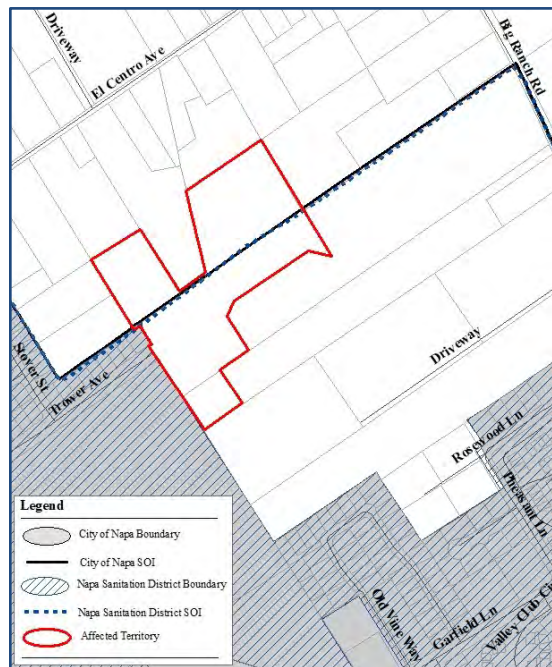
### Napa County Resource Conservation District (NCRCD) Annexation

Staff from NCRCD has inquired about annexation of approximately 1,300 acres of incorporated territory located in the City of Napa. This area comprises the only remaining territory located within NCRCD’s SOI but outside its jurisdictional boundary. The purpose of annexation would be to allow NCRCD to expand its service programs and hold public meetings within the affected territory; activities that are currently prohibited within the area. In February 2020, the Commission approved a request for a waiver of LAFCO’s proposal processing fees. It is anticipated a proposal for annexation will be submitted within the next year.



### Vintage High School Farm Sphere of Influence Amendment and Annexation to NSD

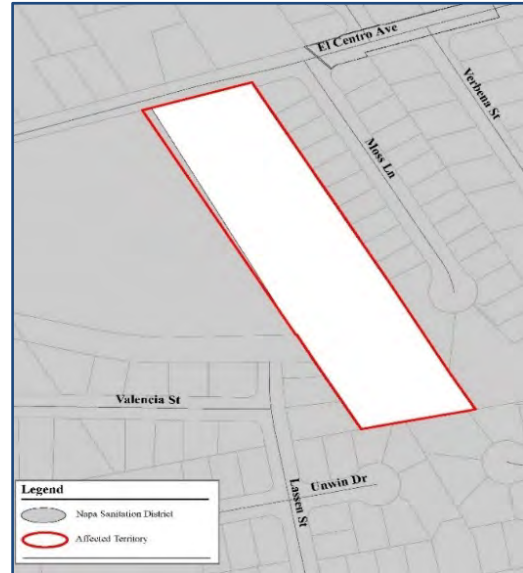
The Napa Valley Unified School District (NVUSD) previously submitted a preliminary application for an SOI amendment and annexation of approximately 12.8 acres of territory involving NSD. The affected territory is unincorporated, contiguous to the City of Napa near the eastern terminus of Trower Avenue, and comprises one entire parcel identified as Assessor Parcel Number 038-240-020. The affected territory is currently undeveloped and designated for residential land use under the County of Napa General Plan. The purpose of the SOI amendment and annexation is to facilitate NVUSD’s planned relocation of the educational farm and retain proximity to Vintage High School. The preliminary application is deemed incomplete until additional information and documents are submitted by NVUSD. It is important to note in February 2020, without taking formal action, the Commission signaled to NVUSD a willingness to waive its local policy requiring concurrent annexation to the City of Napa. It is anticipated a proposal will be submitted to amend NSD’s SOI and annex the subject parcels to NSD within the next year.





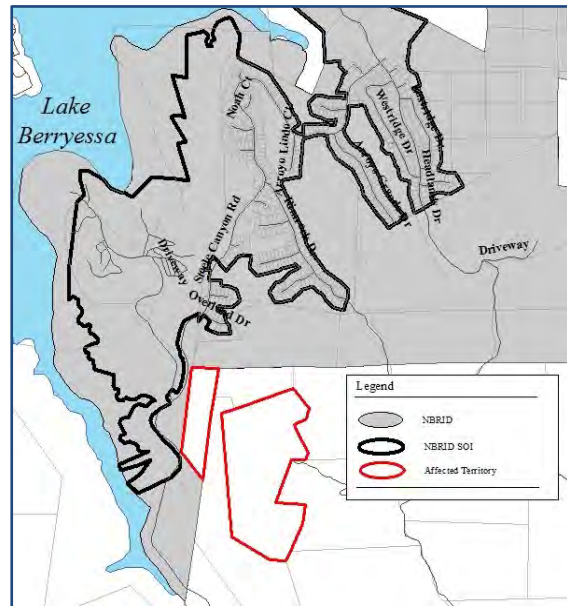
### El Centro Avenue Annexation to NSD

On September 6, 2017, the landowner of 1583 El Centro Avenue in the City of Napa submitted a Notice of Intent to annex the parcel to NSD. The parcel is approximately 4.5 acres in size and is identified as Assessor Parcel Number 038-361-010. Current land uses within the subject parcel include a single-family residence and a planted vineyard. The purpose of annexation would be to facilitate a residential development project under the City's land use authority. Based on parcel size and the City's land use designation, annexation to NSD could potentially facilitate the future development of the subject parcel to include up to 36 total single-family residential units. The City has indicated an environmental impact report will be prepared for the residential development project. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



### Wastewater Treatment Plant Annexation to the Napa Berryessa Resort Improvement District (NBRID)

Staff from NBRID has inquired about annexation of two unincorporated parcels that serve as the location of the District's wastewater treatment plant facilities. The parcels total approximately 101.0 acres in size and are identified as Assessor Parcel Numbers 019-220-028 and 019-220-038. The parcels and the wastewater facilities are owned by NBRID and located outside NBRID's SOI and boundary. Annexation would reduce NBRID's annual property tax burden. An application for annexation may only be submitted if the affected territory is within NBRID's SOI. It is anticipated the Commission will review and update NBRID's SOI as early as August 2, 2021.



### ATTACHMENTS

None



**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  
www.napa.lafco.ca.gov

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

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

**TO:** Local Agency Formation Commission

**PREPARED BY:** Dawn Mittleman Longoria, Analyst II *DM*

**MEETING DATE:** June 7, 2021

**SUBJECT:** CALAFCO Quarterly Report

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**SUMMARY**

This item is for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair.

The California Association of Local Agency Formation Commissions (CALAFCO) was established in 1971 to assist member LAFCOs in fulfilling their mission. CALAFCO facilitates information sharing among members by organizing annual conferences and workshops as well as providing technical assistance through training classes. CALAFCO also serves as a resource to the Legislature and actively drafts and reviews new legislation. CALAFCO's membership currently includes all 58 LAFCOs. Chair Mohler currently serves as a member of the CALAFCO Board of Directors and Executive Committee.

CALAFCO recently released a Quarterly Report dated May 2021 with information relevant to the Commission. A summary of report follows.

**Board of Directors (2020-2021):**

- Chair – Michael Kelley, Imperial LAFCO (southern)
- Vice Chair – Anita Paque, Calaveras LAFCO (central)
- Secretary – Bill Connelly, Butte LAFCO (northern)
- Treasurer – Margie Mohler, Napa LAFCO (coastal)
- Immediate Past Chair – Michael McGill, Contra Costa LAFCO (coastal)

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Margie Mohler, Vice Chair  
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

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

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

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

**LAFCOs in the news:**

- Alameda, San Bernardino, and San Diego LAFCOs awarded Sustainable Agricultural Lands Conservation grants
- Marin LAFCO holds shared services workshop: *Successful Shared Services in Marin and Successful Implementation of Shared Services*
- Orange LAFCO welcomes new Assistant EO Raymond Barragan
- San Luis Obispo LAFCO welcomes New EO Robert Fitzroy, and Clerk Imelda Marquez promoted to Analyst
- Los Angeles LAFCO EO Paul Novak receives State appointment

**CALAFCO Board meeting (April 2021):**

- Strategic Plan adopted
- Budget FY 2021-2022 adopted
- Updated Policies (Sections I & II) adopted
- New Annual Achievement Awards program approved
- Ratified filing of amicus letter (and brief) supporting San Luis Obispo LAFCO for indemnification agreements

**CALAFCO University:**

(All course webinars are recorded and available on CALAFCO website.)

- June 7: *Financial Health Indicators for Cities and Districts*
- August: *Fire and Emergency Medical Services* (four part series)
- TBD: *Forming a Community Services District*

**CALAFCO Annual Conference:**

- DATES: October 6-8, 2021
- LOCATION: Hyatt Regency Newport Beach John Wayne Airport
- RESERVATIONS: Open soon

**ATTACHMENT**

- 1) CALAFCO Quarterly Report (May 2021)

# News from the Board of Directors

## CALAFCO QUARTERLY



May 2021

### A message from the Executive Director

Greetings from your CALAFCO Board of Directors and Executive Director. Spring is in the air and things seem to be shifting. Spring is a time of renewal and re-awakening and that is exactly what it feels like this year - in so many ways.

This Second Quarterly Report of 2021 will begin by highlighting the good news in our CALAFCO family first, followed by Association updates. Happy reading!

### LAFcos in the News

#### **Alameda LAFCo Awarded Sustainable Agricultural Lands Conservation (SALC) Grant**

In our last Quarterly Report we announced SALC grants for San Bernardino and San Diego LAFCos. CALAFCO inadvertently omitted Alameda LAFCos grant award and apologize for the oversight. We are pleased to announce their grant award.

**Alameda LAFCo**, in partnership with the Alameda County Resource Conservation District, was awarded a SALC planning grant for \$250,000. The planning grant project is aimed at collaborative stakeholder planning in Alameda County to ensure the identification and preservation of agricultural and working lands, an infill development focus on healthy and resilient communities for disadvantaged and low-income populations, and a reduction in greenhouse gas emissions.

The Strategic Growth Council (SGC) added LAFCos to the list of eligible entities to apply for SALC grants in January 2019 after many years of CALAFCO trying to get LAFCos eligible for state-level grant funding. We are pleased that to date, three of our member LAFCos have received these grants.

#### **Los Angeles LAFCo Executive Officer Receives State Appointment**

On January 4, 2021, Assembly Speaker Anthony Rendon appointed **Los Angeles LAFCo Executive Officer Paul Novak** to the Board for Professional Engineers, Land Surveyors, and Geologists. The Board regulates the practices of engineering (civil, electrical, structural, geotechnical/soils), land surveying, geology, and geophysics in the State of California to safeguard the life, health, property and welfare of the public. The Board licenses qualified individuals, based on experience and successfully passing examinations; establishes regulations and promotes professional conduct; enforces laws and regulations; and provides information to the public on using professional engineering and land surveying services. Paul's term runs to June 30, 2023.

#### **Marin LAFCo Holds Shared Services Workshop For Agencies**

**Marin LAFCo** held a Shared Services Workshop on April 29, 2021. Partners for the workshop included Marin County Council of Mayors and Councilmembers, Marin County Special Districts Association, and Marin County Office of Education. The workshop had 2 panels, one on successful shared services in Marin, and another exploring how to successfully implement shared services. Marin LAFCo reports the workshop was a success with 78 people attending, including elected officials and staff throughout the County, as well as staff from 2 other LAFCos. If you are curious about this event, a recording is posted on their website at [www.marinlafco.org](http://www.marinlafco.org). Marin LAFCo thanks CALAFCO for offering their Zoom account, noting the webinar function played a large role in the success of this workshop.

#### **Orange LAFCo Welcomes New Assistant EO**

**Orange LAFCo** is pleased to welcome a new member to the Orange LAFCo team. **Raymond Barragan** will serve as Orange LAFCo's Assistant Executive Officer and brings extensive experience in local government to his new role. Before joining Orange LAFCo, he served as the Acting Director of Community Development with the City of Gardena where he was employed since 2012. Raymond holds a bachelor's degree in urban and regional planning and is a master's candidate in Community and Economic Development at Penn State.

#### **San Luis Obispo Announces New Hire and Promotion**

**San Luis Obispo LAFCo** is excited to announce **Robert "Rob" Fitzroy** as its new Executive Officer. Most recently he was the Director of the Community Development Department for the City of Arroyo Grande. Prior to that, Rob was the Asst. Director for the County Planning & Building Department. Rob graduated from Cal Poly San Luis Obispo with a bachelor's degree and has a master's of Natural Resource Management, Environmental Planning & Public Policy. He begins his new role on May 24, 2021.

**Imelda Marquez**, **San Luis Obispo LAFCo** Clerk, was promoted to Analyst late last year. Imelda has been with SLO LAFCo for about 19 months. Her broad range of skills and analytical abilities are numerous. She is a proud Fresno St. Bulldog with a Geography degree and according to Interim EO David Church, "is an absolute delight to work with".





# News from the Board of Directors

## CALAFCO QUARTERLY

May 2021

Page 2



### Welcome to Our Newest Associate Members

*CALAFCO is pleased to welcome two new Silver Associate Members.*

We welcome the return of **SWALE, Inc.** SWALE's consulting services focus on LAFCo's critical issues including MSRs, SOIs, CEQA compliance, strategic planning, workshops and mapping with GIS. Their northern California office is expanding to bring you the best of consulting services. To learn more about the services provided by SWALE, contact **Kateri Harrison** at [harrison@swaleinc.com](mailto:harrison@swaleinc.com), or visit their website at [www.swaleinc.com](http://www.swaleinc.com).

We also welcome **DTA**. DTA is a national public finance and urban economics consulting firm specializing in infrastructure and public service finance. Their financing programs have utilized a variety of public financing mechanisms such as Ads, CFDs, LLDs and various types of fee programs. To learn more about DTA, contact **Nathan Perez** at [Nate@FinanceDTA.com](mailto:Nate@FinanceDTA.com), or visit their website at [www.FinanceDTA.com](http://www.FinanceDTA.com).

### CALAFCO Educational Events

**MARK YOUR CALENDARS FOR THESE UPCOMING CALAFCO EDUCATIONAL EVENTS!**

#### CALAFCO 2021 ANNUAL CONFERENCE

Join us **October 6-8** at the **Hyatt Regency Newport Beach John Wayne Airport** for the 2021 Annual Conference. It's been so long since we've gathered in person and the time is finally here! The program planning committee is forming and CALAFCO staff is working with the facility on details to keep all of our attendees safe. Watch for Conference registration and hotel reservations to be open soon. Conference registration rates will be at the 2019 rates. We look forward to seeing you in Newport Beach later this year.

#### CALAFCO UNIVERSITY

We are pleased to continue offering webinars at no cost to our membership and are preparing several great sessions for you. Registration is now open for our **June 7** session: **Financial Health Indicators for Cities and Districts**. Registration is open until June 2. You will find all the details on the CALAFCO website at [www.calafco.org](http://www.calafco.org).



We are also working on a very unique 4-part series on **Fire & EMS** services and a session on **Forming a CSD**. Watch for details and registration for these offerings coming soon.

### CALAFCO Board of Directors

#### CALAFCO BOARD ACTIONS

The Board met virtually on April 30 with a full agenda. Under the leadership of **Chair Mike Kelley**, the Board took a number of important actions.



- ✓ **The FY 2021-22 budget was adopted.** For the first time, the Board considered a rolling 2-year budget. The FY 21-22 budget reflects a decrease of 2.1% over the current FY operating budget. The adopted budget can be found on the CALAFCO website.
- ✓ **The 2021-22 Strategic Plan was adopted.** The three primary strategies for the Association are: (1) Serve as an educational resource to member LAFCo Commissioners, LAFCo staff, Associate Members, and stakeholders; (2) Focus efforts on Association member relations, development, recognition and communication. Continue development of a strong and sustainable Association; and (3) Serve as an information resource to all Association members, work as a legislative and policy advocate for LAFCo issues and provide information to the Legislature and other stakeholders. The adopted Strategic Plan can be found on the CALAFCO website.
- ✓ **Updated Policies for Sections I and II of the current CALAFCO Policies were adopted.** One of the goals for 2021 is to conduct a comprehensive review of CALAFCO Policies, considering two sections per quarter. This is the first of a three-phase update process. The updated policies can be found on the CALAFCO website.
- ✓ **The new Annual Achievement Awards program was approved.** As the membership is aware, last year the Board approved consideration of an update to the Achievement Awards program. CALAFCO staff and Regional Officers worked for many months in crafting two options for the Achievement Awards Committee to consider. The Committee unanimously approved one of the options and recommended adoption of that option to the Board, which was unanimously approved. Watch for an announcement on the new program and the opening of the nomination period coming soon!
- ✓ **The Board ratified approval of filing an amicus letter in support of San Luis Obispo (SLO) LAFCo's appeal to the State Supreme Court.** As a follow up to the Superior Court decision in favor of the City of Pismo Beach, and at the request of SLO LAFCo, CALAFCO filed an amicus letter requesting the court review the case. The Court of Appeal opinion in *San Luis Obispo Local Agency Formation Commission v. City of Pismo Beach*



threatens to change operations across of LAFCos throughout the state.

By limiting the ability of LAFCos to require indemnification agreements from annexation applicants, the opinion conflicts with a number of decisions on which LAFCos reasonably relied to require indemnification as part of their implied powers. We thank **BBK** for their work on this amicus letter (which was preceded by an amicus brief). CALAFCO will keep our members posted on the appeal process.

- ✓ **The Board received the 3<sup>rd</sup> quarter financial reports and the projected FY 20-21 year-end fiscal report.**
- ✓ **The Board received several verbal updates from staff.**

All Board meeting documents are on the CALAFCO website.

### CALAFCO Administrative Update

The 2021-22 CALAFCO Membership Directory is out! Each LAFCo received their requested number of hard copy directories and each Associate Member also received a copy. There is an electronic version of the Membership Directory on the CALAFCO website.



### CALAFCO Legislative Update



What an interesting and busy legislative year this is turning out to be! CALAFCO is sponsoring the 2021 Assembly Local Government Committee (ALGC) **Omnibus bill, AB 1581**. This year's Omnibus contains a record number of items, totaling 13. Six of the items came from member LAFCos and seven from the protest provisions rewrite working group (deleting obsolete provisions). CALAFCO is currently tracking 32 bills, has a formal position on 9, and has been actively engaged on amendment negotiations for 10 bills.

This year there seems to be a number of bills addressing the same issue by several different authors, who, at the beginning of the year, did not appear to be talking with each other. The primary topics include COVID relief, wildfire prevention, climate resilience, homelessness and affordable housing, bridging the equity divide and transparency and public participation.

To complicate matters, the Legislature is still meeting under COVID restrictions with the majority of their staff working remotely. There are only a handful of meeting rooms in the Capitol that allow for social distancing, so the number of committee meetings have been reduced and the timeframe condensed.

Here are a few of the bills of importance we are tracking or working on:

- ✓ **AB 339 (Lee) CALAFCO Watch** - Open meetings. Requirements recently drastically amended and narrowed the scope to now apply only to cities and counties with a population over 250,000 with a sunset of 12-31-23 (requirements no longer applies to LAFCo).
- ✓ **AB 1195 (C. Garcia) CALAFCO Watch With Concerns** - Drinking water. Creates the So LA County Human Rights to Water Collaboration Act and gives the Water Board authority to appoint a Commissioner to oversee the Central Basin Municipal Water District.
- ✓ **SB 403 (Gonzalez) CALAFCO Oppose Unless Amended** - Drinking water consolidation. Authorizes the Water Board to order consolidation where a water system serving a disadvantaged community is an at-risk water system, as defined, or where a disadvantaged community is substantially reliant on at-risk domestic wells, as defined. Two of our three requested amendments have been taken (define "at risk" and put a cap on the number of users to be added to the subsuming system). The third request to add GSAs to the list of entities the Board must consult with has not yet been taken.

The last day for all policy committees to pass bills originating in their house was May 14. With one additional week for fiscal committees to pass bills to the respective floors, the Legislature will spend the last several weeks of May focusing on passing bills to the other house and the first part of June negotiating last minute budget deals for the June 15 budget passage deadline.

All bills being tracked by CALAFCO can be found on the CALAFCO website inside the Legislation section of the site (log in with your member id first to access this section). CALAFCO's position on all bills is reflected there, and any letters issued by CALAFCO are posted. The CALAFCO Legislative Committee meets regularly and all meeting materials are located in the Legislation section of the CALAFCO website.





### CALAFCO Associate Members' Corner



This section is dedicated to highlighting our Associate Members. The information below is provided to CALAFCO by the Associate member upon joining the Association. All Associate member information can be found in the CALAFCO Member Directory.

#### Cucamonga Valley Water District

The **Cucamonga Valley Water District** has been a Silver Associate Member since 2014. Formed in 1995, the district provides water and wastewater service to 200,000 customers in a 47 square mile area. The district has a mission of providing high quality, reliable water and wastewater service while practicing good stewardship of natural and financial resources. CVWD's water supply is comprised of two main sources: groundwater and imported water. Supplemented by surface water, recycled water and water conservation, the district's average daily demand is 43 million gallons. For more information on the district, contact **Cindy Cisneros** at [cindyc@cvwdwater.com](mailto:cindyc@cvwdwater.com) or visit their website at [www.cvwdwater.com](http://www.cvwdwater.com).



#### P. Scott Browne

**Scott Browne** has been a Silver Associate member since 2007. Scott provides legal services and staff support to various LAFcos throughout the state. He has served as a member of the CALAFCO Legislative Committee for a number of years. To learn more about the services he provides or to contact him, email him at [scott@scottbrowne.com](mailto:scott@scottbrowne.com) or visit his website at [www.scottbrowne.com](http://www.scottbrowne.com).

#### E Mulberg & Associates

**E Mulberg & Associates** has been a Silver Associate Member since 2011. Services offered include Municipal Service Reviews, Sphere of Influence updates, changes in organization, staff reports, CEQA analysis, and assistance with applications to LAFco. For more information, contact **Elliot Mulberg** at [elliott@emulberg.com](mailto:elliott@emulberg.com) or visit their website at [www.emulberg.com](http://www.emulberg.com).

#### Policy Consulting Associates

A Silver Associate member since 2010, **Policy Consulting Associates** (PCA) prepares interdisciplinary research studies for LAFcos, councils of government, counties, cities, states, elected representatives and candidates, with an emphasis on MSRs and fiscal studies. The PCA team's combined experience covers the spectrum of governance configurations and alternatives, and runs the gamut of services under LAFco jurisdiction. For more information on PCA, contact **Jennifer Stephenson** or **Oxana Wolfson** at [info@pcateam.com](mailto:info@pcateam.com), or visit their website at [www.pcateam.com](http://www.pcateam.com).

*CALAFCO wishes to thank all of our Associate Members for your ongoing support and partnership. We look forward to continuing to highlighting you in future Quarterly Reports.*

#### Did You Know??

##### Meeting Documents Online

Did you know that all **CALAFCO Board of Directors and Legislative Committee meeting documents are online?** Visit the Boards & Committees pages in the Members Section of the site. Board documents cover 2008 to present and Legislative Committee documents span 2007 to present.



##### CALAFCO Webinars & Courses Archived

Did you know that all **CALAFCO Webinar recordings are archived on the CALAFCO website and available at no cost for on-demand viewing?** Visit the CALAFCO website in the CALAFCO Webinars section (log in as a member first).

##### Certificate of Recognition Program

Did you know that CALAFCO has a **Certificate of Recognition Program** and offers it at no cost to our members (both LAFco and Associate members)? The program has been in place several years and while a few of you utilize this service, most of you do not. For details, visit the CALAFCO website in the Member Services Section and upload the program packet or contact the CALAFCO Executive Director.



#### Mark Your Calendars For These Upcoming CALAFCO Events

- ❖ CALAFCO Legislative Committee virtual meeting – 6/18
- ❖ CALAFCO Legislative Committee virtual meeting – 7/23
- ❖ CALAFCO Board of Directors virtual meeting – 7/30



The **CALAFCO 2021 Calendar of Events** can be found on the CALAFCO website.





**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  
www.napa.lafco.ca.gov

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

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**Agenda Item 6a (Public Hearing)**

**TO:** Local Agency Formation Commission

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

**MEETING DATE:** June 7, 2021

**SUBJECT:** Final Budget for Fiscal Year 2021-2022 and Amendment to the Schedule of Fees and Deposits

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**RECOMMENDATION**

It is recommended the Commission take the following actions:

- 1) Open the public hearing and take testimony;
- 2) Close the public hearing;
- 3) Adopt the Resolution of the Local Agency Formation Commission of Napa County – Adopting a Final Budget for the 2021-2022 Fiscal Year (Attachment One);
- 4) Adopt the Resolution of the Local Agency Formation Commission of Napa County – Amendment to Adopted Schedule of Fees and Deposits (Attachment Two); and
- 5) Authorize the Executive Officer to sign a five-year lease agreement for office space at 1754 Second Street in Napa.

**BACKGROUND AND SUMMARY**

LAFCOs are responsible for annually adopting a proposed budget by May 1<sup>st</sup> and a final budget by June 15<sup>th</sup> pursuant to California Government Code Section 56381. This statute specifies the proposed and final budgets shall – at a minimum – be equal to the budget adopted for the previous fiscal year unless LAFCO finds the reduced costs will nevertheless allow the agency to fulfill its prescribed regulatory and planning duties.

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Margie Mohler, Vice Chair  
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

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

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

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

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

### ***Budgeting Policies***

On December 7, 2020, consistent with the Commission's *Budget Policy* ("the Policy"), included as Attachment Two, the Commission appointed Commissioners Mohler and Gregory to serve on an ad hoc Budget Committee ("the Committee") to inform the Commission's decision-making process in adopting an annual operating budget. The Policy directs the Committee to consider the Commission's adopted Fee Schedule and Work Program in conjunction with the budget process. The Commission is directed to control operating expenses by utilizing its available undesignated/unreserved fund balance ("reserves") whenever possible and appropriate. The Commission is also directed to retain sufficient reserves to equal no less than one third (i.e., four months) of budgeted operating expenses in the affected fiscal year.<sup>1</sup> The Commission does not budget for contingencies and instead relies on reserves to address unexpected expenses.

### ***Prescriptive Funding Sources***

The Commission's annual operating expenses are principally funded by the County of Napa and the Cities of American Canyon, Calistoga, Napa, St. Helena, and Town of Yountville. State law specifies the County is responsible for one-half of the Commission's operating expenses while the remaining amount is to be apportioned among the four cities and one town. The current formula for allocating the cities' shares of the Commission's budget was adopted by the municipalities in 2003 as an alternative to the standard method outlined in State law and is based on a weighted calculation of population (60%) and general tax revenues (40%). Additional funding – typically representing less than 10% of total revenues – is budgeted from anticipated application fees and interest earnings.

### ***Committee Actions to Date***

The Committee met on January 11, 2021 to prepare a draft budget. The Committee also agreed amendments are needed to the Commission's adopted *Schedule of Fees and Deposits* ("Fee Schedule") to update the fully burdened hourly rate as well as to clarify the procedures related to various proposal fees.

On April 5, 2021, the Committee presented a proposed budget and draft amendment to the Fee Schedule to the Commission. The Commission adopted the proposed budget and directed staff to circulate it to the general public for review and comment before returning with a final budget. The Commission also directed staff to circulate the draft Fee Schedule amendment to the general public for review and comment before returning with an amendment for formal approval. Both items were made available for review and comment from April 6, 2021 through May 14, 2021. No comments were received on either item.

Staff recommends the Commission adopt the draft resolution approving the Fee Schedule amendment (Attachment Two), which includes the amendment as an exhibit. The amendment showing tracked changes is included as Attachment Four.

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<sup>1</sup> Available reserves are projected to total \$271,302 at the beginning of 2021-2022, representing 48.9% or approximately 5.9 months of operating expenses in the final budget.

**Final Budget Summary**

The Commission will consider adopting a resolution to approve a final budget for fiscal year 2021-2022. Recommended operating expenses total \$554,141 and represent a 2.2% decrease over the current fiscal year. Recommended operating revenues total \$540,270 and represent a 4.1% increase over the current fiscal year. The resulting \$13,871 shortfall would be covered by drawing down on the Commission’s reserves.

Notably, the final budget would increase overall agency contributions by 5.0% over the current fiscal year. This increase was discussed as part of last year’s budget adoption process and communicated to the funding agencies. No concerns were raised at that time. The Committee believes the increase is appropriate given the Commission’s longstanding practice to minimize agency contributions each fiscal year by drawing down on reserves.

The final budget positions the Commission to finish the 2021-2022 fiscal year with available reserves totaling \$257,431 or 46.4% of operating expenses. Therefore, the final budget would result in an amount of reserves sufficient to meet the Policy directive to retain reserves equal to no less than one-third of operating expenses. A five-year projection of the Commission’s reserves is provided on page five of this report.

**Operating Expenses**

The Committee proposes a decrease in budgeted operating expenses from \$566,394 to \$554,141; a difference of \$12,253 or 2.2% compared to the current fiscal year. The following table summarizes operating expenses in the final budget.

Expense Unit	Adjusted FY20-21	Final FY21-22	Change \$	Change %
1) Salaries/Benefits	\$13,250	\$13,250	\$0	0.0%
2) Services/Supplies	\$553,144	\$540,891	-\$12,253	-2.2%
3) Contingencies	\$0	\$0	\$0	0.0%
<b>Total</b>	<b>\$566,394</b>	<b>\$554,141</b>	<b>-\$12,253</b>	<b>-2.2%</b>

Changes to budgeted operating expenses from the current fiscal year budget to the final budget are summarized below.

Salaries and Benefits Unit

This budget unit is proposed to remain unchanged at \$13,250. Notably, consistent with the Commission’s Memorandum of Understanding with the County of Napa for staff support services, the Commission’s staff salaries and benefits are categorized under Administration Services (Account No. 52100) within the Services and Supplies budget unit as summarized on the following page.

### Services and Supplies Unit

This budget unit is proposed to decrease from \$553,144 to \$540,891, representing a total decrease of \$12,253 or 2.2% compared to the current fiscal year. Key changes to individual expense accounts are summarized below:

- 1) Increase Administration Services (Account No. 52100) from \$415,869 to \$424,076 to reflect anticipated adjustments to staff salaries and benefits.
- 2) Increase ITS Communication Charges (Account No. 52131) from \$0 to \$1,837 for the County of Napa to provide telephone services for the Commission's office, including maintenance and network support.
- 3) Decrease Legal Services (Account No. 52140) from \$27,500 to \$25,000. Notably, the proposed budget adopted on April 5, 2020 included \$30,000 in this account. However, staff anticipates a reduction in proposal activity and complex policy matters after the beginning of the new fiscal year.
- 4) Decrease Consulting Services (Account No. 52310) from \$25,551 to \$0. The Commission has no current or planned projects in 2021-2022 that would require consulting services.
- 5) Decrease Rents and Leases: Equipment (Account No. 52600) from \$5,500 to \$4,000. Notably, the proposed budget adopted on April 5, 2020 included \$5,000 in this account. However, staff recently secured a new Xerox copy machine for the Commission's office at a lower cost.
- 6) Decrease Communications/Telephone (Account No. 52800) from \$3,500 to \$2,000. Notably, the proposed budget adopted on April 5, 2020 included \$3,000 in this account. However, staff anticipates a continuation of virtual Commission meetings in the foreseeable future, which eliminates the need for contracted Napa TV meeting recording services.
- 7) Increase Training/Conference (Account No. 52900) from \$989 to \$10,000. Notably, the proposed budget adopted on April 5, 2020 included \$3,000 in this account. However, the California Association of LAFCOs (CALAFCO) recently announced it will hold the annual conference in October 2021 in Newport Beach and several Commissioners expressed interest in attending. CALAFCO may also hold the annual staff workshop in spring 2022. Staff believes the return of these educational and training opportunities justifies the additional expense allocation.

It is important to note that, consistent with the last seven fiscal years, the final budget for fiscal year 2021-2022 includes \$1,000 for a 401A Employer Contribution under Administration Services (Account No. 52100). The Executive Officer is authorized to participate in the County of Napa's 401(a) retirement savings plan.

### Contingencies Unit

The Commission does not budget for contingencies, and instead relies on reserves to address any unanticipated expenses tied to emergencies.



### **Operating Revenues**

The Committee proposes an increase in operating revenues from \$519,084 to \$540,270; a difference of \$21,186 or 4.1% compared to the current fiscal year. The Committee recommends the majority of operating revenues to be collected – \$509,670 – would be drawn from agency contributions and would represent a 5.0% overall increase compared to the current fiscal year. Service charges are recommended to total \$20,600 and would represent a 5.0% decrease compared to the current fiscal year. Interest earnings on the Commission’s fund balance are recommended at \$10,000 based on recent trends and would represent a 16.7% decrease compared to the current fiscal year. The following table summarizes operating revenues in the final budget.

Revenue Unit	Adjusted FY20-21	Final FY21-22	Change \$	Change %
1) Agency Contributions	\$485,400	\$509,670	\$24,270	5.0%
(a) County of Napa	\$242,700	\$254,835	\$12,135	5.0%
(b) City of Napa	\$162,800	\$166,432	\$3,632	2.2%
(c) City of American Canyon	\$41,166	\$45,843	\$4,677	11.4%
(d) City of St. Helena	\$15,159	\$18,608	\$3,449	22.8%
(e) City of Calistoga	\$14,515	\$13,976	-\$539	-3.7%
(f) Town of Yountville	\$9,060	\$9,976	\$916	10.1%
2) Service Charges	\$21,684	\$20,600	-\$1,084	-5.0%
3) Interest Earnings	\$12,000	\$10,000	-\$2,000	-16.7%
<b>Total</b>	<b>\$519,084</b>	<b>\$540,270</b>	<b>\$21,186</b>	<b>4.1%</b>

\* Agency contributions in the final budget reflect general tax revenues as provided by the State Controller’s Office’s (SCO) Cities Annual Report and population estimates as provided by the State Department of Finance’s (DOF) Population Estimates. The apportionment of annual contributions to LAFCO is established under a Memorandum of Understanding between the cities and town in Napa County.

### **Reserves Projections**

It has been the Commission’s practice in recent years to intentionally budget for operating deficits for the purpose of reducing the impact to funding agencies when reserves exceed the Policy directive amount of one third of budgeted expenses. Toward this end, the Committee recommends an intentional operating deficit of \$13,871, which would be covered by drawing down on reserves consistent with prior fiscal years.

As mentioned previously, the final budget positions the Commission to finish the 2021-2022 fiscal year with available reserves totaling \$257,431 or 46.4% of operating expenses. Therefore, the final budget would result in an amount of reserves sufficient to meet the Policy directive to retain reserves equal to no less than 33.3% of operating expenses.

In order to balance the budget in the future while maintaining adequate reserves, the Committee projected the next five fiscal year budgets and reserves totals based on the following assumptions:

- Annual 3.0% increases in total operating expenses;
- Annual 5.0% increases in agency contribution revenues; and
- Stagnant revenues tied to service charges.

The following table shows the Commission's projected expenses, revenues, and reserves over the next five fiscal years based on the aforementioned assumptions.

Category	2021-22	2022-23	2023-24	2024-25	2025-26
Expenses	\$554,141	\$570,765	\$587,888	\$605,525	\$623,690
Revenues	\$540,270	\$565,754	\$592,511	\$620,607	\$650,107
Net Surplus/Deficit	\$(13,871)	\$(5,012)	\$4,623	\$15,082	\$26,417
Reserves on July 1	\$271,302	\$257,431	\$252,420	\$257,043	\$272,125
Reserves as % of Expenses	48.9%	45.1%	42.9%	42.4%	43.6%

The Commission is invited to discuss the reserves projections and provide direction or feedback to the Committee as appropriate. This may involve consideration of alternative assumptions with respect to future increases to budgeted operating expenses or revenues.

### ***Office Relocation***

The final budget includes \$31,322 in the Rents and Leases: Building/Land expense account (Account No. 52605). This amount is associated with the Commission's current five-year lease agreement for office space at 1030 Seminary Street in Napa and equates to a \$2,610 monthly charge. The current lease agreement expires on June 30, 2022 and may be terminated early by either party with 60 days notice. The property owner of the current office has agreed to renew the lease for five more years with annual 3.0% rent increases, which would result in the following expenses over the next five fiscal years:

- \$2,610 from July 1, 2021 to June 30, 2022
- \$2,688 from July 1, 2022 to June 30, 2023
- \$2,769 from July 1, 2023 to June 30, 2024
- \$2,852 from July 1, 2024 to June 30, 2025
- \$2,937 from July 1, 2025 to June 30, 2026
- Average monthly cost: \$2,771

In May 2021, staff became aware of an available office space at a lower cost at 1754 Second Street in Napa. Staff believes the office is adequate for all current and foreseeable future needs. The property owner already provided staff with a non-binding letter of intent agreeing to a five-year lease beginning August 1, 2021 at monthly charges as follows:

- \$1,850 from August 1, 2021 to March 31, 2022
- \$2,150 from April 1, 2022 to March 31, 2023
- \$2,215 from April 1, 2023 to March 31, 2024
- \$2,280 from April 1, 2024 to March 31, 2025
- \$2,350 from April 1, 2025 to July 31, 2026
- Average monthly cost: \$2,169

Transitioning to the new office would save the Commission approximately \$600 per month on average, resulting in a total savings of approximately \$36,000 over the next five years. Given the significant cost savings, staff recommends the Commission authorize the Executive Officer sign a five-year lease with the property owner at 1754 Second Street.

Notably, staff also reviewed three other available office spaces, none of which had sufficient space or cost savings to justify entering into a lease agreement.

Professional moving services will be needed to assist staff in the relocation to 1754 Second Street. During the previous office relocation in 2012, total moving costs were \$2,295. Due to inflation, staff estimates current moving expenses at \$3,000 to \$3,500. With this in mind, staff recommends the Executive Officer enter into an agreement for professional moving services in an amount not to exceed \$5,000. This amount is the Executive Officer's purchasing authority limit as set by the Policy, included as Attachment Three, and therefore would not require formal Commission action.

## **ATTACHMENTS**

- 1) Draft Resolution Adopting a Final Budget for Fiscal Year 2021-2022
- 2) Draft Resolution Approving the Fee Schedule Amendment
- 3) Budget Policy
- 4) Fee Schedule Amendment (tracked changes)

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

**RESOLUTION OF  
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
ADOPTING A FINAL BUDGET FOR THE 2021-2022 FISCAL YEAR**

**WHEREAS**, the Local Agency Formation Commission of Napa County (hereinafter referred to as “Commission”) is required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) to annually adopt a budget for the next fiscal year; and

**WHEREAS**, Government Code Section 56381 requires the Commission to adopt a proposed budget by May 1 and a final budget by June 15; and

**WHEREAS**, the Commission appoints and utilizes an ad hoc subcommittee (“Budget Committee”) to help inform and make decisions regarding the agency’s funding requirements; and

**WHEREAS**, the Commission adopted a proposed budget prepared by the Budget Committee at a noticed public hearing on April 5, 2021; and

**WHEREAS**, at the direction of the Commission, the Budget Committee circulated the adopted proposed budget for review and comment to the administrative and financial officers of each of the six local agencies that contribute to the Commission budget as well as to all local special districts; and

**WHEREAS**, no comments were received concerning the adopted proposed budget; and

**WHEREAS**, the Executive Officer prepared a report concerning the Budget Committee’s recommended final budget; and

**WHEREAS**, the Executive Officer’s report on a final budget 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 its public hearing on the final budget held on June 7, 2021; and

**WHEREAS**, the Commission determined the final budget projects the staffing and program costs of the Commission as accurately and appropriately as is possible.

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

1. The final budget as outlined in Exhibit "A" is adopted.
2. The final budget provides the Commission sufficient resources to fulfill its regulatory and planning responsibilities in accordance with Government Code Section 56381(a).

The foregoing resolution was duly and regularly adopted by the Local Agency Formation Commission of Napa County at a meeting held on June 7, 2021, by the following vote:

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

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

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

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

\_\_\_\_\_  
 Diane Dillon  
 Commission Chair

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

Recorded by: Kathy Mabry  
 Commission Secretary



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

**FY 2021-2022 FINAL BUDGET**

Proposed for Adoption on June 7, 2021

Expenses	FY 2018-19		FY 2019-20		FY 2020-21		FY 2021-22	Difference from Prior FY		
	Final Budget	Actual	Final Budget	Actual	Final Budget	Estimate	Final Budget			
<b>Salaries and Benefits</b>										
<u>Account</u>	<u>Description</u>									
51210	15,000	12,150	15,000	10,980	12,500	12,270	12,500	-	0.0%	
51300	-	173	225	158	250	250	250	-	0.0%	
51305	500	550	500	506	500	500	500	-	0.0%	
	<b>15,500</b>	<b>12,873</b>	<b>15,725</b>	<b>11,644</b>	<b>13,250</b>	<b>13,020</b>	<b>13,250</b>	<b>-</b>	<b>0.0%</b>	
<b>Total Salaries &amp; Benefits</b>										
<b>Services and Supplies</b>										
<u>Account</u>	<u>Description</u>									
52100	371,069	319,297	424,278	404,710	415,869	407,278	424,076	8,207	2.0%	
52125	8,000	7,394	8,000	6,710	7,500	7,500	7,500	-	0.0%	
52130	17,301	16,653	24,590	24,590	24,323	24,323	24,489	166	0.7%	
52131	-	-	-	-	-	-	1,837	1,837	NEW	
52140	35,000	27,152	30,000	30,000	27,500	25,000	25,000	(2,500)	-9.1%	
52310	188,050	80,339	112,624	79,623	25,551	25,550	-	(25,551)	-100.0%	
52345	150	165	300	300	300	300	300	-	0.0%	
52515	2,000	1,779	2,000	1,929	1,930	1,930	1,930	-	0.0%	
52600	5,500	4,585	5,500	4,969	5,500	4,000	4,000	(1,500)	-27.3%	
52605	27,828	28,663	29,523	29,523	30,409	30,409	31,322	913	3.0%	
52700	70	70	4,554	380	813	813	578	(235)	-28.9%	
52800	3,000	3,124	3,000	3,591	3,500	1,800	2,000	(1,500)	-42.9%	
52830	2,000	967	1,500	1,440	1,500	900	1,000	(500)	-33.3%	
52835	500	200	250	154	50	150	200	150	300.0%	
52900	9,000	13,770	12,295	8,348	989	200	10,000	9,011	911.1%	
52905	1,000	2,265	3,000	1,449	1,000	-	500	(500)	-50.0%	
53100	2,000	2,265	2,000	1,193	1,250	1,800	1,000	(250)	-20.0%	
53110	300	100	300	158	350	150	500	150	42.9%	
53120	2,805	2,805	3,261	3,261	3,060	3,060	2,934	(126)	-4.1%	
53205	1,300	1,121	1,300	1,306	1,500	1,400	1,500	-	0.0%	
53415	-	270	-	-	-	-	225	225	NEW	
56350	750	479	500	122	250	33	-	(250)	-100.0%	
	<b>678,673</b>	<b>514,108</b>	<b>669,275</b>	<b>604,373</b>	<b>553,144</b>	<b>536,596</b>	<b>540,891</b>	<b>(12,253)</b>	<b>-2.2%</b>	
<b>EXPENSE TOTALS</b>	<b>694,173</b>	<b>526,981</b>	<b>685,000</b>	<b>616,017</b>	<b>566,394</b>	<b>549,616</b>	<b>554,141</b>	<b>(12,253)</b>	<b>-2.2%</b>	

**Revenues**

		FY 2018-19		FY 2019-20		FY 2020-21		FY 2021-22		
		Final Budget	Actual	Final Budget	Actual	Final Budget	Estimate	Final Budget	Difference from Prior FY	
<b>Intergovernmental</b>										
<u>Account</u>	<u>Description</u>									
43910	County of Napa	224,410	224,410	235,631	235,631	242,700	242,700	254,835	12,135	5.0%
43950	Other Governmental Agencies	224,410	224,410	235,631	235,631	242,700	242,700	254,835	12,135	5.0%
----	<i>City of Napa</i>	148,793	148,793	154,514	154,514	162,800	162,800	166,432	3,632	2.2%
----	<i>City of American Canyon</i>	35,803	35,803	38,707	38,707	41,166	41,166	45,843	4,677	11.4%
----	<i>City of St. Helena</i>	14,897	14,897	15,357	15,357	15,159	15,159	18,608	3,449	22.8%
----	<i>City of Calistoga</i>	13,673	13,673	15,575	15,575	14,515	14,515	13,976	(539)	-3.7%
----	<i>Town of Yountville</i>	11,243	11,243	11,478	11,478	9,060	9,060	9,976	916	10.1%
	<b>Total Intergovernmental</b>	448,820	448,820	471,261	471,261	485,400	485,400	509,670	24,270	5.0%
<b>Service Charges</b>										
<u>Account</u>	<u>Description</u>									
42690	Application/Permit Fees	20,000	41,451	25,000	26,964	21,060	25,740	20,000	(1,060)	-5.0%
46800	Charges for Services	500	500	500	781	624	749	600	(24)	-3.8%
	<b>Total Service Charges</b>	20,500	41,951	25,500	27,745	21,684	26,489	20,600	(1,084)	-5.0%
<b>Investments</b>										
<u>Account</u>	<u>Description</u>									
45100	Interest	7,000	12,367	7,000	15,128	12,000	8,924	10,000	(2,000)	-16.7%
	<b>Total Investments</b>	7,000	12,367	7,000	15,128	12,000	8,924	10,000	(2,000)	-16.7%
	<b>REVENUE TOTALS</b>	476,320	503,138	503,761	514,134	519,084	520,813	540,270	21,186	4.1%
<b>OPERATING DIFFERENCE</b>		(217,853)	(23,843)	(181,239)	(101,883)	(47,310)	(28,803)	(13,871)		
<b>Fund Balances</b>			<b>2018-19</b>		<b>2019-20</b>		<b>2020-21</b>		<b>2021-22</b>	
<b>RESTRICTED FUND BALANCE (EQUIPMENT REPLACEMENT RESERVE)</b>										
	Beginning:		19,657		19,657		19,657		19,657	
	Ending:		19,657		19,657		19,657		19,657	
<b>UNDESIGNATED/UNRESERVED FUND BALANCE ("RESERVES")</b>										
	Beginning:		425,831		401,988		300,105		271,302	
	Ending:		401,988		300,105		271,302		257,431	
<b>TOTAL FUND BALANCE</b>										
	Beginning:		445,488		421,645		319,762		290,959	
	Ending:		421,645		319,762		290,959		277,088	
<b>MINIMUM FOUR MONTH RESERVE GOAL</b>			231,391		228,333		188,798		184,714	



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

**RESOLUTION OF  
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
AMENDMENT TO ADOPTED SCHEDULE OF FEES AND DEPOSITS**

**WHEREAS**, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) authorizes the Local Agency Formation Commission of Napa County (hereinafter referred to as “Commission”) to adopt a fee schedule; and

**WHEREAS**, the Commission established and adopted by resolution a “Schedule of Fees and Deposits” on December 1, 2001 in a manner provided by law; and

**WHEREAS**, the Commission has amended the adopted Schedule of Fees and Deposits as appropriate since its establishment on several occasions; and

**WHEREAS**, the Commission appoints and utilizes an ad hoc subcommittee (“Budget Committee”) to help inform and make decisions regarding the agency’s funding requirements including the adopted Schedule of Fees and Deposits; and

**WHEREAS**, the Commission considered a draft amendment to the Schedule of Fees and Deposits prepared by the Budget Committee at a public meeting on April 5, 2021; and

**WHEREAS**, at the direction of the Commission, the Budget Committee circulated the draft amendment to the Schedule of Fees and Deposits for review and comment to the general public; and

**WHEREAS**, the Commission has scheduled and noticed a public hearing on June 7, 2021 to consider a new amendment to its Schedule of Fees and Deposits as recommended by the Budget Committee; and

**WHEREAS**, the Commission considered all written and verbal comments received on the proposed amendment to the adopted Schedule of Fees and Deposits at its noticed public hearing on June 7, 2021.

**NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER** the Schedule of Fees and Deposits shall be amended in the manner set forth in Exhibit “A” and become effective July 1, 2021.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on June 7, 2021, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

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

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

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

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

\_\_\_\_\_  
Diane Dillon  
Commission Chair

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

Recorded by: Kathy Mabry  
Commission Secretary

DRAFT



## Local Agency Formation Commission of Napa County

Subdivision of the State of California

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

### Schedule of Fees and Deposits

Effective Date: July 1, 2021

These are the policies of the Local Agency Formation Commission (LAFCO) of Napa County with respect to setting fees and deposits in fulfilling LAFCO's regulatory and planning duties prescribed under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

1. This schedule shall be administered in accordance with the provisions of [Government Code \(G.C.\) Section 56383](#).
2. This schedule includes both "fixed" and "at-cost" fees. Fixed fees represent reasonable cost estimates for processing routine proposals and based on a number of predetermined staff hours. At-cost fees apply to less routine proposals and based on the number of actual staff hours.
3. Proposals submitted to the Commission shall be accompanied by the appropriate proposal fees as detailed in this schedule. Any required proposal fees that have not been received by the Executive Officer at the time of Commission action on a proposal shall be made a condition of proposal approval.
4. All deposit amounts for at-cost proposals shall be determined by the Executive Officer. The Executive Officer shall provide a written accounting of all staff time and related expenses billed against the deposit. If the cost in processing a proposal begins to approach or exceed the deposited amount, the Executive Officer shall request additional monies from the applicant.
5. Upon completion of an at-cost proposal, the Executive Officer shall issue to the applicant a statement detailing all billable expenditures from a deposit. The Executive Officer shall refund the applicant for any remaining monies remaining from the deposit less one-half hour of staff time to process the return as provided in this schedule.
6. All fees payable to the Commission shall be submitted by check and made payable to "LAFCO of Napa County."
7. In the course of processing proposals, staff is required to collect fees on behalf of other agencies such as the State Board of Equalization. The Commission recognizes these are "pass through" fees that are not within the Commission's discretion and therefore no Commission action is required to make changes to those fees in this schedule.
8. Applicants are responsible for any fees or charges incurred by the Commission and or required by other governmental agencies in the course of the processing of a proposal.
9. Additional staff time shall be charged to the applicant at a fully burdened hourly rate of \$150.
10. Applicants are responsible for any extraordinary administrative costs as determined by the Executive Officer and detailed for the applicant in a written statement.

11. If a check for a proposal fee is on file, and the fee amount pursuant to this schedule changes prior to the deposit of the fee, the Executive Officer shall issue to the applicant a statement detailing the change in the fee and the amount of the difference that needs to be collected from the applicant, or reimbursed to the applicant, prior to completion of proposal proceedings.
12. If a check for a proposal fee is on file and has not been deposited after six months from the date written on the check, the Executive Officer shall return the original check to the applicant and require submittal of a replacement check prior to any further action on the proposal.
13. Staff time and administrative costs shall not be charged by the Commission for city annexation proposals involving one or more entire unincorporated island subject to [G.C. Section 56375.3](#) and the [Policy on Unincorporated Islands](#).
14. If the processing of a proposal requires the Commission contract with another agency firm, or individual for services beyond the normal scope of staff work, such as the drafting of an Environmental Impact Report or Comprehensive Fiscal Analysis, the applicant shall be responsible for all costs associated with that contract. The applicant will provide the Commission with a deposit sufficient to cover the cost of the contract.
15. The Executive Officer may stop work on any proposal until the applicant submits a requested deposit or fee.
16. Applicants may request the Commission reduce or waive a fee. All requests must be made in writing and cite specific factors justifying the reduction or waiver and will be considered by the Commission relative to public interest and agency mission. Examples of appropriate requests include, but are not limited to, addressing public health or safety threats, affordable housing development, and community serving projects. Requests by landowners or registered voters shall be considered by the Commission at the earliest opportunity as part of a regular meeting. Requests by local agencies may be considered at the time the proposal is presented to the Commission for action.
17. With respect to instances where the Commission approves an outside service agreement under [G.C. Section 56133](#), the fee for a subsequent annexation involving the affected territory and affected agency will be reduced by one-half if filed within one calendar year.
18. Requests for research on any particular subject will be provided at no cost for the first two hours. This includes, but is not limited to, archival retrieval, identifying properties relative to agency boundaries, and discussing potential proposals. Any additional research time will be billed at the fully burdened hourly rate provided in this schedule.
19. Annexation or detachment proposals involving boundary changes for two or more agencies qualify as reorganizations and will be charged an additional fee of \$780 (five hours). Annexation proposals involving cities that require concurrent detachment from County Service Area No. 4 will only incur an additional fee of \$150 (one hour).
20. The Commission shall annually review this schedule and update the fully burdened hourly rate to help maintain an appropriate level of cost-recovery.

**PROPOSAL FEES**

The following fees must be submitted to the Commission as part of the proposal filing. The Executive Officer will identify the specific deposits, fees, and amounts that apply to the proposal.

**Change of Organization or Reorganization: Annexations and Detachments**

<b>Proposals Exempt from California Environmental Quality Act</b>	
100% Consent from Landowners and Agencies where the Commission is Responsible or Lead Agency	\$4,500 (30 hours)
Without 100% Consent from Landowners and Agencies where the Commission is Responsible or Lead Agency	\$6,000 (40 hours)
<b>Proposals Not Exempt from California Environmental Quality Act / Negative Declaration</b>	
100% Consent from Landowners and Agencies where the Commission is Responsible Agency	\$5,250 (35 hours)
100% Consent from Landowners and Agencies where the Commission is Lead Agency	\$7,500 (50 hours)
Without 100% Consent from Landowners and Agencies where the Commission is Responsible Agency	\$6,750 (45 hours)
Without 100% Consent from Landowners and Agencies where the Commission is Lead Agency	\$9,000 (60 hours)
<b>Proposals Not Exempt from California Environmental Quality / Environmental Impact Report</b>	
100% Consent from Landowners and Agencies where the Commission is Responsible Agency	\$6,000 (40 hours)
100% Consent from Landowners and Agencies where the Commission is Lead Agency	\$7,500 (50 hours) plus consultant contract
Without 100% Consent from Landowners and Agencies where the Commission is Responsible Agency	\$7,500 (50 hours)
Without 100% Consent from Landowners and Agencies where the Commission is Lead Agency	\$9,000 (60 hours) plus consultant contract

**Change of Organization or Reorganization: Other**

• City Incorporations and Disincorporations	at-cost
• Special District Formations, Consolidations, Mergers and Dissolutions	at-cost
• Special District Requests to Activate or Deactivate Powers	at-cost

**Other Service Requests**

• New or Extended Outside Service Request	\$3,000 (20 hours)
• Request for Reconsideration	\$3,000 (20 hours)
• Request for Time Extension to Complete Proceedings	\$750 (5 hours)
• Municipal Service Reviews	at-cost
• Sphere of Influence Establishment/Amendment	at-cost

<b>Miscellaneous</b>	
• Special Meeting	\$1,200
• Alternate Legal Counsel	at-cost

<b>Fees Made Payable to the County of Napa</b>	
• Assessor’s Annexation Mapping Fee	\$162
• Assessor’s Signature Verification Fee	\$13
• County Surveyor’s Review Fee	\$253.09
• Elections’ Registered Voter List Fee	\$75 hourly
• Clerk-Recorder’s Environmental Filing Fee	\$50
• Clerk-Recorder’s Environmental Document Fee	
.....Environmental Impact Report	\$3,445.25
.....Mitigated Negative Declaration	\$2,480.25
.....Negative Declaration	\$2,480.25

<b>Fees Made Payable to LAFCO</b>	
• Geographic Information System Update	\$150
• Photocopying	\$0.10 (black) / \$0.40 (color)
• Mailing	at-cost
• Audio Recording of Meeting	at-cost
• Research/Archive Retrieval	\$150 hourly

<b>Fees Made Payable to the State Board of Equalization to Record Boundary Changes</b>			
Acre	Fee	Acre	Fee
0.00-0.99	\$300	51.00-100.99	\$1,500
1.00-5.99	\$350	101.00-500.99	\$2,000
6.00-10.99	\$500	501.00-1,000.99	\$2,500
11.00-20.99	\$800	1,001.00-2,000.99	\$3,000
21.00-50.99	\$1,200	2,001.00+	\$3,500



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Budget Policy*

(Adopted: August 9, 2001; Last Amended: November 18, 2019)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 includes provisions for establishing a budget and for the receipt of funds. [Government Code \(G.C.\) §56381](#) establishes that the Commission shall annually adopt a budget for the purpose of fulfilling its duties under CKH.

#### **II. Purpose**

It is the intent of the Commission to adopt a policy for budget purposes which establishes procedures for compiling, adopting and administering the budget. The Commission is committed to providing transparency of its operations including its fiscal activities. The Commission follows recognized accounting principles and best practices in recognition of its responsibility to the public.

#### **III. Preparation of Annual Budget**

- A) An annual budget shall be prepared, adopted and administered in accordance with [\(G.C.\) §56381](#).
- B) The Commission should annually consider the Fee Schedule, including any anticipated changes, and Work Program in conjunction with the budget process.
- C) The Commission is committed to ensuring the agency is appropriately funded each fiscal year to effectively meet its prescribed regulatory and planning responsibilities. The Commission is also committed to controlling operating expenses to reduce the financial obligations on the County of Napa, the cities and town, hereafter referred to as the “funding agencies,” whenever possible and appropriate.
- D) The budget shall include an undesignated/unreserved fund balance equal to a minimum of one-third (i.e., four months) of annually budgeted operating expenses.
- E) The Commission shall establish an ad-hoc budget committee at the last meeting of each calendar year comprising of two Commissioners which will terminate with the adoption of the final budget. Commissioners appointed to a budget committee shall receive a regular per diem payment for each meeting attended.
- F) The adopted final budget should be posted on the Commission’s website for public viewing for a minimum of five years.
- G) The Executive Officer shall provide quarterly budget reports to the Commission for informational purposes.

#### IV. Budget Contributions and Collection of Funds

[G.C. §56381](#) establishes that the Commission shall adopt annually a budget for the purpose of fulfilling its duties under CKH. It further establishes that the County Auditor shall apportion the operating expenses from this budget in the manner prescribed by [G.C. §56381\(b\)](#), or in a manner mutually agreed upon by the agencies responsible for the funding of the Commission's budget [G.C. §56381\(c\)](#) states that:

After apportioning the costs as required in subdivision (b), the auditor shall request payment from the Board of Supervisors and from each city no later than July 1 of each year for the amount that entity owes and the actual administrative costs incurred by the auditor in apportioning costs and requesting payment from each entity. If the County or a city does not remit its required payment within 60 days, the Commission may determine an appropriate method of collecting the required payment, including a request to the auditor to collect an equivalent amount from the property tax, or any fee or eligible revenue owed to the County or city. The auditor shall provide written notice to the County or city prior to appropriating a share of the property tax or other revenue to the Commission for the payment due the Commission pursuant to this section.

It is the intent of the Commission that all agencies provide the costs apportioned to them from the LAFCO budget. Pursuant to [G.C. §56381\(c\)](#), the policy of the Commission is:

- A) If the County or a city or a town does not remit its required payment within 45 days of the July 1 deadline, the County Auditor shall send written notice to the agency in question that pursuant to [G.C. §56381\(c\)](#) and this policy, the Auditor has the authority to collect the amount of the Commission's operating expenses apportioned to that agency after 60 days from the July 1 deadline.
- B) If the County or a city or a town does not remit its required payment within 60 days of the July 1 deadline, the County Auditor shall collect an amount equivalent to the cost apportioned to that agency from the property tax owed to that agency, or some other eligible revenue deemed appropriate or necessary by the County Auditor. The County Auditor shall send written notice of the action taken to the agency and to the Commission.



## V. Executive Officer Purchasing and Budget Adjustment Authority

Pursuant to [G.C. §56380](#), the Commission shall make its own provision for necessary quarters, equipment, supplies, and services. The associated operating costs are provided for through the Commission's adoption of its annual budget in the manner prescribed in [G.C. §56381](#).

It is the intent of the Commission to charge the LAFCO Executive Officer with the responsibility and authority for coordinating and managing the procurement of necessary quarters, equipment, supplies, and services, and to adjust the annual budget as necessary under certain circumstances. The policy of the Commission is:

- A) The Executive Officer is charged with the responsibility and authority for coordinating and managing the procurement of necessary quarters, equipment, supplies, and services in accordance with applicable laws, regulations and policies.
- B) The Executive Officer is authorized to act as the agent for LAFCO in procuring necessary quarters, equipment, supplies, and services.
- C) Only the Commission itself or the Executive Officer may commit LAFCO funds for the purchase of any necessary quarters, equipment, supplies, or services for LAFCO use.
- D) The Executive Officer is delegated purchasing authority on behalf of LAFCO for necessary quarters, equipment, supplies, and services not to exceed \$5,000 per transaction. The Commission must approve any purchase of necessary quarters, equipment, supplies, and services that exceed the monetary limits set forth in this policy.
- E) Following review and approval by the Chair, the Executive Office is authorized to make adjustments and administrative corrections to the budget without Commission action provided the adjustments and corrections are within the total budget allocations adopted by the Commission.
- F) Following review and approval by the Chair, the Executive Officer is authorized to adjust the budget for purposes of carrying over to the new fiscal year any encumbered funds that have been approved by the Commission in a prior fiscal year and involve unspent balances. Said funds include committed contracts for services that were not completed in the prior fiscal year and must be re-encumbered by way of a budget adjustment in the new fiscal year.



## Local Agency Formation Commission of Napa County

Subdivision of the State of California

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

### Schedule of Fees and Deposits

Effective Date: ~~January~~ July 1, 2021

These are the policies of the Local Agency Formation Commission (LAFCO) of Napa County with respect to setting fees and deposits in fulfilling ~~the agency~~ LAFCO's regulatory and planning duties prescribed under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

1. This schedule shall be administered in accordance with the provisions of Government Code (G.C.) Section 56383.
2. This schedule includes both "fixed" and "at-cost" fees. Fixed fees represent reasonable cost estimates for processing routine proposals and based on a number of predetermined staff hours. At-cost fees apply to less routine proposals and based on the number of actual staff hours.
3. Proposals submitted to the Commission shall be accompanied by the appropriate proposal fees as detailed in this schedule. ~~Any required Pproposal fees will not be deemed complete until all appropriate fees have been collected as identified by that have not been received by the Executive Officer and as detailed in this schedule at the time of Commission action on a proposal shall be made a condition of proposal approval.~~
4. All deposit amounts  ~~tied to for~~ at-cost proposals shall be determined by the Executive Officer. The Executive Officer shall provide a written accounting of all staff time and related expenses billed against the deposit. If the cost in processing a proposal begins to approach or exceed the deposited amount, the Executive Officer shall request additional monies from the applicant.
- 4.5. Upon completion of an at-cost proposal, the Executive Officer shall issue to the applicant a statement detailing all billable expenditures from a deposit. The Executive Officer shall refund the applicant for any remaining monies remaining from the deposit less one-half hour of staff time to process the return as provided in this schedule
- 5.6. ~~All fees payable to the Commission shall be submitted in by check and made payable to "Local Agency Formation Commission LAFCO of Napa County."~~
- 6.7. ~~In the course of processing proposals, staff is required to collect fees on behalf of other agencies such as the State Board of Equalization. The Commission recognizes these are "pass through" fees that are not within the Commission's discretion and therefore no Commission action is required to make changes to those fees in this schedule.~~
- 7.8. ~~Applicants are responsible for any fees or charges incurred by the Commission and or required by other governmental agencies in the course of the processing of a proposal.~~
9. Additional staff time shall be charged to the applicant at a fully burdened hourly rate of \$156150.

10. Applicants are responsible for any extraordinary administrative costs as determined by the Executive Officer and detailed for the applicant in a written statement.

~~11. If any a check for a proposal fee for a proposal has already been received is on file~~, and the fee amount pursuant to this schedule changes prior to the deposit of the fee, the Executive Officer shall issue to the applicant a statement detailing the change in the fee and the amount of the difference that needs to be collected from the applicant, or reimbursed to the applicant, prior to completion of proposal proceedings.

~~10.12. If a check for a proposal fee is on file and has not been deposited after six months from the date written on the check, the Executive Officer shall return the original check to the applicant and require submittal of a replacement check prior to any further action on the proposal.~~

~~11.1. Applicants are responsible for any extraordinary administrative costs as determined by the Executive Officer and detailed for the applicant in a written statement.~~

13. Staff time and administrative costs shall not be charged by the Commission for city annexation proposals involving one or more entire unincorporated island subject to California Government Code G.C. Section 56375.3 and the Policy on Unincorporated Islands.

14. If the processing of a proposal requires the Commission contract with another agency firm, or individual for services beyond the normal scope of staff work, such as the drafting of an Environmental Impact Report or Comprehensive Fiscal Analysis, the applicant shall be responsible for all costs associated with that contract. The applicant will provide the Commission with a deposit sufficient to cover the cost of the contract.

~~15.~~ The Executive Officer may stop work on any proposal until the applicant submits a requested deposit or fee.

~~16.15.~~

~~17.1. Upon completion of an at cost proposal, the Executive Officer shall issue to the applicant a statement detailing all billable expenditures from a deposit. The Executive Officer shall refund the applicant for any remaining monies remaining from the deposit less one half hour of staff time to process the return as provided in this schedule~~

~~18.16.~~ Applicants may request the Commission reduce or waive a fee. All requests must be made in writing and cite specific factors justifying the reduction or waiver and will be considered by the Commission relative to public interest and agency mission. Examples of appropriate requests include, but are not limited to, addressing public health or safety threats, affordable housing development, and community serving projects. Requests by landowners or registered voters shall be considered by the Commission at the earliest opportunity next as part of a regular meeting. Requests by local agencies may be considered at the time the application-proposal is presented to the Commission for action.

~~19.17.~~ With respect to instances where the Commission approves an outside service agreement under California Government Code G.C. Section 56133, the fee for a subsequent change of organization or reorganization annexation involving the affected territory and affected agency will be reduced by one-half if filed within one calendar year.

18. Requests for research on any particular subject will be provided at no cost for the first two hours. This includes, but is not limited to, archival retrieval, identifying properties relative to agency boundaries, and discussing potential proposals. Any additional research time will be billed at the fully burdened hourly rate provided in this schedule.

~~20.~~19. Annexation or detachment proposals involving boundary changes for two or more agencies qualify as reorganizations and will be charged an additional fee of \$780 (five hours). Annexation proposals involving cities that require concurrent detachment from County Service Area No. 4 will only incur an additional fee of \$150 (one hour).

~~21.~~20. The Commission shall annually review this schedule and update the fully burdened hourly rate to help maintain an appropriate level of cost-recovery.

**PROPOSAL FEES**

The following fees must be submitted to the Commission as part of the proposal filing. The Executive Officer will identify the specific deposits, fees, and amounts that apply to the proposal. ~~The proposal will be deemed incomplete without payment of all identified fees. Any fees designated at cost will require a deposit as determined by the Executive Officer.~~

**Change of Organization or Reorganization: Annexations and Detachments**

- Proposals Exempt from California Environmental Quality Act**

100% Consent from Landowners and Agencies where the Commission is Responsible or Lead Agency	\$4, <del>680</del> <u>500</u> (30 hours)
Without 100% Consent from Landowners and Agencies where the Commission is Responsible or Lead Agency	\$6, <del>240</del> <u>000</u> (40 hours)

- Proposals Not Exempt from California Environmental Quality Act / Negative Declaration**

100% Consent from Landowners and Agencies where the Commission is Responsible Agency	\$5, <del>460</del> <u>250</u> (35 hours)
100% Consent from Landowners and Agencies where the Commission is Lead Agency	\$7, <del>800</del> <u>500</u> (50 hours)
Without 100% Consent from Landowners and Agencies where the Commission is Responsible Agency	\$7, <del>020</del> <u>6,750</u> (45 hours)
Without 100% Consent from Landowners and Agencies where the Commission is Lead Agency	\$9, <del>360</del> <u>000</u> (60 hours)

- Proposals Not Exempt from California Environmental Quality / Environmental Impact Report**

100% Consent from Landowners and Agencies where the Commission is Responsible Agency	\$6, <del>240</del> <u>000</u> (40 hours)
100% Consent from Landowners and Agencies where the Commission is Lead Agency	\$7, <del>800</del> <u>500</u> (50 hours) plus consultant contract
Without 100% Consent from Landowners and Agencies where the Commission is Responsible Agency	\$7, <del>800</del> <u>500</u> (50 hours)
Without 100% Consent from Landowners and Agencies where the Commission is Lead Agency	\$9, <del>360</del> <u>000</u> (60 hours) plus consultant contract

~~\* Annexation or detachment proposals involving boundary changes for two or more agencies qualify as reorganizations will be charged an additional fee of \$780 (5 hours). Annexation proposals involving cities that require concurrent detachment from County Service Area No. 4 will only incur an additional fee of \$156 (one hour).~~

~~\* City annexations involving entire unincorporated islands and subject to streamlined proceedings under Government Code Section 56375.3 shall not be charged a fee by the Commission.~~

**Change of Organization or Reorganization: Other**

• City Incorporations and Disincorporations	at-cost
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• Special District Formations, Consolidations, Mergers and Dissolutions	at-cost
• Special District Requests to Activate or Deactivate Powers	at-cost

**Other Service Requests**

• New or Extended Outside Service Request	\$3, <del>120,000</del> (20 hours)
• Request for Reconsideration	\$3, <del>120,000</del> (20 hours)
• Request for Time Extension to Complete Proceedings	<del>\$780,750</del> (5 hours)
• Municipal Service Reviews	at-cost
• Sphere of Influence Establishment/Amendment	at-cost

**Miscellaneous**

• Special Meeting	\$1,200
• Alternate Legal Counsel	at-cost

**Fees Made Payable to the County of Napa**

• Assessor’s Annexation Mapping Fee	\$162
• <u>Assessor’s Signature Verification Fee</u>	<u>\$13</u>
• County Surveyor’s Review <u>Fee</u>	\$253.09
• Elections’ Registered Voter List <u>Fee</u>	\$75 hourly
• Clerk-Recorder’s Environmental Filing Fee	\$50
• Clerk-Recorder’s Environmental Document Fee	
.....Environmental Impact Report	\$3,445.25
.....Mitigated Negative Declaration	\$2,480.25
.....Negative Declaration	\$2,480.25

**Fees Made Payable to LAFCO**

• Geographic Information System Update	<del>\$156-150</del>
• Photocopying	\$0.10 (black) / \$0.40 (color)
• Mailing	at-cost
• Audio Recording of Meeting	at-cost
• Research/Archive Retrieval	<del>\$156-150</del> hourly

**Fees Made Payable to the State Board of Equalization to Record Boundary Changes**

Acre	Fee	Acre	Fee
0.00-0.99	\$300	51.00-100.99	\$1,500
1.00-5.99	\$350	101.00-500.99	\$2,000
6.00-10.99	\$500	501.00-1,000.99	\$2,500
11.00-20.99	\$800	1,001.00-2,000.99	\$3,000
21.00-50.99	\$1,200	2,001.00+	\$3,500



**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  
www.napa.lafco.ca.gov

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

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**Agenda Item 7a (Action)**

**TO:** Local Agency Formation Commission

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

**MEETING DATE:** June 7, 2021

**SUBJECT:** Proposed Policy on Spheres of Influence and Amendment to the General Policy Determinations

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**RECOMMENDATION**

It is recommended the Commission adopt the Resolution of the Local Agency Formation Commission of Napa County Adopting a *Policy on Spheres of Influence* and Amending the *General Policy Determinations*, included as Attachment One.

**BACKGROUND AND SUMMARY**

The Commission’s policies currently exist in both stand-alone documents and in the more comprehensive *General Policy Determinations* (GPD) document. The Commission intends to revise its existing policies with a goal of creating a new, fully updated, single volume of policies. As part of this process, the GPD will be superseded by a single volume of policies and procedures.

On February 6, 2017, the Commission established an ad hoc Policy Committee (“the Committee”) to comprehensively review the agency’s written policies and propose amendments or new policies as appropriate. Vice Chair Mohler and Commissioner Wagenknecht currently serve with the Executive Officer on the Committee.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires the Commission to establish and maintain spheres of influence (SOIs) for all local agencies within its jurisdiction in order to carry out its responsibilities related to facilitating the logical and orderly development of local communities as well as preserving agricultural and open space lands. An SOI is defined by statute as a “plan for the probable physical boundary and service area of a local government agency as determined by the commission”. Every determination made by LAFCO (e.g., approval of a proposed annexation) shall be consistent with the SOIs of any affected local agencies. Local agency SOIs are established and changed in part based on information in municipal service reviews, including adopted determinative statements and recommendations.

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Margie Mohler, Vice Chair  
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

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

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

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

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

The Committee reviewed existing policies relating to SOIs contained in the Commission's GPD and determined substantial revisions are needed. The Commission's existing policies relating to SOIs are included in Section III of the GPD. The Committee determined the GPD are inadequate with respect to SOI definitions and in terms of prescribing a uniform process for the Commission to consider SOI amendments, reviews, and updates. With this in mind, the Committee recommends the Commission adopt a new stand-alone *Policy on Spheres of Influence* ("Policy") and concurrently amend the GPD to delete the policies in Section III relating to SOIs.

On August 6, 2018, the Committee presented a first draft Policy for discussion. The Commission directed the Committee to circulate the draft Policy to the general public for review and comment. The first draft Policy was made available for review and comment from August 7, 2018 through November 9, 2018. Several comments were received.

On March 11, 2019, the Committee presented a second draft Policy for discussion and noted the second draft Policy was made available for review and comment from March 8, 2019 through April 19, 2019. Several comments were received indicating a desire for a more collaborative discussion before the Policy is adopted.

On August 5, 2019, the Commission directed the Executive Officer to schedule a series of technical working group meetings with staff representatives from the local municipalities to address unresolved issues related to the draft Policy. The technical working group met in September 2019, December 2019, January 2020, and October 2020 to collaboratively review and revise the draft Policy. The technical working group had representation by the County and the Cities of American Canyon, Napa, St. Helena, and the Town of Yountville.

On February 1, 2021, a third draft of the Policy was presented to the Commission for possible adoption following incorporation of the technical working group's revisions. Certain issues with the Policy warranted one final round of revisions. With this in mind, the Commission directed staff to prepare and circulate a fourth draft Policy for public review and comment. The fourth draft Policy was made available for review and comment from February 24, 2021 through April 26, 2021. No comments were received, which suggests there are no remaining significant issues that can be addressed through the Policy.

Staff recommends the Commission adopt the draft resolution, included as Attachment One, to adopt the Policy and concurrently amend the GPD. The fourth draft of the Policy showing tracked changes from the third draft is included as Attachment Two. The proposed amendment to the GPD showing tracked changes is included as Attachment Three.

## **ATTACHMENTS**

- 1) Draft Resolution Adopting the Policy on Spheres of Influence and Amending the General Policy Determinations
- 2) Proposed Policy on Spheres of Influence Showing Tracked Changes from Third Draft
- 3) Proposed Amendment to General Policy Determinations Showing Tracked Changes



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

**RESOLUTION OF  
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
ADOPTING A POLICY ON SPHERES OF INFLUENCE AND  
AMENDING THE GENERAL POLICY DETERMINATIONS**

**WHEREAS**, the Local Agency Formation Commission of Napa County (“Commission”) has adopted policies on the topic of spheres of influence in its *General Policies Determinations*; and

**WHEREAS**, the Commission desires to establish its policies on spheres of influence into a single stand-alone policy; and

**WHEREAS**, at the Commission’s August 6, 2018 meeting, the ad hoc subcommittee on local policies (“the Committee”) presented a draft *Policy on Spheres of Influence* (“Policy”) for discussion and the Commission directed the Committee to circulate the draft Policy for public review and comment; and

**WHEREAS**, the draft Policy was made available for review and comment from August 7, 2018 through November 9, 2018. Several comments were received; and

**WHEREAS**, at the Commission’s March 11, 2019 special meeting, the Committee presented a second draft Policy for discussion and noted the second draft Policy was already made available for public review and comment from March 8, 2019 through April 19, 2019. Several comments were received; and

**WHEREAS**, at its August 5, 2019 meeting, the Commission directed the Executive Officer to schedule a series of technical working group meetings with staff representatives from the local municipalities to address unresolved policy issues; and

**WHEREAS**, the technical working group met on September 12, 2019, December 5, 2019, January 22, 2020, and October 27, 2020 to collaboratively revise the draft Policy; and

**WHEREAS**, at its February 1, 2021 meeting, the Executive Officer presented a third draft Policy for possible adoption. The Commission requested additional revisions to the draft Policy and directed staff to circulate the draft Policy for public review and comment; and

**WHEREAS**, the third draft Policy was made available for review and comment from February 24, 2021 through April 26, 2021. No comments were received; and

**WHEREAS**, at its June 7, 2021 meeting, the Executive Officer presented a fourth draft Policy for possible adoption along with a concurrent amendment to the *General Policies Determinations* to delete Section III pertaining to sphere of influence policies.

**NOW, THEREFORE, BE IT RESOLVED** that the Local Agency Formation Commission of Napa County hereby adopts the *Policy on Spheres of Influence* attached hereto and concurrently deletes Section III of the Commission’s *General Policy Determinations*.

This Resolution shall take effect immediately.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on June 7, 2021, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

AYES:	Commissioners	_____
NOES:	Commissioners	_____
ABSENT:	Commissioners	_____
ABSTAIN:	Commissioners	_____

\_\_\_\_\_  
 Diane Dillon  
 Commission Chair

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

Recorded by: Kathy Mabry  
 Commission Secretary



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Spheres of Influence*

(First Draft Presented on August 6, 2018; Second Draft Presented on March 11, 2019; Third Draft Presented on February 1, 2021; Fourth Draft Proposed on June 7, 2021)

#### **I. BACKGROUND**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, beginning with [California Government Code \(G.C.\) §56425](#), requires the Local Agency Formation Commission (LAFCO or “Commission”) to establish and maintain spheres of influence for all local agencies within its jurisdiction. A sphere of influence (SOI) is defined by statute as a “plan for the probable physical boundary and service area of a local government agency as determined by the commission” ([G.C. §56076](#)). Every determination made by LAFCO shall be consistent with the SOIs of the local agencies affected by that determination ([G.C. §56375.5](#)). The Commission encourages cities, towns, and the County of Napa (“County”) to meet and agree to SOI changes. The Commission shall give “great weight” to these agreements to the extent they are consistent with its policies ([G.C. §56425\(b\) and \(c\)](#)). Local agency SOIs are established and changed in part based on information in municipal service reviews, including adopted determinative statements and recommendations ([G.C. §56430](#)).

#### **II. PURPOSE**

The purpose of these policies is to guide the Commission in its consideration of SOI amendment requests as well as SOI reviews and updates initiated by LAFCO. This includes establishing consistency with respect to the Commission’s approach in the scheduling, preparation, and adoption of SOI reviews and updates. Requests to amend an SOI may be made by any person or local agency as described in Section VI of this policy. Requests to amend an SOI are encouraged to be filed with LAFCO’s Executive Officer as part of the Commission’s municipal service review (MSR) and SOI review process.

#### **III. OBJECTIVE**

It is the intent of the Commission to determine appropriate SOIs that promote the orderly expansion of cities, towns, and special districts in a manner that ensures the protection of the environment and agricultural and open space lands while also ensuring the effective, efficient, and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement. The Commission recognizes the importance of considering local conditions and circumstances in implementing these policies. An SOI is primarily a planning tool that will:

- Serve as a master plan for the future organization of local government within the County by providing long range guidelines for the efficient provision of services to the public;
- Discourage duplication of services by two or more local governmental agencies;
- Guide the Commission when considering individual proposals for changes of organization;
- Identify the need for specific reorganization studies, and provide the basis for recommendations to particular agencies for government reorganizations.

#### **IV. DEFINITIONS**

Recognizing that an SOI is a plan for the probable physical boundary and service area of a local government agency as determined by LAFCO, the Commission incorporates the following definitions:

- A. “Agricultural lands” are defined as set forth in [G.C. §56016](#).
- B. “Open space” are defined as set forth in [G.C. §56059](#).
- C. “Prime agricultural land” is defined as set forth in [G.C. §56064](#).
- D. “Infill” is defined as set forth in [Public Resources Code §21061.3](#).
- E. “Underdeveloped land” is defined as land that lacks components of urban development such as utilities or structure(s).
- F. “Vacant land” is defined as land that has no structure(s) on it and is not being used. Agricultural and open space uses are considered a land use and therefore the underlying land is not considered vacant land.
- G. “SOI establishment” refers to the initial adoption of a city or special district SOI by the Commission.
- H. “SOI amendment” refers to a single change to an established SOI, typically involving one specific geographic area and initiated by a landowner, resident, or local agency.
- I. “SOI review” refers to a comprehensive review of an established SOI conducted as part of an MSR. Based on information collected in the SOI review component of an MSR, the Commission shall determine if an SOI update is needed.
- J. “SOI update” refers to a single change or multiple changes to an established SOI, typically initiated by the Commission and based on information collected in the SOI review.
- K. “Zero SOI” when determined by the Commission, indicates a local agency should be dissolved and its service area and service responsibilities assigned to one or more other local agencies.
- L. “Study area” refers to territory evaluated as part of an SOI update for possible addition to, or removal from, an established SOI. The study areas shall be identified by the Commission in consultation with all affected agencies.

## **V. LOCAL CONSIDERATIONS**

### **A. General Guidelines for Determining Spheres of Influence**

The following factors are intended to provide a framework for the Commission to balance competing interests in making determinations related to SOIs. No single factor is determinative. The Commission retains discretion to exercise its independent judgment as appropriate:

- 1) Land defined or designated in the County of Napa General Plan land use map as agricultural or open space shall not be approved for inclusion within any local agency's SOI for purposes of new urban development unless the action is consistent with the objectives listed in Section III of this policy.
- 2) The Commission encourages residents, landowners, and local agencies to submit requests for changes to SOIs to the LAFCO Executive Officer as part of the LAFCO-initiated MSR and SOI review process.
- 3) The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use. Measure J was passed by voters in 1990 and Measure P was passed by voters in 2008 and requires voter approval for any changes that would re-designate unincorporated agricultural and open-space lands. The Commission will consider the Agricultural Preserve and intent of voters in passing Measure J and Measure P in its decision making processes to the extent they apply, prior to taking formal actions relating to SOIs.
- 4) In the course of an SOI review for any local agency as part of an MSR, the Commission shall identify all existing outside services provided by the affected agency. For any services provided outside the affected agency's jurisdictional boundary but within its SOI, the Commission shall request the affected agency submit an annexation plan or explanation for not annexing the territory that is receiving outside services. For any services provided outside an agency's jurisdictional boundary and SOI, the Commission encourages a dialogue between the County and the affected agency relating to mutually beneficial provisions.
- 5) In the course of reviewing a city or town's SOI, the Commission will consider the amount of vacant land within the affected city or town's SOI. The Commission discourages SOI amendment requests involving vacant or underdeveloped land that requires the extension of urban facilities, utilities, and services where infill development is more appropriate.

- 6) A local agency's SOI shall generally be used to guide annexations within a five-year planning period. Inclusion of land within an SOI shall not be construed to indicate automatic approval of an annexation proposal.
- 7) When an annexation is proposed outside a local agency's SOI, the Commission may consider both the proposed annexation and SOI amendment at the same meeting. The SOI amendment to include the affected territory, however, shall be considered and resolved prior to Commission action on the annexation.
- 8) A local agency's SOI should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission. This includes information contained in current MSRs. The Commission shall consider the following municipal service criteria in determining SOIs:
  - a) The present capacity of public facilities and adequacy of public services provided by affected local agencies within the current jurisdiction, and the adopted plans of these local agencies to address any municipal service deficiency, including adopted capital improvement plans.
  - b) The present and probable need for public facilities and services within the area proposed or recommended for inclusion within the SOI, and the plans for the delivery of services to the area.
- 9) The Commission shall consider, at a minimum, the following land use criteria in determining SOIs:
  - a) The present and planned land uses in the area, including lands designated for agriculture and open-space.
  - b) Consistency with the County General Plan and the general plan of any affected city or town.
  - c) Adopted general plan policies of the County and of any affected city or town that guide future development away from lands designated for agriculture or open-space.
  - d) Adopted policies of affected local agencies that promote infill development of existing vacant or underdeveloped land.
  - e) Amount of existing vacant or underdeveloped land located within any affected local agency's jurisdiction and current SOI.
  - f) Adopted urban growth boundaries by the affected land use authorities.

## **B. Scheduling Sphere of Influence Reviews and Updates**

[G.C. §56425\(g\)](#) directs the Commission to update each SOI every five years, as necessary. Each year, the Commission shall adopt a Work Program with a schedule for initiating and completing MSRs and SOI reviews based on communication with local agencies. This includes appropriate timing with consideration of city, town, and County general plan updates. The Commission shall schedule SOI updates, as necessary, based on determinations contained in MSRs.

## **C. Environmental Review**

SOI establishments, amendments, and updates will be subject to the review procedures defined in the California Environmental Quality Act (CEQA) and the Napa LAFCO CEQA Guidelines. If an environmental assessment or analysis is prepared by an agency for a project associated with an SOI establishment, amendment, or update, and LAFCO is afforded the opportunity to evaluate and comment during the Lead Agency's environmental review process, then LAFCO can act as a Responsible Agency under CEQA for its environmental review process. All adopted environmental documents prepared for the project, a copy of the filed Notice of Determination/Notice of Exemption, and a copy of the Department of Fish and Wildlife fee receipt must be submitted as part of the application. Completion of the CEQA review process will be required prior to action by the Commission.

## **VI. REQUESTS FOR SPHERE OF INFLUENCE AMENDMENTS**

### **A. Form of Request**

Any person or local agency may file a written request with the Executive Officer requesting amendments to an SOI pursuant to [G.C. §56428\(a\)](#). Requests shall be made using the form provided in Attachment A and be accompanied by a cover letter and a map of the proposed amendment. Requests shall include an initial deposit as prescribed under the Commission's adopted Schedule of Fees and Deposits. The Executive Officer may require additional data and information to be included with the request. Requests by cities, towns, and special districts shall be made by resolution of application.

### **B. Review of Request**

The Executive Officer shall review and determine within 30 days of receipt whether the request to amend an agency's SOI is complete. If a request is deemed incomplete, the Executive Officer shall immediately notify the applicant and identify the information needed to accept the request for filing.



**C. Consideration of Request**

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation. The Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration. The public hearing will be scheduled for the next meeting of the Commission for which adequate notice can be given. The Commission may approve, approve with conditions, or deny the request for an SOI amendment. The Commission's determination and any required findings will be set out in a resolution that specifies the area added to, or removed from, the affected agency's SOI. While the Commission encourages the participation and cooperation of the subject agencies, the determination of an SOI is a LAFCO responsibility and the Commission is the sole authority as to the sufficiency of the documentation and consistency with law and LAFCO policy.

DRAFT

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

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

Telephone Number: \_\_\_\_\_ (Primary) \_\_\_\_\_ (Secondary)

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 5. Identify the current land use designation and zoning standard for the affected territory.

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

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

Water: \_\_\_\_\_

Sewer: \_\_\_\_\_

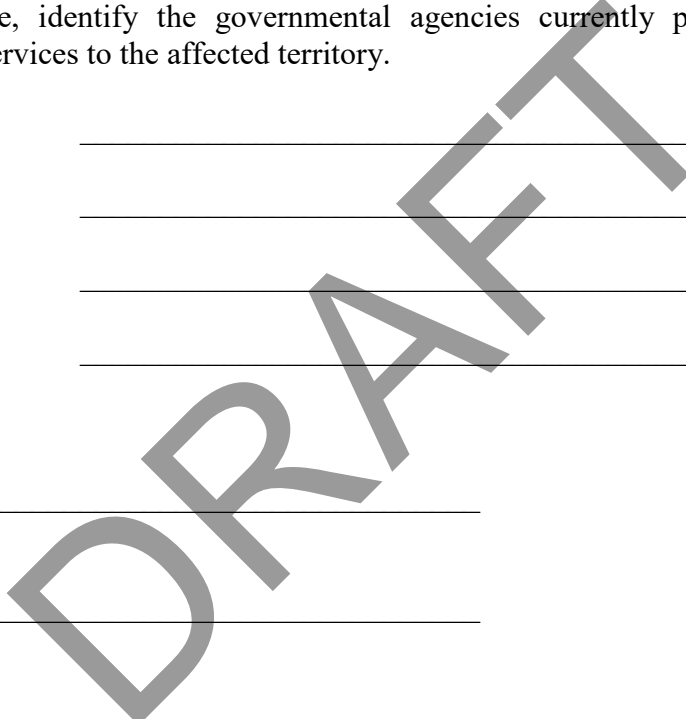
Fire: \_\_\_\_\_

Police: \_\_\_\_\_

Print Name: \_\_\_\_\_

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

Signature: \_\_\_\_\_





## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Spheres of Influence*

(First Draft Presented on August 6, 2018; Second Draft Presented on March 11, 2019; Third Draft Presented on February 1, 2021; Fourth Draft Proposed on June 7, 2021)

#### **I. BACKGROUND**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, beginning with [California Government Code \(G.C.\) §56425](#), requires the Local Agency Formation Commission (LAFCO or “Commission”) to establish and maintain spheres of influence for all local agencies within its jurisdiction. A sphere of influence (SOI) is defined by statute as a “plan for the probable physical boundary and service area of a local government agency as determined by the commission” ([G.C. §56076](#)). Every determination made by LAFCO shall be consistent with the SOIs of the local agencies affected by that determination ([G.C. §56375.5](#)). The Commission encourages cities, towns, and the County of Napa (“County”) to meet and agree to SOI changes. The Commission shall give “great weight” to these agreements to the extent they are consistent with its policies ([G.C. §56425\(b\) and \(c\)](#)). Local agency SOIs are established and changed in part based on information in municipal service reviews, including adopted determinative statements and recommendations ([G.C. §56430](#)).

#### **II. PURPOSE**

The purpose of these policies is to guide the Commission in its consideration of SOI amendment requests as well as SOI reviews and updates initiated by LAFCO. This includes establishing consistency with respect to the Commission’s approach in the scheduling, preparation, and adoption of SOI reviews and updates. Requests to amend an SOI may be made by any person or local agency as described in Section VI of this policy. Requests to amend an SOI are encouraged to be filed with LAFCO’s Executive Officer as part of the Commission’s municipal service review (MSR) and SOI review process.

#### **III. OBJECTIVE**

It is the intent of the Commission to determine appropriate SOIs that promote the orderly expansion of cities, towns, and special districts in a manner that ensures the protection of the environment and ~~natural working~~[agricultural and open space](#) lands while also ensuring the effective, efficient, and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement. The Commission recognizes the importance of considering local conditions and circumstances in implementing these policies. An SOI is primarily a planning tool that will:

- Serve as a master plan for the future organization of local government within the County by providing long range guidelines for the efficient provision of services to the public;
- Discourage duplication of services by two or more local governmental agencies;
- Guide the Commission when considering individual proposals for changes of organization;
- Identify the need for specific reorganization studies, and provide the basis for recommendations to particular agencies for government reorganizations.

#### IV. DEFINITIONS

Recognizing that an SOI is a plan for the probable physical boundary and service area of a local government agency as determined by LAFCO, the Commission incorporates the following definitions:

- A. “Agricultural lands” are defined as set forth in [G.C. §56016](#).
- B. “Open space” are defined as set forth in [G.C. §56059](#).
- C. “Prime agricultural land” is defined as set forth in [G.C. §56064](#).
- ~~D.~~ D. “Infill” is defined as set forth in Public Resources Code §21061.3.
- ~~E.~~ E. “Underdeveloped land” is defined as land that lacks components of urban development such as utilities or structure(s).
- ~~D-F.~~ D-F. “Vacant land” is defined as land that has no ~~buildings structure(s)~~ on it and is not being used. Agricultural and open space uses are considered a land use and therefore the underlying land is not considered vacant land.
- ~~E-G.~~ E-G. “SOI establishment” refers to the initial adoption of a city or special district SOI by the Commission.
- ~~F-H.~~ F-H. “SOI amendment” refers to a single change to an established SOI, typically involving one specific geographic area and initiated by a landowner, resident, or local agency.
- ~~G-I.~~ G-I. “SOI review” refers to a comprehensive review of an established SOI conducted as part of an MSR. Based on information collected in the SOI review component of an MSR, the Commission shall determine if an SOI update is needed.
- ~~H-J.~~ H-J. “SOI update” refers to a single change or multiple changes to an established SOI, typically initiated by the Commission and based on information collected in the SOI review.
- ~~I-K.~~ I-K. “Zero SOI” when determined by the Commission, indicates a local agency should be dissolved and its service area and service responsibilities assigned to one or more other local agencies.
- ~~J-L.~~ J-L. “Study area” refers to territory evaluated as part of an SOI update for possible addition to, or removal from, an established SOI. The study areas shall be identified by the Commission in consultation with all affected agencies.

## V. LOCAL CONSIDERATIONS

### A. General Guidelines for Determining Spheres of Influence

The following factors are intended to provide a framework for the Commission to balance competing interests in making determinations related to SOIs. No single factor is determinative. The Commission retains discretion to exercise its independent judgment as appropriate:

- 1) Land defined or designated in the County of Napa General Plan land use map as agricultural or open space shall not be approved for inclusion within any local agency's SOI for purposes of new urban development unless the action is consistent with the objectives listed in Section III of this policy.
- 2) The Commission encourages residents, landowners, and local agencies to submit requests for changes to SOIs to the LAFCO Executive Officer as part of the LAFCO-initiated MSR and SOI review process.
- 3) The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use. Measure J was passed by voters in 1990 and Measure P was passed by voters in 2008 and requires voter approval for any changes that would re-designate unincorporated agricultural and open-space lands. The Commission will consider the Agricultural Preserve and intent of voters in passing Measure J and Measure P in its decision making processes to the extent they apply, prior to taking formal actions relating to SOIs.
- 4) In the course of an SOI review for any local agency as part of an MSR, the Commission shall identify all existing outside services provided by the affected agency. For any services provided outside the affected agency's jurisdictional boundary but within its SOI, the Commission shall request the affected agency submit an annexation plan or justification-explanation for not annexing the territory that is receiving outside services. For any services provided outside an agency's jurisdictional boundary and SOI, the Commission encourages a dialogue between the County and the affected agency relating to mutually beneficial provisions.
- 5) In the course of reviewing a city or town's SOI, the Commission will consider the amount of vacant land within the affected city or town's SOI. The Commission discourages SOI amendment requests involving vacant or underdeveloped land that requires the extension of urban facilities, utilities, and services where infill development is more appropriate.



- 6) A local agency's SOI shall generally be used to guide annexations within a five-year planning period. Inclusion of land within an SOI shall not be construed to indicate automatic approval of an annexation proposal.
- 7) When an annexation is proposed outside a local agency's SOI, the Commission may consider both the proposed annexation and SOI amendment at the same meeting. The SOI amendment to include the affected territory, however, shall be considered and resolved prior to Commission action on the annexation.
- 8) A local agency's SOI should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission. This includes information contained in current MSRs. The Commission shall consider the following municipal service criteria in determining SOIs:
  - a) The present capacity of public facilities and adequacy of public services provided by affected local agencies within the current jurisdiction, and the adopted plans of these local agencies to address any municipal service deficiency, including adopted capital improvement plans.
  - b) The present and probable need for public facilities and services within the area proposed or recommended for inclusion within the SOI, and the plans for the delivery of services to the area.
- 9) The Commission shall consider, at a minimum, the following land use criteria in determining SOIs:
  - a) The present and planned land uses in the area, including lands designated for agriculture and open-space.
  - b) Consistency with the County General Plan and the general plan of any affected city or town.
  - c) Adopted general plan policies of the County and of any affected city or town that guide future development away from lands designated for agriculture or open-space.
  - d) Adopted policies of affected local agencies that promote infill development of existing vacant or underdeveloped land.
  - e) Amount of existing vacant or underdeveloped land located within any affected local agency's jurisdiction and current SOI.
  - f) Adopted urban growth boundaries by the affected land use authorities.

**B. Scheduling Sphere of Influence Reviews and Updates**

[G.C. §56425\(g\)](#) directs the Commission to update each SOI every five years, as necessary. Each year, the Commission shall adopt a Work Program with a schedule for initiating and completing MSRs and SOI reviews based on communication with local agencies. This includes appropriate timing with consideration of city, town, and County general plan updates. The Commission shall schedule SOI updates, as necessary, based on determinations contained in MSRs.

**C. Environmental Review**

SOI establishments, amendments, and updates will be subject to the review procedures defined in the California Environmental Quality Act (CEQA) and the Napa LAFCO CEQA Guidelines. If an environmental assessment or analysis is prepared by an agency for a project associated with an SOI establishment, amendment, or update, and LAFCO is afforded the opportunity to evaluate and comment during the Lead Agency's environmental review process, then LAFCO can act as a Responsible Agency under CEQA for its environmental review process. All adopted environmental documents prepared for the project, a copy of the filed Notice of Determination/Notice of Exemption, and a copy of the Department of Fish and Wildlife fee receipt must be submitted as part of the application. Completion of the CEQA review process will be required prior to action by the Commission.

**VI. REQUESTS FOR SPHERE OF INFLUENCE AMENDMENTS****A. Form of Request**

Any person or local agency may file a written request with the Executive Officer requesting amendments to an SOI pursuant to [G.C. §56428\(a\)](#). Requests shall be made using the form provided in Attachment A and be accompanied by a cover letter and a map of the proposed amendment. Requests shall include an initial deposit as prescribed under the Commission's adopted Schedule of Fees and Deposits. The Executive Officer may require additional data and information to be included with the request. Requests by cities, towns, and special districts shall be made by resolution of application.

**B. Review of Request**

The Executive Officer shall review and determine within 30 days of receipt whether the request to amend an agency's SOI is complete. If a request is deemed incomplete, the Executive Officer shall immediately notify the applicant and identify the information needed to accept the request for filing.

**C. Consideration of Request**

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation. The Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration. The public hearing will be scheduled for the next meeting of the Commission for which adequate notice can be given. The Commission may approve, approve with conditions, or deny the request for an SOI amendment. The Commission's determination and any required findings will be set out in a resolution that specifies the area added to, or removed from, the affected agency's SOI. While the Commission encourages the participation and cooperation of the subject agencies, the determination of an SOI is a LAFCO responsibility and the Commission is the sole authority as to the sufficiency of the documentation and consistency with law and LAFCO policy.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *General Policy Determinations*

(Adopted: August 9, 1972; Last Amended: ~~February 3, 2020~~ June 7, 2021)

#### **I. Background**

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

#### **II. General Policies**

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

##### **A) Legislative Declarations**

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

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

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

## **B) Commission Declarations**

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

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

- (3) Timing of Urban Development:  
The Commission discourages proposals involving the annexation of undeveloped or underdeveloped lands to cities and special districts that provide potable water, sewer, fire protection and emergency response, or police protection services. This policy does not apply to proposals in which the affected lands are subject to a specific development plan or agreement under consideration by a land use authority. This policy does not apply to city annexation proposals in which the affected lands are part of an unincorporated island.
- (4) Factors for Evaluating Proposals Involving Agricultural or Open-Space Lands:  
The Commission recognizes there are distinct and varying attributes associated with agricultural and open-space designated lands. A proposal which includes agricultural or open-space designated land shall be evaluated in light of the existence of the following factors:
- a) "Prime agricultural land", as defined by G.C. §56064.
  - b) "Open-space", as defined by G.C. §56059.
  - c) Land that is under contract to remain in agricultural or open-space use, such as a Williamson Act Contract or Open-Space Easement.
  - d) Land which has a County General Plan agricultural or open-space designation (Agricultural Resource or Agriculture, Watershed and Open-Space).
  - e) The adopted general plan policies of the County and the affected city.
  - f) The agricultural economic integrity of land proposed for conversion to urban use as well as adjoining land in agricultural use.
  - g) The potential for the premature conversion of adjacent agricultural or open-space designated land to urban use.
  - h) The potential of vacant non-prime agricultural land to be developed with a use that would then allow the land to meet the definition of prime agricultural land under the Williamson Act.
- (5) Encouragement of Reorganizations:  
The Commission encourages reorganization proposals as a means of coordinating actions of local governmental agencies involving, but not limited to, annexation of land to two or more public agencies. The Commission recognizes the usefulness of the reorganization concept as a vehicle designed to simplify and expedite such actions.

### ~~III. Policies Concerning Spheres of Influence~~

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

#### ~~A) Legislative Declarations~~

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

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



**~~B) General Guidelines for the Review of Spheres of Influence~~**

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

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

~~(4) — The Commission shall consider the following municipal service criteria in establishing, amending, and updating spheres of influence:~~

- ~~a) — The present capacity of public facilities and adequacy of public services provided by affected agencies within the current jurisdiction and the adopted plans of these agencies to improve any municipal service deficiency, including adopted capital improvement plans.~~
- ~~b) — The present and probable need for public facilities and services within the area proposed for inclusion within the sphere of influence and the plans for the delivery of services to the area.~~

~~(5) — The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission, however, shall consider removal of land from an agency's sphere of influence if any of the two conditions apply:~~

- ~~a) — The land is outside the affected agency's jurisdictional boundary but has been within the sphere of influence for 10 or more years.~~
- ~~b) — The land is inside the affected agency's jurisdictional boundary, but is not expected to be developed for urban uses or require urban type services within the next 10 years.~~

### ~~C) — City Spheres of Influence~~

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

~~(1) — Location of Urban Development:~~

~~It shall be a basic policy of the Commission is that the sphere of influence shall guide and promote the affected city's orderly urban growth and development.~~

~~(2) — Sphere of Influence to Reflect Service Capacities:~~

~~A city's sphere of influence should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission.~~

~~(3) — Use of County General Plan Agricultural and Open Space Designations:~~

~~The Commission shall use the most recently adopted County General Plan as the basis to identify designated agricultural and open space lands in establishing, amending, and updating a city's sphere of influence.~~

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

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

#### ~~D) Special District Spheres of Influence~~

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

~~(1) Urbanizing Effect of Services:~~

~~It shall be a basic policy of the Commission that the establishment, amendment, or update of a special district's sphere of influence serves to promote urban development with limited exceptions.~~

~~(2) Sphere of Influence to Reflect Service Capacities:~~

~~A special district's sphere of influence should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission.~~

~~(3) Exclusion of Agricultural and Open Space Lands:~~

~~Land designated agricultural or open space by the applicable city or County general plan shall not be approved for inclusion within any special district's sphere of influence for purposes of urban development through the extension of essential public services. Such designations shall be recognized by the Commission as designating the land as non-urban in character in regard to the existing use of the area or its future development potential. The Commission may consider exceptions to this policy based on evidence provided by the affected special district demonstrating all of the following:~~

- ~~a) The expansion is necessary in order to provide potable water or sewer to the territory to respond to a documented public health or safety threat.~~
- ~~b) The affected special district can provide adequate potable water or sewer service to the affected territory without extending any mainline more than 1,000 feet.~~
- ~~c) The expansion will not promote the premature conversion of agricultural or open space land to urban use.~~

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

### **IVIII. Policies Concerning the County Of Napa**

#### **A) Location of Urban Development**

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

#### **B) Use of County Service Areas and Community Services Districts**

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

#### **IV. Policies Concerning Cities**

##### **A) Incorporations**

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

#### **VI. Policies Concerning Special Districts**

##### **A) In Lieu of New District Creation**

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

##### **B) Preference for Districts Capable of Providing All Essential Services**

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

##### **C) Establishing New Services or Divestiture of Existing Service Powers**

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

- (3) The Commission shall consider the effect of the proposal in supporting planned and orderly growth within the affected territory.

## **VII. Policies Concerning Annexations**

### **A) General Policies Concerning Annexations to a City**

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

### **~~EB~~ Policies Concerning Annexation of Municipally-Owned Land**

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

### **~~DC~~ Concurrent Annexation Policies**

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

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



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

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

a) Annexations to the District:

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

b) Annexations to the City:

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

(3) County Service Area No. 4

a) Annexations to Cities:

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



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

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

Agenda Item 7b (Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer BF
Dawn Mittleman Longoria, Analyst II DML
MEETING DATE: June 7, 2021
SUBJECT: Proposed Somky Ranch Annexation to the Napa Sanitation District and Associated CEQA Findings

RECOMMENDATION

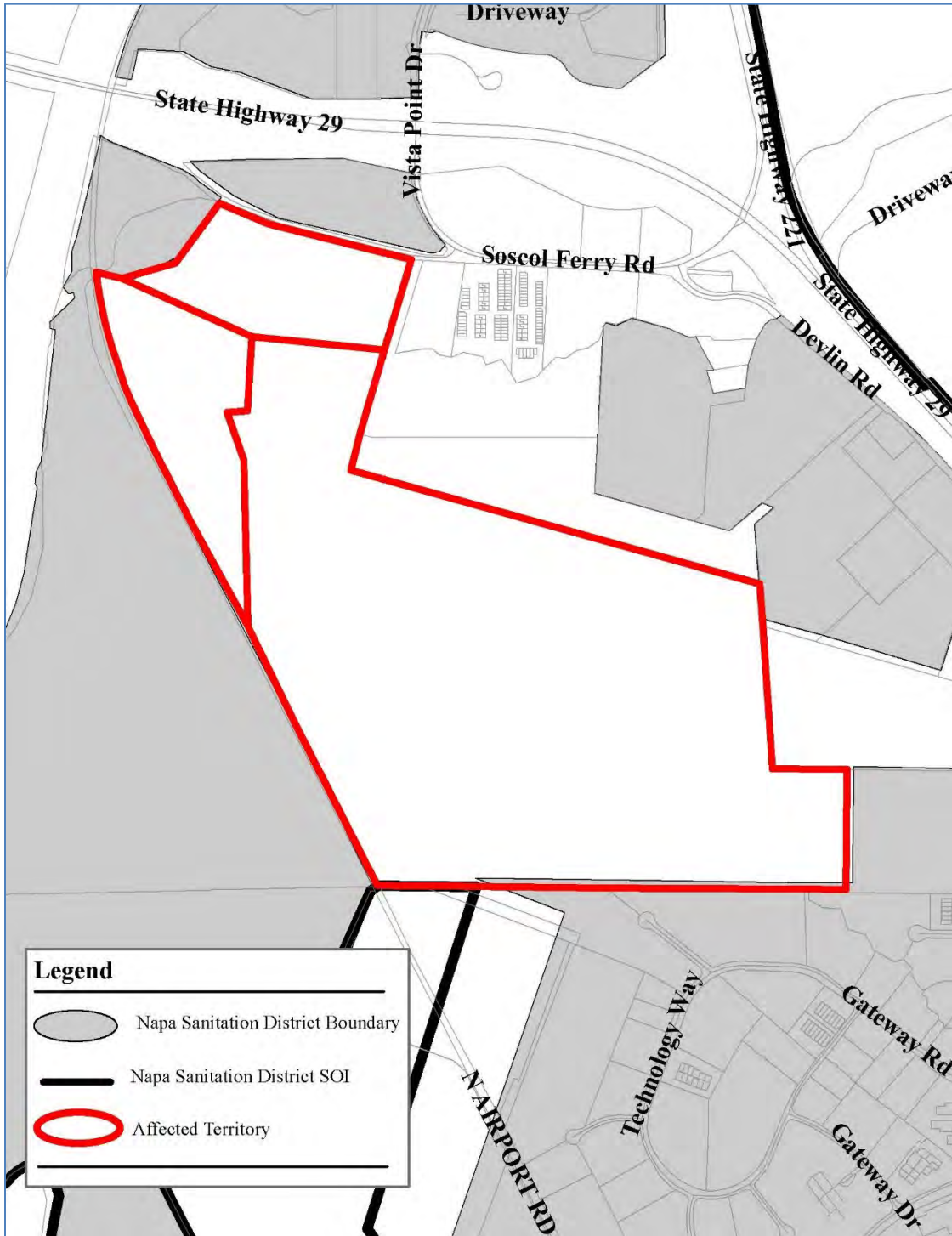
Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations – Somky Ranch Annexation to the Napa Sanitation District (NSD) approving the proposed annexation with standard conditions and making California Environmental Quality Act (CEQA) findings (Attachment One).

BACKGROUND AND SUMMARY

Applicant: Napa Sanitation District (Resolution)
Proposed Action: Annexation to NSD
APN: as 057-010-038, 057-010-039, and 046-400-016
Area Size: Approx. 303.5 acres
Location: Adjacent to the NSD offices and treatment plant on Soscol Ferry Rd.(no situs address)
Jurisdiction: Unincorporated County
Sphere of Influence Consistency: Yes
Policy Consistency: Yes
Tax Sharing Agreement: Yes – master tax exchange agreement, Property removed from County tax roll
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: Exempt
Current Land Uses: NSD recycled water infrastructure and agricultural reuse

The proposed action involves a resolution of application from NSD for annexation to the District of three unincorporated parcels that are owned by the District. The purpose of the proposal is to reduce NSD’s annual property tax burden through the annexation of property owned by the District. The application materials are included as Attachment Two.

An aerial map of the affected territory is included as Attachment Three. A vicinity map showing the affected territory, NSD’s jurisdictional boundary, and NSD’s sphere of influence, and is provided on the following page.



## DISCUSSION

### *Factors for Commission Determinations*

See Attachment Four for an evaluation of the mandated factors for Commission determinations.

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

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 of Napa adopted a resolution on behalf of NSD specifying no adjustment in the allocation of property taxes shall result from annexations involving the District. This resolution has been applied to all subsequent annexations involving NSD.

The current proposal seeks to remove property owned by NSD from the County property tax rolls. NSD will not be provided an exchange of property tax upon annexation, instead the District will be released of property tax obligation to the County. In processing this proposal, staff provided notice to the affected agencies that the Commission would again apply this resolution unless otherwise informed. No affected agency responded with any concerns to the approach outlined by staff.

### ***Protest Proceedings***

Protest proceedings shall be waived in accordance with G.C. Section 56662(a) given that the affected territory is legally uninhabited, all landowners (i.e., NSD) have provided their written consent, and no written opposition to a waiver of protest proceedings has been received by any agency.

### **ENVIRONMENTAL REVIEW**

The Commission serves as Responsible Agency for the annexation pursuant to CEQA Guidelines Section 15051(b)(2). NSD as Lead Agency has determined that the project is categorically exempt pursuant to CEQA Guidelines Section 15319(a), which exempts the annexation of existing structures without development potential. Staff believes this exemption is appropriate given the entire affected territory belongs to NSD and there will be no expansion of capacity, extension of utilities or development.

### **ATTACHMENTS**

- 1) Draft Resolution Approving the Proposal and Making CEQA Findings
- 2) Application Materials
- 3) Aerial Map of Affected Territory
- 4) Factors for Commission Determinations

RESOLUTION NO. \_\_\_\_

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

**SOMKY RANCH  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

**WHEREAS**, an application for a proposed annexation has been filed with the Local Agency Formation Commission of Napa County, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the proposal seeks Commission approval to annex approximately 303.5 acres of unincorporated land to the Napa Sanitation District and represents three entire parcels with no situs addresses and identified by the County of Napa Assessor’s Office as 046-400-016, 057-010-038, and 057-010-039; and

**WHEREAS**, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

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

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on June 7, 2021; and

**WHEREAS**, the Commission considered all the factors required by law under Government Code Sections 56668 and 56668.3 as well as adopted local policies and procedures; and

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

**WHEREAS**, the Commission finds that all owners of land 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 pursuant to CEQA Guidelines Section 15051(b)(2). The Napa Sanitation District, as Lead Agency, has determined the annexation is exempt from CEQA pursuant to CEQA Guidelines Section 15319(a); and

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

1. The Factors for Commission Determinations provided in the Executive Officer’s written report are hereby incorporated herein by this reference and are adequate.
2. The Commission finds the annexation is exempt from CEQA pursuant to CEQA Guidelines Section 15319(a), which exempts existing structures developed to the density allowed by the current zoning. The records upon which these findings are made are located at the Commission’s administrative office located at 1030 Seminary Street, Suite B, Napa, California 94559.
3. The proposal is APPROVED subject to completion of item number 10 below.
4. This proposal is assigned the following distinctive short-term designation:

**SOMKY RANCH  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the draft map and described in the draft geographic description in the attached Exhibit “A”.
6. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
9. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56662(a).
10. Recordation is contingent upon receipt by the Executive Officer of the following:
  - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
  - (b) Written confirmation from the Napa Sanitation District that it is acceptable to record a Certificate of Completion.
11. 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.
12. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.

The foregoing Resolution was duly and regularly adopted by the Commission at a regular meeting held on June 7, 2021, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

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

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

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

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

\_\_\_\_\_  
Diane Dillon  
Commission Chair

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

Recorded by: Kathy Mabry  
Commission Secretary

DRAFT



EXHIBIT A  
SOMKY RANCH DISTRICT  
ANNEXATION TO NAPA SANITATION DISTRICT  
GEOGRAPHICAL DESCRIPTION

All that certain property, situated in a portion of Sections 2, Township 4 North, Range 4 West, and a portion of Section 34 & 35 Township 5 North, Range 4 West, and Mount Diablo Base Meridian, in the County of Napa, State of California, described as follows:

**Beginning** at the Southwest corner of the existing boundary of the Devlin Road District Annexation – Napa Sanitation District, per document recorded December 13, 1984 in Book 1367 at Page 699, Official Records of Napa County:

Thence (1) South 3° 57' 48" East 1015.88 feet;

Thence (2) South 89° 15' 07" East 543.18 feet to the northwest corner of the existing boundary of the Montalcino Resort District Annexation – Napa Sanitation District, per document recorded April 12, 2006 as Series Number 2006-0012793, Napa County Records;

Thence (3) South 0° 32' 53" West 853.83 feet along the west line of said Montalcino Resort District Annexation to the north line of the existing boundary of the Airport Boulevard #3 District Annexation – Napa Sanitation District, per document recorded February 16, 1996 as Series Number 1996-003853, Napa County Records;

Thence (4) North 89° 12' 07" West 3351.64 feet along a portion of said north line to the east line of the railroad;

Thence (5) along the east line of said railroad North 27° 05' 17" West 3699.17 feet;

to the beginning of a curve concave to the east having a radius of 2845.00 feet; thence (6) 1092.40 feet along said curve through a central angle of 22° 00' 00";

to the beginning of a curve concave to the east having a radius of 3799.92 feet; thence (7) 7.53 feet along said curve through a central angle of 0° 06' 49" to the southwest corner of the Soscol Ferry Road No. 1 Annexation – Napa Sanitation District, Dated December 2 1977, LAFCO Resolution 77-209;

Thence (8) leaving said railroad line and along the southern and eastern line of said Soscol Ferry Road No. 1 Annexation South 73° 44' 41" East 188.52 feet;

Thence (9) North 74° 00' 19" East 396.01 feet;

Thence (10) North 36° 30' 19" East 528.01 feet to the south line of Soscol Ferry Road;

5280  
NapaSan Annex  
03-23-2021

Thence (11) along said south line South 67° 02' 42" East 379.37 feet;

Thence (12) South 76° 02' 42" East 1046.53 feet;

Thence (13) leaving said south line of Soscol Ferry Road South 16° 32' 12" West 1551.19 feet;

Thence (14) South 74° 27' 48" East 3022.52 feet to the west line of said Devlin Road District Annexation;

Thence (15) along said west line South 3° 57' 48" East 300.96 feet to the **Point of Beginning**.

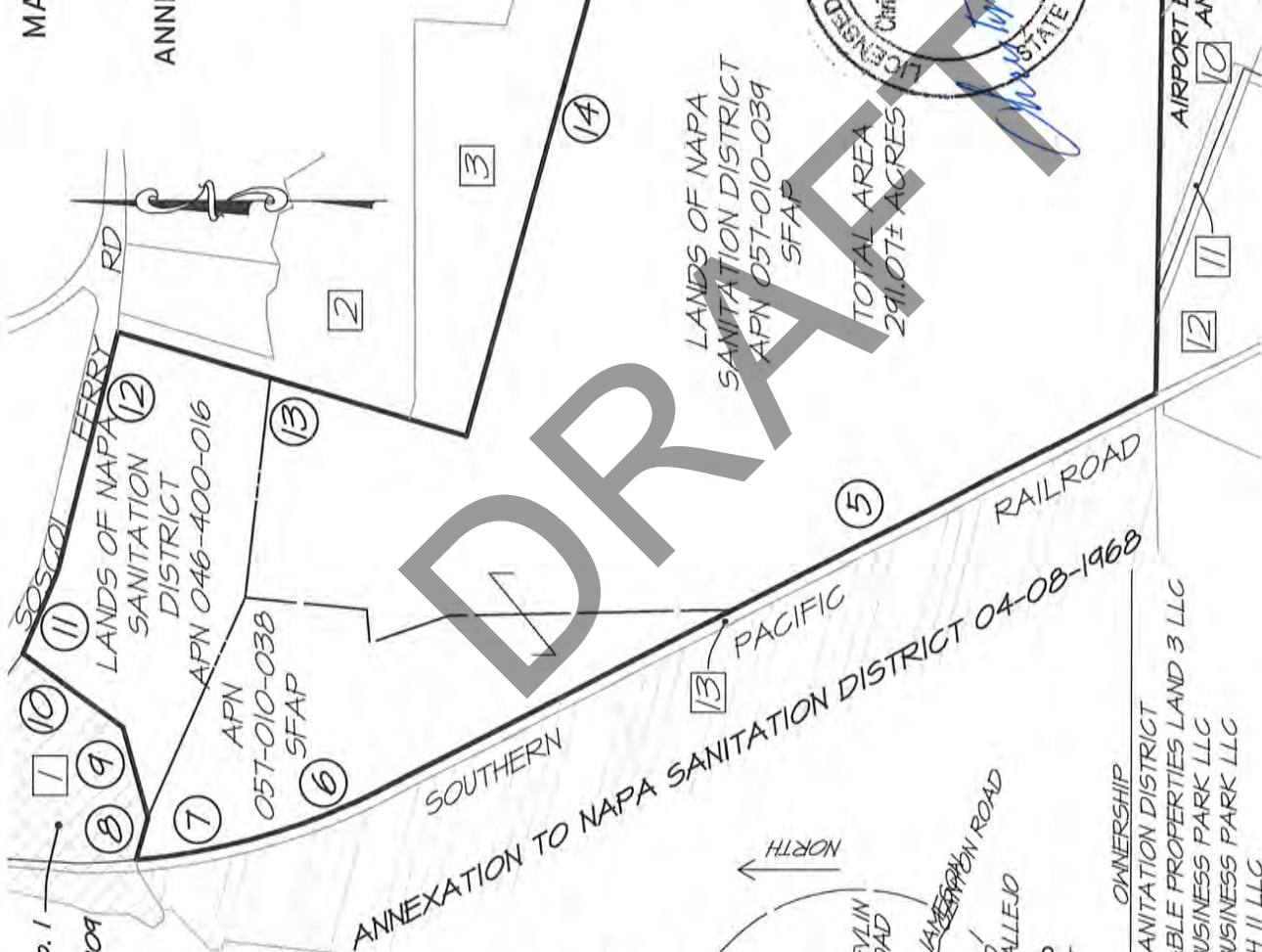
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DRAFT



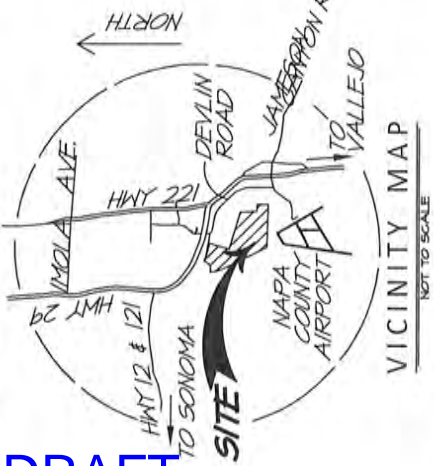
MAP DELINEATING THE BOUNDARY OF  
**SOMKY RANCH**  
 DISTRICT ANNEXATION  
 ANNEXATION TO NAPA SANITATION DISTRICT



SUSCOL FERRY ROAD No. 1  
 ANNEXATION - NSD  
 LAFCO RESOLUTION TT-209

**No. BEARINGS & DISTANCE**

- 1 53°57'48"E 1015.83'
- 2 58°15'07"E 543.18'
- 3 50°32'53"W 853.83'
- 4 N89°12'07"W 3351.64'
- 5 N27°05'17"W 3699.17'
- 6 R=2845.00'
- 7 D=22°00'00"
- 8 L=1092.40'
- 9 R=3799.92'
- 10 D=0°06'49"
- 11 L=7.53'
- 12 573°44'41"E 188.52'
- 13 N74°00'19"E 396.01'
- 14 N36°30'19"E 528.01'
- 15 567°02'42"E 379.37'
- 16 576°02'42"E 1046.53'
- 17 516°32'12"W 1551.19'
- 18 574°27'48"E 3022.52'
- 19 53°57'48"E 300.96'



**OWNERSHIP**

No.	APN	OWNERSHIP
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3	057-170-010	NOVA BUSINESS PARK LLC
4	057-020-036	NOVA BUSINESS PARK LLC
5	057-020-017	NAPA LH II LLC
6	057-210-002	NAPA LH II LLC
7	057-250-025	NAPA VALLEY TRANSPORTATION AUTHORITY
8	057-250-031	TECHNOLOGY WAY HOLDINGS LLC
9	057-250-030	CHANNEL LUMBER COMPANY INC
10	057-250-029	GATEWAY WINERY LLC
11	057-210-059	COUNTY OF NAPA
12	057-210-029	COUNTY OF NAPA
13	057-050-006	SOUTHERN PACIFIC R/R



BEING A PORTION  
 SEC. 2, T. 4 N., R. 4 W., & A  
 PORTION OF SEC. 34 & 35  
 T. 5 N., R. 4 W., M.D.B.#M.,  
 THOMPSON RANCH  
 DISTRICT ANNEXATION

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

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 MAR 2021 5280\_ANEX\_BASE 1 of 1

**FORM D**

For Staff Use

**Attachment Two**

Date Filed: 3/29/2021

Proposal Name: BF

**PROPOSAL APPLICATION  
Change of Organization/Reorganization**

**I. APPLICANT INFORMATION**

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

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

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

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

**II. PROPOSAL DESCRIPTION**

**A. Affected Agencies:** \_\_\_\_\_  
Name Address  
\_\_\_\_\_  
Name Address  
\_\_\_\_\_  
Name Address

*Use Additional Sheets as Needed*

**B. Proposal Type:** (Check as Needed)  Annexation  Detachment  City Incorporation  District Formation  
 City/District Dissolution  City/District Merger  Service Activation (District Only)  Service Divestiture (District Only)

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

**III. GENERAL INFORMATION**

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**A. Location:**

Street Address	Assessor Parcel Number	Acres
Street Address	Assessor Parcel Number	Acres
Street Address	Assessor Parcel Number	Acres
Street Address	Assessor Parcel Number	Acres
Total Location Size (Including Right-of-Ways)		_____

**B. Landowners:**

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

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

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

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

*Use Additional Sheets As Needed*

**C. Population:**

(1) Total Number of Residents: \_\_\_\_\_

(2) Total Number of Registered Voters: \_\_\_\_\_

**D. Land Use Factors:**

(1a) County General Plan Designation: \_\_\_\_\_

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

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

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

**E. Existing Land Uses:**

(Specific) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**F. Development Plans:**

(1a) Territory Subject to a Development Project?  Yes  No

(1b) If Yes, Describe Project: \_\_\_\_\_  
\_\_\_\_\_

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

**G. Physical Characteristics:**

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

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

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

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

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

Yes

No

**IV. GOVERNMENTAL SERVICES AND CONTROLS**

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**A. Plan For Providing Services:**

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

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

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

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

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

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**V. ENVIRONMENTAL INFORMATION**

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

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

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

Environmental Impact Report

Negative Declaration/Mitigated Negative Declaration

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

None

*Provide Copies of Associated Environmental Documents*

**VI. ADDITIONAL INFORMATION**

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

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

*Use Additional Sheets As Needed*

**B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence:**

(Does not include affected landowners or residents)

(1) Recipient Name: \_\_\_\_\_

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

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

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

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

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

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

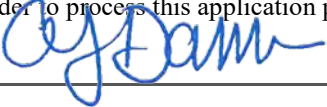
Mailing Address: \_\_\_\_\_

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

**VII. CERTIFICATION**

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I certify the information contained in this application is correct. I acknowledge and agree the Local Agency Formation Commission of Napa County is relying on the accuracy of the information provided in my representations in order to process this application proposal.

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

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

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

**Date:** 03/26/2021

**Indemnification Agreement**

Name of Proposal (assigned by staff): Somky Ranch Annexation to NSD

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 \_\_\_\_\_ and/or \_\_\_\_\_ (real party in interest: the landowner) agree 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



\_\_\_\_\_  
Principal Landowner Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

03/26/2021  
Date

EXHIBIT A  
SOMKY RANCH DISTRICT  
ANNEXATION TO NAPA SANITATION DISTRICT  
GEOGRAPHICAL DESCRIPTION

All that certain property, situated in a portion of Sections 2, Township 4 North, Range 4 West, and a portion of Section 34 & 35 Township 5 North, Range 4 West, and Mount Diablo Base Meridian, in the County of Napa, State of California, described as follows:

**Beginning** at the Southwest corner of the existing boundary of the Devlin Road District Annexation – Napa Sanitation District, per document recorded December 13, 1984 in Book 1367 at Page 699, Official Records of Napa County:

Thence (1) South 3° 57' 48" East 1015.88 feet;

Thence (2) South 89° 15' 07" East 543.18 feet to the northwest corner of the existing boundary of the Montalcino Resort District Annexation – Napa Sanitation District, per document recorded April 12, 2006 as Series Number 2006-0012793, Napa County Records;

Thence (3) South 0° 32' 53" West 853.83 feet along the west line of said Montalcino Resort District Annexation to the north line of the existing boundary of the Airport Boulevard #3 District Annexation – Napa Sanitation District, per document recorded February 16, 1996 as Series Number 1996-003853, Napa County Records;

Thence (4) North 89° 12' 07" West 3351.64 feet along a portion of said north line to the east line of the railroad;

Thence (5) along the east line of said railroad North 27° 05' 17" West 3699.17 feet;

to the beginning of a curve concave to the east having a radius of 2845.00 feet; thence (6) 1092.40 feet along said curve through a central angle of 22° 00' 00";

to the beginning of a curve concave to the east having a radius of 3799.92 feet; thence (7) 7.53 feet along said curve through a central angle of 0° 06' 49" to the southwest corner of the Soscol Ferry Road No. 1 Annexation – Napa Sanitation District, Dated December 2 1977, LAFCO Resolution 77-209;

Thence (8) leaving said railroad line and along the southern and eastern line of said Soscol Ferry Road No. 1 Annexation South 73° 44' 41" East 188.52 feet;

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5280  
NapaSan Annex  
03-23-2021

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Thence (12) South 76° 02' 42" East 1046.53 feet;

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Thence (14) South 74° 27' 48" East 3022.52 feet to the west line of said Devlin Road District Annexation;

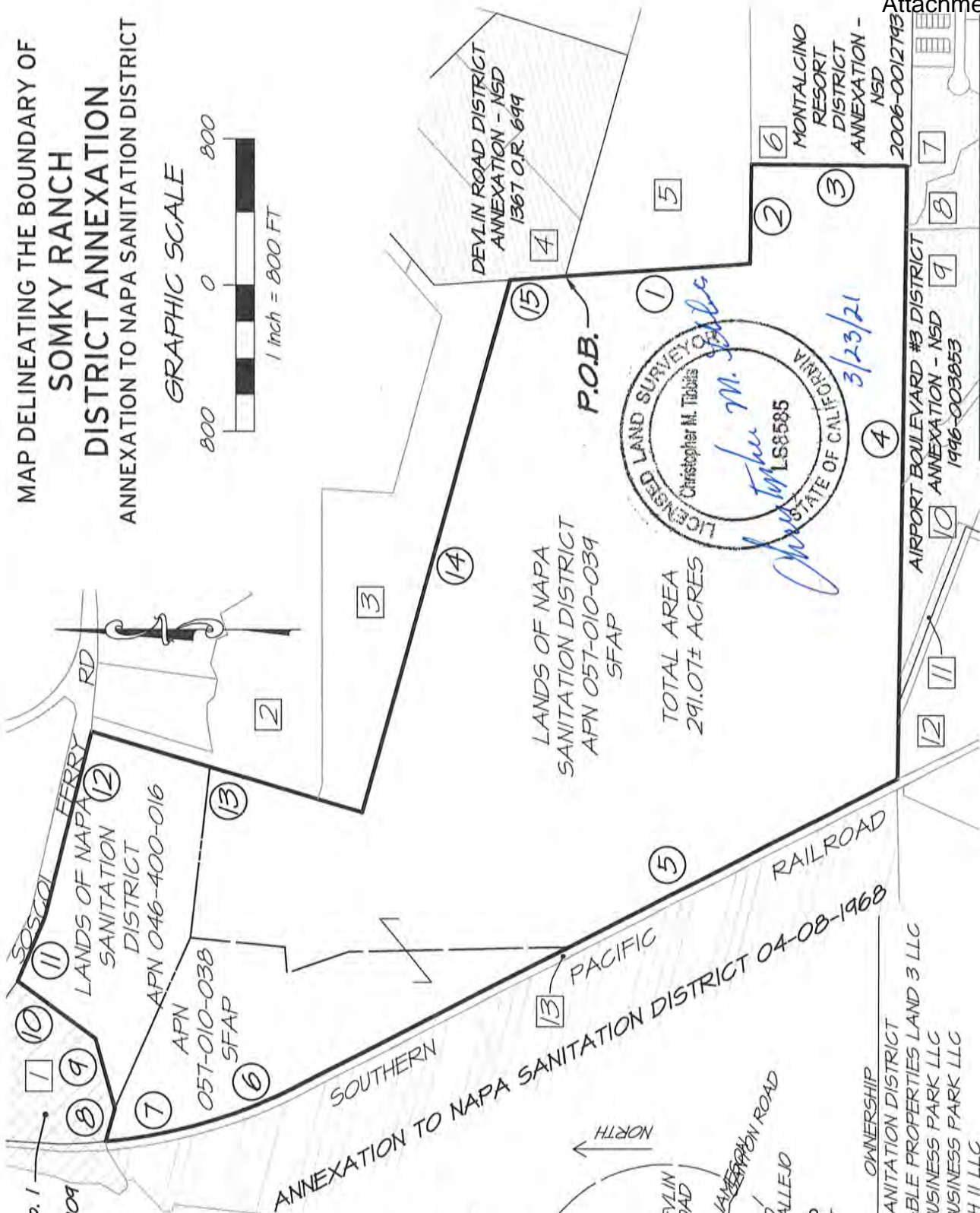
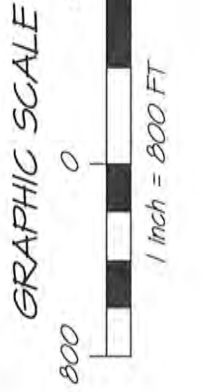
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Containing 291.07 Acres, more or less.





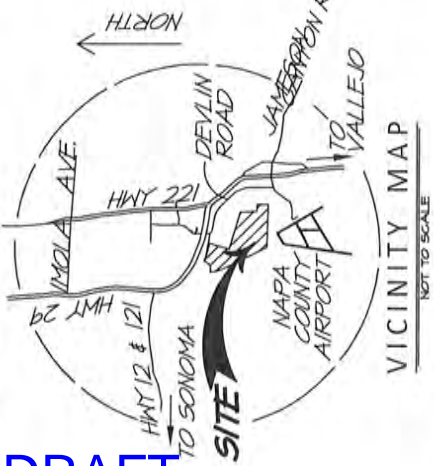
MAP DELINEATING THE BOUNDARY OF  
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 ANNEXATION TO NAPA SANITATION DISTRICT



SUSCOL FERRY ROAD No. 1  
 ANNEXATION - NSD  
 LAFCO RESOLUTION TT-209

**No. BEARING & DISTANCE**

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- 14 S3°57'48"E 300.96'
- 15



**DRAFT**

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5	057-020-017	NAPA LH II LLC
6	057-210-002	NAPA LH II LLC
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8	057-250-031	TECHNOLOGY WAY HOLDINGS LLC
9	057-250-030	CHANNEL LUMBER COMPANY INC
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11	057-210-059	COUNTY OF NAPA
12	057-210-029	COUNTY OF NAPA
13	057-050-006	SOUTHERN PACIFIC R/R

LANDS OF NAPA  
 SANITATION DISTRICT  
 APN 057-010-039  
 SFAP

TOTAL AREA  
 291.07± ACRES

DEVILIN ROAD DISTRICT  
 ANNEXATION - NSD  
 1367 O.R. 699

MONTALCINO  
 RESORT  
 DISTRICT  
 ANNEXATION -  
 NSD  
 2006-0012793

AIRPORT BOULEVARD #3 DISTRICT  
 ANNEXATION - NSD  
 1996-003853

1515 FOURTH STREET  
 NAPA, CALIF. 94559  
 OFFICE | 707 | 252.3301  
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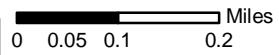
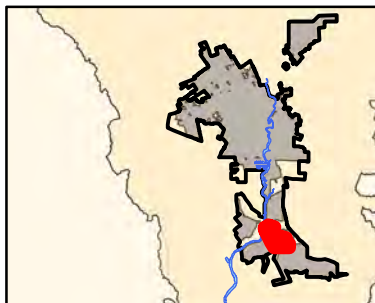
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 PORTION OF SEC. 34 & 35  
 T. 5 N., R. 4 W., M.D.B.#M.,  
 THOMPSON RANCH  
 DISTRICT ANNEXATION

BEING A PORTION  
 SEC. 2, T. 4 N., R. 4 W., & A  
 PORTION OF SEC. 34 & 35  
 T. 5 N., R. 4 W., M.D.B.#M.,  
 THOMPSON RANCH  
 DISTRICT ANNEXATION



Attachment Three

# Somky Ranch Annexation to the Napa Sanitation District



June 7, 2021  
Prepared by LAFCO Staff



**LAFCO of Napa County**  
1030 Seminary Street, Suite B  
Napa, California 94559  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)



**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  
www.napa.lafco.ca.gov

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

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**Somky Ranch Annexation to the Napa Sanitation District (NSD)**  
**Factors for Commission Determinations**

California Government Code (G.C.) Sections 56668 and 56668.3 require the Commission to consider the following specific factors for a change of organization involving annexation to a special district. No single factor is determinative, and the intent is to provide a uniform baseline for LAFCOs to consider boundary changes in context with local policies.

*(1) Population and population density; land area and land use; 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.*

Total population within the affected territory is zero. The affected territory is legally uninhabited given there are fewer than 12 registered voters.

The affected territory is approximately 303.5 acres in size, located within unincorporated County of Napa's ("the County") jurisdictional boundary, and has a designation within the County General Plan of *Public Institutional* and a zoning standard of *Public Lands: Airport Compatibility*. The affected territory is currently undeveloped and located West of Soscol Ferry Road, across from the NSD headquarters and treatment facility (no situs addresses). The affected territory will not be developed since it is used for recycled water and conveyance as well as agricultural/beneficial reuse of recycled water and biosolids.

The current assessment value total is \$1,412,143 (land without structures).

Topography is relatively flat with 0 to 5 percent slopes.

The location is within the *Mouth of the Napa River* watershed and *Suscol Creek* drainage basin.

The project for the affected territory will consist of annexation of NSD owned property for the purpose of saving ratepayers the expense of County property tax.



***(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.***

Approval of the proposed annexation to NSD would not generate new municipal service demands. The purpose of the annexation is to remove District owned facilities and land from the County tax roll. The use of the property will remain the same; recycled water facility and agricultural/beneficial reuse of recycled water and biosolids. Current municipal services provided by the County include fire and police protection. The Commission's *Municipal Service Reviews: Napa Countywide Water and Wastewater adopted in 2020, South County Region adopted in 2018 and Central County Region Municipal Service Review completed in 2014* determined that no service deficiencies for the area were identified.<sup>1</sup>

### ***Sewer***

Sewer service is not currently provided to the affected territory. In the future, the District may add a small office and restroom for one to two employees. The impact on NSD's sewer system would be negligible.

### ***Water***

No potable water is provided to the existing recycled storage and conveyance facility. The facility is located across the road from the NSD headquarters and treatment facility. In the future NSD may construct a small office space for one to two employees which would require minimal potable water. The impact on water service would be negligible.

The City of American Canyon has been identified as the water service provider for the project. The affected territory is located within an area designated for public institution land use. Given its inclusion within American Canyon's extraterritorial water service area (ETSA) as approved by the Commission in 2007, Commission approval is not required to extend water service to the affected territory under G.C. Section 56133.

### ***Fire Protection and Emergency Medical***

The affected territory currently receives fire protection and emergency medical service from the County. No additional services are anticipated upon annexation of the existing facilities.

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<sup>1</sup> Sources: *Municipal Service Reviews: [Napa Countywide Water and Wastewater adopted in 2020](#), [South County Regional 2018](#) and [Central County Region 2014](#)*

### ***Law Enforcement***

The affected territory receives law enforcement services from the County. No additional services are anticipated upon annexation of the affected territory and its existing facilities and use. Information generated from the Commission's municipal service review on the *Comprehensive Study on Countywide Law Enforcement Services (2012)* noted that the County has generally developed sufficient capacities and controls to serve existing and anticipated demands for these services. The municipal service review also notes no service deficiencies within the area surrounding the affected territory.

#### ***(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 when the Commission included the affected territory within NSD's SOI in 1975, marking an expectation the site would eventually annex into the District.

#### ***(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 adopted policies based on the affected territory's Public/Institutional land use designation and consistency with NSD's SOI. Further, the affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377. The affected territory is not located in an area designated as open space in the County General Plan. Approval would be consistent with planned, orderly, efficient patterns of urban development.

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

The proposal is consistent with the Commission's policies as codified under its General Policy Determinations. This includes consistency with the industrial land use designation for the affected territory under the County General Plan, avoidance of premature conversion of agricultural uses, and consistency with NSD's adopted sphere of influence. One parcel (APN 046-400-016) does have a County land use designation of *Agricultural Watershed: Airport Compatibility (AW:AC)*. The current and future use of the property is consistent with this designation. The parcel is used for agricultural/beneficial reuse of water and biosolids; as well as, harvesting of agricultural products. 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 open-space use under the County General Plan. Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

***(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 is parcel-specific and includes all of the property identified by the County of Napa Assessor's Office as 046-400-016, 057-010-038, and 057-010-039. The applicant has submitted a draft map and geographic description of the affected territory that are undergoing review by the County Surveyor to ensure conformance with the requirements of the State Board of Equalization. Approval of the proposal would have no impact with respect to unincorporated islands or corridors of unincorporated territory.

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

The Metropolitan Transportation Commission's current regional transportation plan (RTP) was adopted in 2017 and is titled *Plan Bay Area 2040*. The RTP outlines specific goals and objectives to direct public transportation infrastructure in the San Francisco Bay Area through 2040.<sup>2</sup> 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 proposed annexation of NSD owned treatment property would not change the existing County General and Specific plans. The current and continued use of the property is consistent the County General Plan, which assigns an *Public Lands: Airport Compatibility (PL:AC)* and *Airport Compatibility: Agricultural Watershed (AC:AW)* land use designation for the affected territory.

***(9) The sphere of influence of any local agency affected by the proposal.***

The affected territory is located entirely within NSD's SOI, which was last comprehensively updated by the Commission in 2015. Therefore, no additional Commission action is required.

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

Staff provided notice of the proposal to all affected agencies, transportation agencies, and school districts inviting comments as required under G.C. Section 56658. No comments were received.

***(11) The ability of the newly formed or receiving entity to provide the services which are***

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<sup>2</sup> *Plan Bay Area 2040* is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. *Plan Bay Area 2040* includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan. It is important to note the Metropolitan Transportation Commission and the Association of Bay Area Governments are currently updating the RTP. It is anticipated a draft environmental impact report for *Plan Bay Area 2050* will be released in Spring 2021.

*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 as part of the Commission's *Napa Countywide Water and Wastewater Municipal Service Review* completed in 2020 concluded NSD has developed overall adequate financial resources and controls relative to current and projected service commitments. The proposed annexation of NSD owned property would not increase service provision. Removing the property from the County tax roll would provide financial benefits to NSD.

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

The affected territory is not located in a groundwater deficient area. No potable water is provided to the existing recycled storage and conveyance facility. The facility is located across the road from the NSD headquarters and treatment facility. In the future NSD may construct a small office space for one to two employees which would require minimal potable water. The impact on water service would be negligible.

The City of American Canyon has been identified as the water service provider for the project. The affected territory is located within an area designated for public institution land use. The property is located in American Canyon's extraterritorial water service area (ETSA) as approved by the Commission in 2007, Commission approval is not required to extend water service to the affected territory under G.C. Section 56133.

*(13) The 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 used for recycled water storage and conveyance, as well as, agricultural/beneficial reuse of recycled water and biosolids.

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

NSD is the owner of the affected territory and proposed the annexation. No additional information or comments were submitted.

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

The County's General Plan land use designation for the affected territory is *Public Institutional*. Specific zoning further refines the type of land use as *Public Lands: Airport Compatibility (PL:AC)* and *Agricultural Watershed: Airport Compatibility (AW:AC)*. These designations allow for areas where public lands appropriately provide government services to the general public.

*(16) The extent to which the proposal will promote environmental justice. As used in this*

*subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.*

There is no documentation or evidence suggesting the proposal will have any implication for environmental justice in Napa County.

*(17) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.*

The affected territory is not located in a High Fire Hazard Severity (SRA) zone. The affected territory is included in a FEMA flood zone.

*(18) 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 present and future inhabitants within NSD since the annexation would result in financial savings to the District and its ratepayers.



**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  
www.napa.lafco.ca.gov

---

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

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**Agenda Item 7c (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *BF*  
Dawn Mittleman Longoria, Analyst II *DML*

**MEETING DATE:** June 7, 2021

**SUBJECT:** Proposed Browns Valley Road No. 14 Annexation to the Napa Sanitation District and Associated CEQA Findings

---

**RECOMMENDATION**

Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations – Browns Valley Road No. 14 Annexation to the Napa Sanitation District (NSD) making California Environmental Quality Act (CEQA) findings and approving the proposed annexation (Attachment One). Standard conditions are also recommended.

**BACKGROUND AND SUMMARY**

<u>Applicant:</u> Landowner (petition)	<u>Tax Sharing Agreement:</u> Yes – master tax exchange agreement
<u>Proposed Action:</u> Annexation to NSD	<u>Landowner Consent:</u> 100%
<u>APNs:</u> 041-170-010	<u>Protest Proceedings:</u> Waived
<u>Location:</u> 3084 Browns Valley Road	<u>CEQA:</u> Exempt
<u>Area Size:</u> 3.5 acres	<u>Current Land Uses:</u> one single-family residence, zoning could allow 14 additional residences
<u>Jurisdiction:</u> City of Napa (“City”)	
<u>Sphere of Influence (SOI) Consistency:</u> Yes – NSD	
<u>Policy Consistency:</u> Yes	

The proposed action involves a landowner petition for annexation of one incorporated parcel to NSD. The purpose of the proposal is to allow the existing single-family residence to transition from a private onsite septic system to NSD’s public sewer infrastructure. The application materials are included as Attachment Two.

An aerial map of the parcel within the affected territory is included as Attachment Three. A vicinity map of the affected territory showing NSD’s jurisdictional boundary and the City’s jurisdictional boundary is provided on the following page.

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Margie Mohler, Vice Chair  
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

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

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

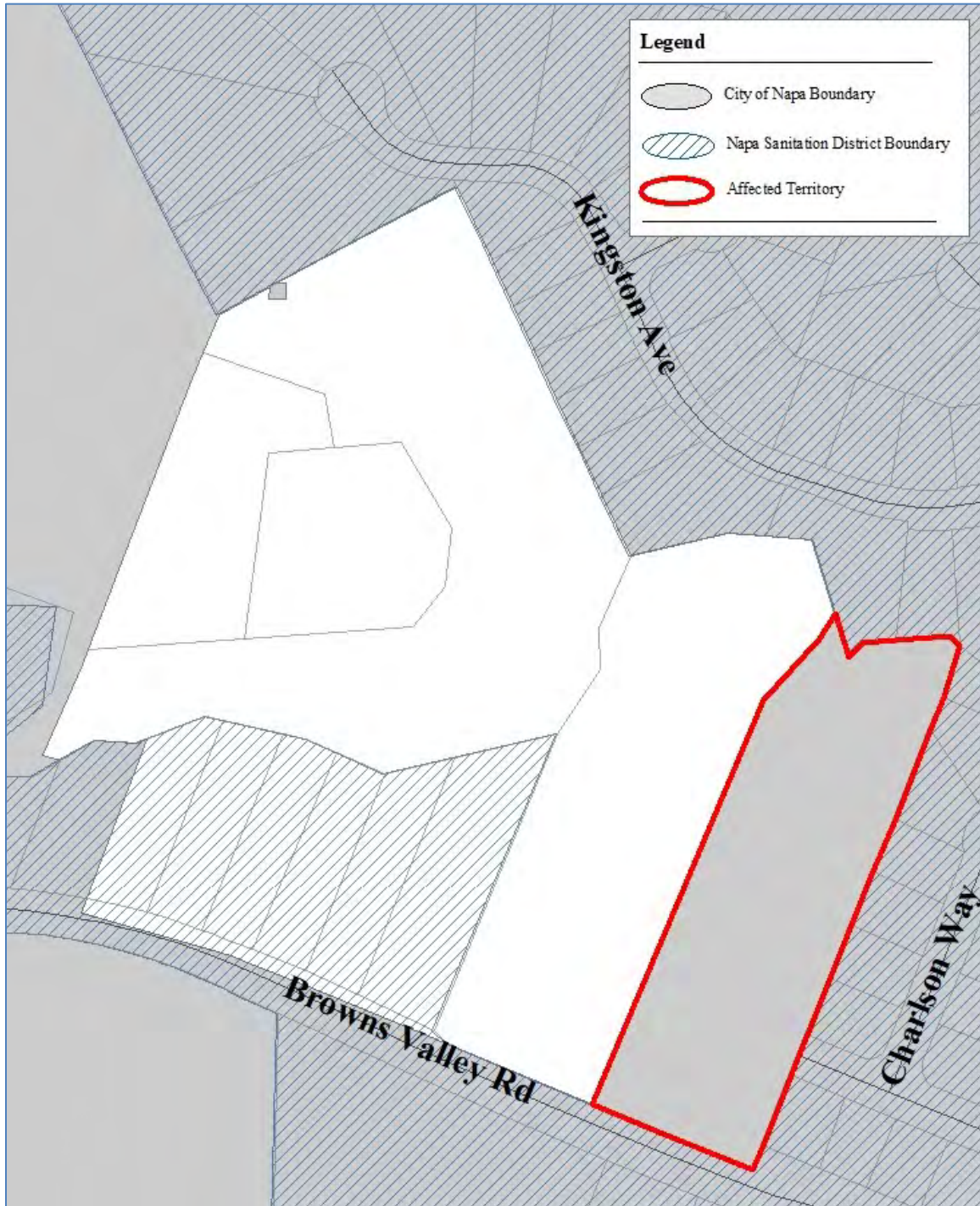
Ryan Gregory, Alternate Commissioner  
County of Napa Supervisor, 2nd District

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
Executive Officer





## DISCUSSION

### *Factors for Commission Determinations*

See Attachment Four for an evaluation of the mandated factors for Commission determinations.

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

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 of Napa adopted a resolution on behalf of NSD specifying no adjustment in the allocation of property taxes shall result from annexations involving the District. This resolution has been applied to all subsequent annexations involving NSD. In processing this proposal, staff provided notice to the affected agencies that the Commission would again apply this resolution unless otherwise informed. No affected agency responded with any concerns to the approach outlined by staff.

### ***Protest Proceedings***

Protest proceedings shall be waived in accordance with G.C. Section 56662(a) given that the affected territory is legally uninhabited (less than 12 registered voters), all landowners have provided their written consent, and no written opposition to a waiver of protest proceedings has been received by any agency.

### **ENVIRONMENTAL REVIEW**

The proposed annexation qualifies for a statutory exemption from further review under CEQA Guidelines Section 15282(k), which exempts the installation of new pipeline as long as the project does not exceed one mile in length. Staff believes this exemption is appropriate given any existing and future residential units within the affected territory would connect to NSD by way of installing a sanitary sewer main and/or laterals from existing sewer mains located in Browns Valley Road, which will involve less than one total mile of new pipeline.

### **ATTACHMENTS**

- 1) Draft Resolution Approving the Proposal and Making CEQA Findings
- 2) Application Materials
- 3) Aerial Map of Affected Territory
- 4) Factors for Commission Determinations



RESOLUTION NO. \_\_\_\_

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

**BROWNS VALLEY ROAD NO. 14  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

**WHEREAS**, an application for a proposed reorganization has been filed with the Local Agency Formation Commission of Napa County, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the proposal seeks Commission approval to annex approximately 3.5 acres of incorporated land to the Napa Sanitation District and represents one entire parcel located at 3084 Browns Valley Road and identified by the County of Napa Assessor’s Office as 041-170-010; and

**WHEREAS**, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

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

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on June 7, 2021; and

**WHEREAS**, the Commission considered all the factors required by law under Government Code Sections 56668 and 56668.3 as well as adopted local policies and procedures; and

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

**WHEREAS**, the Commission finds that all owners of land 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 considered available exemptions under CEQA, in accordance with Title 14 of the California Code of Regulations (hereinafter “CEQA Guidelines”); and

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

1. The Factors for Commission Determinations provided in the Executive Officer’s written report are hereby incorporated herein by this reference and are adequate.
2. The underlying activity, annexation of the affected territory, is exempt from further review pursuant to CEQA Guidelines Section 15282(k), which exempts the installation of new pipeline as long as the project does not exceed one mile in length. The records upon which these findings are made are located at the Commission’s administrative office located at 1030 Seminary Street, Suite B, Napa, California 94559.
3. The proposal is APPROVED subject to completion of item number 11 below.
4. This proposal is assigned the following distinctive short-term designation:

**BROWNS VALLEY ROAD NO. 14  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the map and described in the geographic description in the attached Exhibit “A”.
6. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
9. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
10. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56662(a).
11. Recordation is contingent upon receipt by the Executive Officer of the following:
  - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
  - (b) Written confirmation from the Napa Sanitation District that it is acceptable to record a Certificate of Completion.

- 12. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.
- 13. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on June 7, 2021, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

AYES: Commissioners \_\_\_\_\_  
 NOES: Commissioners \_\_\_\_\_  
 ABSENT: Commissioners \_\_\_\_\_  
 ABSTAIN: Commissioners \_\_\_\_\_

\_\_\_\_\_  
 Diane Dillon  
 Commission Chair

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

Recorded by: Kathy Mabry  
 Commission Secretary



March 8, 2021  
#21-03-009

**EXHIBIT "A"**  
**BROWNS VALLEY ROAD NO. 14 ANNEXATION**  
**TO THE NAPA SANITATION DISTRICT**  
**GEOGRAPHIC DESCRIPTION**

All that property situate in portion of Napa Rancho, City of Napa, County of Napa and State of California described as follows:

BEGINNING at the Northwest corner of the Robinson Lane Annexation to the Napa Sanitation District; said corner also being Southwest corner of Robinson Lane Annexation No.2 Annexation to the Napa Sanitation District;

Course 1: thence, Southerly along said Robinson Lane District boundary South 21° 47' 30" West, 651.83 feet to the existing Browns Valley Road District Annexation to Napa Sanitation District;

Course 2: thence, along above said District boundary, North 68° 00' 00" West, 225.33;

Course 3: thence, North 22° 30' 00" East, 558.50 feet;

Course 4: thence, North 42° 23' 00" East, 99.00 feet;

Course 5: thence, North 34° 53' 47" East, 52.61 feet;

Course 6: thence, South 13° 43' 00" West, 84.00 feet;

Course 7: thence, North 21° 34' 39" East, 48.48 feet;

Course 8: thence, North 84° 45' 00" East, 115.00 feet;

Course 9: thence, South 48° 47' 00" East, 22.19 feet;

Course 10: thence, South 21° 47' 30" West, 76.71 feet to the point of BEGINNING.

Containing 3.5 Acres ± of land more or less.

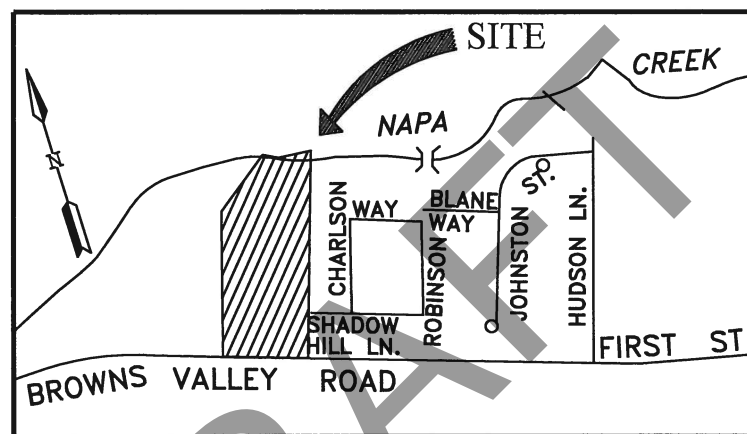
For assessment purposes only. This description of land is not a legal property description as defined in the Professional Land Surveyor Act and may not be used as the basis for an offer for sale of land described herein.



DISCLAIMER:

THIS EXHIBIT IS FOR ASSESSMENT PURPOSES ONLY AND MAY NOT BE USED AS THE BASIS FOR A SALE OF THE LAND SHOWN HEREON.

THE EFFECTED TERRITORY IS SHOWN ON THE MAP AND DESCRIBED IN THE GEOGRAPHIC DESCRIPTION IN THE ATTACHED EXHIBIT "A"



SITE SKETCH  
NO SCALE

DRAFT

**LEGEND**

- APN ASSESSOR'S PARCEL NUMBER
- P.O.B. POINT OF BEGINNING
- N.C.R. NAPA COUNTY RECORDS
- O.R. OFFICIAL RECORDS
- ① COURSE NUMBER
- EXISTING NAPA SANITATION DISTRICT BOUNDARY
- PROPOSED AREA TO BE ANNEXED

**APPLICANTS**

MARIE M. GATO TRUST  
3084 BROWNS VALLEY RD  
NAPA, CA 14558



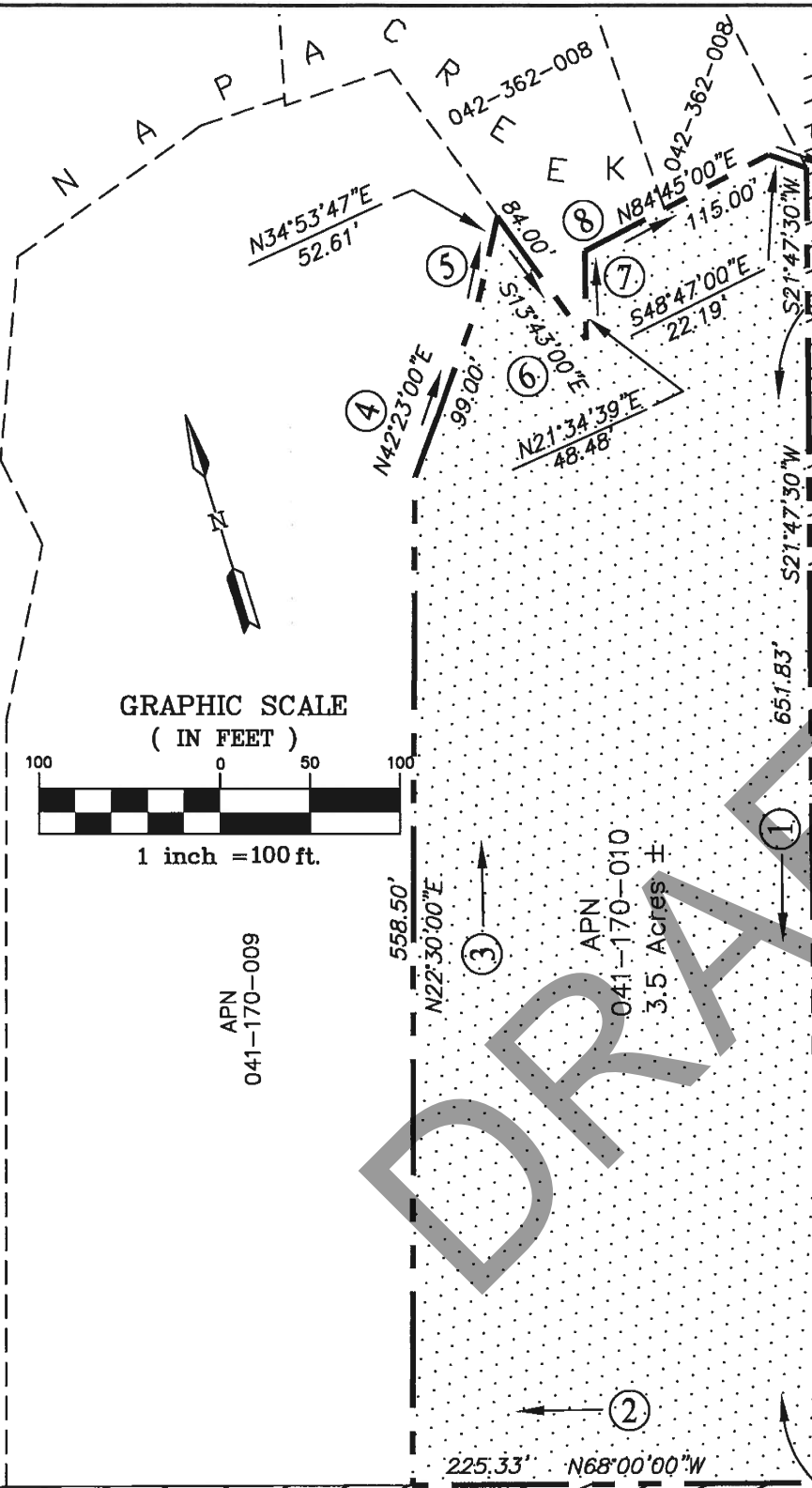
**CHAUDHARY & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS INSPECTORS

211 GATEWAY ROAD WEST, SUITE 204  
NAPA, CALIFORNIA 94558

Tel: (707) 255-2729 FAX: (707) 255-5021 WWW.CHAUDHARY.COM

**EXHIBIT "B"**  
BROWNS VALLEY ROAD NO. 14  
ANNEXATION  
TO THE NAPA SANITATION DISTRICT  
BEING A PORTION OF NAPA RANCHO

Robinson Lane No.2 District Annexation  
Napa Sanitation District  
2001-0033642  
APN  
041-171-028



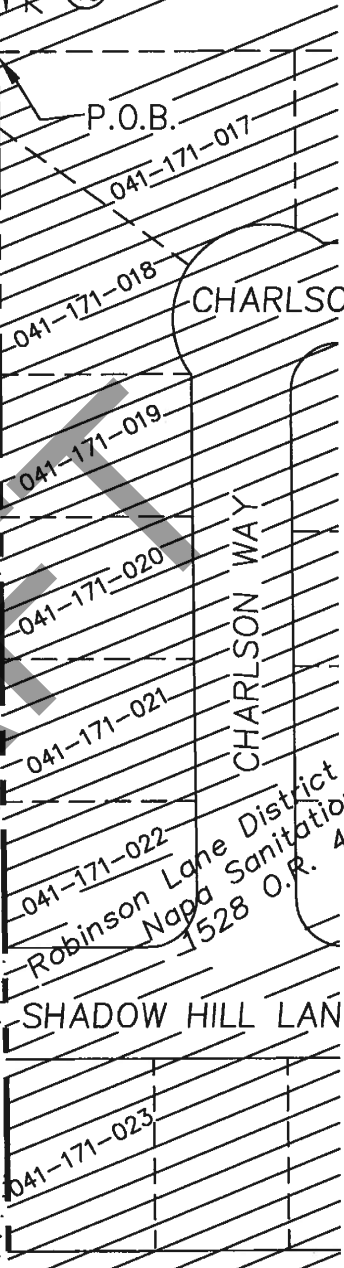
GRAPHIC SCALE  
( IN FEET )



1 inch = 100 ft.

APN  
041-170-009

APN  
041-170-010  
3.5 Acres ±



CHARLSON WAY

CHARLSON WAY

SHADOW HILL LANE

BROWNS VALLEY

Browns Valley Road District Annexation  
Napa Sanitation District  
Vol 1365 Page 839



**CHAUDHARY & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS INSPECTORS

211 GATEWAY ROAD WEST, SUITE 204  
NAPA, CALIFORNIA 94558

Tel: (707) 255-2729 FAX: (707) 255-5021 WWW.CHAUDHARY.COM

**EXHIBIT "B"**

BROWNS VALLEY ROAD NO. 14  
ANNEXATION  
TO THE NAPA SANITATION DISTRICT  
BEING A PORTION OF NAPA RANCHO

**FORM B**

Date Filed: 3/19/2021

Received By: BF

**PETITION FOR PROPOSAL**

For Filing with the Local Agency Formation Commission of Napa County

A proposal for a change of organization made by a landowner or registered voter shall be initiated by petition. The petition shall state the nature of the proposal and all associated proposed changes of organization. It shall also state the reason for the proposal and enumerate and include supporting information as required under Government Code Section 56700. The petition must be submitted to the Executive Officer for filing within 60 days after the last signature is affixed. Applicants are encouraged to use this form.

**Nature of Proposal and All Associated Changes of Organization:**

Add the property to Napa Sanitation district boundary

**Description of Boundaries of Affected Territory Accompanied by Map:**

The property is located on the North side of Browns Valley Rd, between Laural St and Thompson Ave

**Reason for Proposal and Any Proposed Conditions:**

To connect the existing home to public sewer

**Type of Petition:**

Landowner

Registered Voter

**Sphere of Influence Consistency:**

Yes

No

**If Landowner Petition, Complete the Following:**

1) Name: Marie M. Gatto Trust  
Mailing Address: 3084 Browns Valley Rd, Napa, CA 94558  
Assessor Parcel: 041-170-010  
Signature: *Marie M. Gatto Trust* Date: 3/8/21

2) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

3) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**If Registered Voter Petition, Complete the Following:**

1) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Resident Address: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

2) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Resident Address: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

3) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Resident Address: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**FORM D**

**JUSTIFICATION OF PROPOSAL**  
**Change of Organization/Reorganization**

**I. APPLICANT INFORMATION**

---

**A. Name:** Marie M. Gatto  
 Contact Person Agency/Business (If Applicable)

**Address:** 3084 Browns Valley Rd Napa 94558  
 Street Number Street Name City Zip Code

**Contact:** 408-313-3231 malmanor@icloud.com  
 Phone Number Facsimile Number E-Mail Address

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

**II. PROPOSAL DESCRIPTION**

---

**A. Affected Agencies:** Napa Sanitation District, 1515 Soscol Ferry Rd, Napa, CA 94558  
 Name Address

\_\_\_\_\_  
 Name Address

\_\_\_\_\_  
 Name Address

*Use Additional Sheets as Needed*

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

Annexation       Detachment       City Incorporation       District Formation

City/District Dissolution       City/District Merger       Service Activation (District Only)       Service Divestiture (District Only)

**C. Purpose Statement:** (Specific) Connect existing residence to public sewer

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**III. GENERAL INFORMATION**

---

<b>A. Location:</b>	3084 Browns Valley Rd	041-170-010	3.5 AC +-
	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 : 041-170-010 Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_
- (2) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_
- (3) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_
- (4) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

*Use Additional Sheets As Needed*

**C. Population:**

- (1) Total Number of Residents: 2
- (2) Total Number of Registered Voters: \_\_\_\_\_

**D. Land Use Factors:**

- (1a) County General Plan Designation: \_\_\_\_\_
- (1b) County Zoning Standard: \_\_\_\_\_
- (2a) Applicable City General Plan Designation: R10
- (2b) Applicable City Rezoning Standard: 10,000 SF Single Family Residential

**E. Existing Land Uses:**  
(Specific)

There is one residence on the property

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**F. Development Plans:**

- (1a) Territory Subject to a Development Project?  Yes  No

(1b) If Yes, Describe Project: \_\_\_\_\_

\_\_\_\_\_

(1c) If No, When Is Development Anticipated? There is a possibility that the property could be subdivided in the distant future

**G. Physical Characteristics:**

(1) Describe Topography:  
The site is flat with two structures

\_\_\_\_\_

(2) Describe Any Natural Boundaries:  
North boundary line of the site is the Center line of Napa Creek

\_\_\_\_\_

(3) Describe Soil Composition and Any Drainage Basins:  
Cole Silt Loam

\_\_\_\_\_

(4) Describe Vegetation:  
Native grasses

\_\_\_\_\_

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

- Yes
- No

**IV. GOVERNMENTAL SERVICES AND CONTROLS**

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**A. Plan For Providing Services:**

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

Sewer services

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

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

End of 2021

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

No

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

Private funds

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**V. ENVIRONMENTAL INFORMATION**

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**A. Environmental Analysis**

(1) **Lead Agency for Proposal:** Napa LAFCO  
Name

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

Environmental Impact Report

Negative Declaration/Mitigated Negative Declaration

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

None

*Provide Copies of Associated Environmental Documents*

**VI. ADDITIONAL INFORMATION**

---

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

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

*Use Additional Sheets As Needed*

**B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence:**

(Does not include affected landowners or residents)

(1) Recipient Name: City of Napa

Mailing Address: 1600 First Street, Napa, CA 94559

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

(2) Recipient Name: Napa Sanitation District

Mailing Address: 1515 Soscol Ferry Rd, Napa, CA 94558

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

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

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

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

**VII. CERTIFICATION**

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I certify the information contained in this application is correct. I acknowledge and agree the Local Agency Formation Commission of Napa County is relying on the accuracy of the information provided in my representations in order to process this application proposal.

**Signature:** 

**Printed Name:** Marie M. Gatto

**Title:** Property owner

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

**Indemnification Agreement**

**Name of Proposal:** Browns Valley Road No. 14 Annexation to the Napa Sanitation District

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 Marie M. Gatto, Trust and/or \_\_\_\_\_ (real party in interest: the landowner) agree 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

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

*Marie M. Gatto, Trust*  
\_\_\_\_\_  
Principal Landowner Signature

Marie M. Gatto

\_\_\_\_\_  
Print Name

3/10/21  
\_\_\_\_\_  
Date





March 8, 2021

#21-03-009

**EXHIBIT "A"**  
**BROWNS VALLEY ROAD NO. 14 ANNEXATION**  
**TO THE NAPA SANITATION DISTRICT**  
**GEOGRAPHIC DESCRIPTION**

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BEGINNING at the Northwest corner of the Robinson Lane Annexation to the Napa Sanitation District; said corner also being Southwest corner of Robinson Lane Annexation No.2 Annexation to the Napa Sanitation District;

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Course 2: thence, along above said District boundary, North 68° 00' 00" West, 225.33;

Course 3: thence, North 22° 30' 00" East, 558.50 feet;

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Course 9: thence, South 48° 47' 00" East, 22.19 feet;

Course 10: thence, South 21° 47' 30" West, 76.71 feet to the point of BEGINNING.

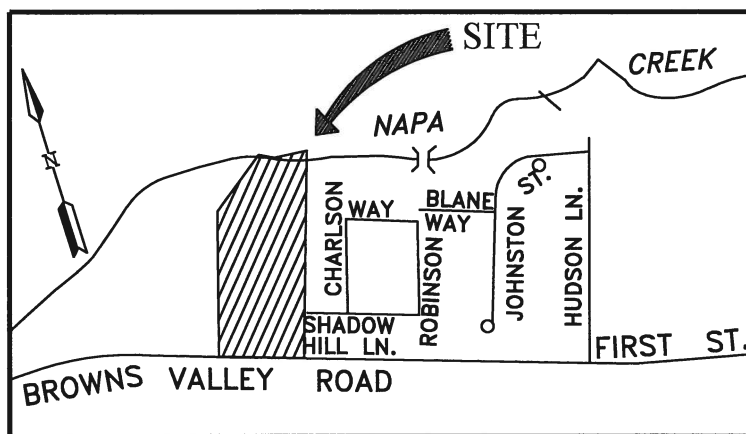
Containing 3.5 Acres ± of land more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Professional Land Surveyor Act and may not be used as the basis for an offer for sale of land described herein.

DISCLAIMER:

THIS EXHIBIT IS FOR ASSESSMENT PURPOSES ONLY AND MAY NOT BE USED AS THE BASIS FOR A SALE OF THE LAND SHOWN HEREON.

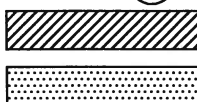
THE EFFECTED TERRITORY IS SHOWN ON THE MAP AND DESCRIBED IN THE GEOGRAPHIC DESCRIPTION IN THE ATTACHED EXHIBIT "A"



SITE SKETCH  
NO SCALE

LEGEND

- APN ASSESSOR'S PARCEL NUMBER
- P.O.B. POINT OF BEGINNING
- N.C.R. NAPA COUNTY RECORDS
- O.R. OFFICIAL RECORDS
- ① COURSE NUMBER



- EXISTING NAPA SANITATION DISTRICT BOUNDARY
- PROPOSED AREA TO BE ANNEXED

APPLICANTS

MARIE M. GATO TRUST  
3084 BROWNS VALLEY RD  
NAPA, CA 14558



**CHAUDHARY & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS INSPECTORS

211 GATEWAY ROAD WEST, SUITE 204

NAPA, CALIFORNIA 94558

Tel: (707) 255-2729 FAX: (707) 255-5021 WWW.CHAUDHARY.COM

**EXHIBIT "B"**

BROWNS VALLEY ROAD NO. 14  
ANNEXATION  
TO THE NAPA SANITATION DISTRICT  
BEING A PORTION OF NAPA RANCHO



# Browns Valley Road No. 14 Annexation to the Napa Sanitation District

Attachment Three



0 0.0075 0.015 0.03 Miles

June 7, 2021

Prepared by LAFCO Staff



**LAFCO of Napa County**  
1030 Seminary Street, Suite B  
Napa, California 94559  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)





**Browns Valley Road No. 14 Annexation to the Napa Sanitation District (NSD)  
 Factors for Commission Determinations**

California Government Code (G.C.) Sections 56668 and 56668.3 require the Commission to consider the following specific factors for a change of organization involving annexation to a special district. No single factor is determinative, and the intent is to provide a uniform baseline for LAFCOs to consider boundary changes in context with local policies.

*(1) Population and population density; land area and land use; 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 approximately 3.5 acres, incorporated within the City's jurisdictional boundary and lies within a residential area designated under the City of Napa General Plan as *Browns Valley*. The affected territory is legally uninhabited given there are fewer than 12 registered voters, and is currently developed with one single-family residence and an additional structure. The current assessment value of the affected territory totals \$2,142,000.<sup>1</sup>

The affected territory is located within the *Napa River – Lower Napa City Reach* drainage basin. Soil within the affected territory is classified as Cole silt loam, all with zero to two percent slopes.

Adjacent lands to the immediate south and west of the affected territory are located within both the City and NSD's jurisdictional boundaries. Adjacent lands to the immediate north and east of the affected territory are located within the City's jurisdictional boundary, but outside NSD's jurisdictional boundary.

The affected territory has City General Plan land use designation of *SFR-110 (Single Family Residential)*, and zoning standard of *RS-10 (Residential, minimum lot size 10,000 sq. ft.)*. The affected territory is currently developed with one single-family residence and one additional structure, and could potentially be further built out to include up to 14 total residential units in the future.<sup>2</sup>

Adjacent lands on the North and East sides of the affected territory are within the City's jurisdictional boundary and are developed or have residential use designations in the General Plan. Adjacent lands on the West side of the affected territory are an island of unincorporated parcels.

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<sup>1</sup> The assessed value of the affected territory is \$1,530,000 for land and \$612,000 for structural improvements.

<sup>2</sup> At buildout, the projected resident population of the affected territory is 38 based on the California Department of Finance's population per household estimate of 2.73 for the City of Napa.

*(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 within the affected territory by the City include water, fire protection and emergency medical, and law enforcement. These services are provided at adequate levels for the existing single-family residence.

The need for additional municipal services for the affected territory includes the extension of public sewer from NSD to allow the existing residential unit to connect to public sewer instead of relying on private septic systems. If the proposal is approved, septic system setback requirements will be eliminated and therefore additional residential development can occur. The maximum buildout potential of the affected territory is 14 residential units with a projected population of 38 residents. This report analyzes the proposal with potential future buildout impacts in mind.

A review of estimated demands for municipal services within the affected territory indicates the City and NSD have sufficient capacities and controls to reasonably accommodate current and future needs. This statement is based on information collected and analyzed in the Commission's *Central County Region Municipal Service Review* adopted in 2014 and *Napa Countywide Water and Wastewater Municipal Service Review* adopted in 2020.<sup>3</sup> No service deficiencies for the area were identified in the Municipal Service Reviews. Additional information regarding estimated service demands within the affected territory at buildout follows.

### ***Water***

The existing residential unit within the affected territory currently receives water service from the City. At buildout, annual potable water demands within the affected territory are projected at 3.3 acre-feet or 1,073,100 gallons. This amount is based on the City's current average daily water demands of 210 gallons per residence. The City has established adequate capacities and controls to accommodate these demands.

### ***Fire Protection and Emergency Medical***

The affected territory currently receives fire protection and emergency medical service from the City. At buildout, annual service calls within the affected territory are projected at 4.5 based on the City's ratio of 117.5 annual fire protection and emergency medical service calls per 1,000 residents over the last five completed years.<sup>4</sup> The City has established adequate capacities and controls to accommodate these demands into the foreseeable future.

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<sup>3</sup> The *Central County Region Municipal Service Review* is available online at:  
[https://www.napa.lafco.ca.gov/uploads/documents/MSR\\_CentralCounty\\_FinalReport\\_2014.pdf](https://www.napa.lafco.ca.gov/uploads/documents/MSR_CentralCounty_FinalReport_2014.pdf).

The *Napa Countywide Water and Wastewater Municipal Service Review* is available online at:  
[https://www.napa.lafco.ca.gov/uploads/documents/CountywideWaterWastewaterMSR\\_ApprovedFinal\\_11-2-20.pdf](https://www.napa.lafco.ca.gov/uploads/documents/CountywideWaterWastewaterMSR_ApprovedFinal_11-2-20.pdf).

<sup>4</sup> The City Fire Department reports total annual fire protection and emergency medical service calls averaged 9,329.6 over the last five completed years.

### ***Law Enforcement***

The affected territory currently receives law enforcement service from the City. At buildout, annual service calls within the affected territory are projected at 30.4 based on the City's ratio of 799.5 annual law enforcement service calls per 1,000 residents over the last five completed years.<sup>5</sup> The City has established adequate capacities and controls to accommodate these demands into the foreseeable future.

### ***Sewer***

The affected territory needs sewer service from NSD. Proposal approval would result in new immediate sewer flows totaling approximately 150 gallons per day within the affected territory. This amount is based on NSD's design standard of 150 gallons per day per residence. At buildout, the affected territory would result in sewer flows totaling approximately 5,700 gallons per day. NSD has established adequate capacities and controls to accommodate these immediate and potential buildout demands into the foreseeable future.

### ***(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 1975 when the Commission included the affected territory in NSD's SOI, marking an expectation the site would require public sewer 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 adopted policies based on the affected territory's urban land use designation and consistency with NSD's SOI. Further, the affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377.<sup>6</sup> Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

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

The proposal will not have an adverse effect on agricultural lands. The affected territory is located within the City of Napa Rural Urban Limit Line (RUL) and jurisdictional boundary.

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<sup>5</sup> The City Police Department reports total annual law enforcement service calls averaged 63,459.6 over the last five completed years.

<sup>6</sup> The affected is not devoted to an open-space use under the City General Plan.



***(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 affected territory includes all of the property identified by the County of Napa Assessor's Office as 041-170-010. The applicant has submitted a draft map and geographic description of the affected territory that are undergoing review by the County Surveyor to ensure conformance with the requirements of the State Board of Equalization. Approval of the proposal would have no impact with respect to unincorporated islands or corridors of unincorporated territory given the affected territory is located entirely within the City of Napa and the fact that annexation is to the NSD.

***(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 2040*, was updated in 2017 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2040.<sup>7</sup> 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.***

Approval of the proposal would allow for public sewer service to be provided to the affected territory to serve existing and planned uses. The availability and provision of this municipal service is consistent with the City's General Plan land use designation and zoning assignment for the affected territory, both of which contemplate single-family residential development.

***(9) The sphere of influence of any local agency affected by the proposal.***

The affected territory is located entirely within NSD's SOI, which was comprehensively updated by the Commission in October 2015.

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

Staff provided notice of the proposal to all affected agencies, transportation agencies, and school districts inviting comments as required under G.C. Section 56658. No comments were received.

---

<sup>7</sup> *Plan Bay Area 2040* is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. *Plan Bay Area 2040* includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan.

*(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 as part of the Commission's *Napa Countywide Water and Wastewater Municipal Service Review* adopted in 2020 concluded NSD has developed overall adequate financial resources and controls relative to current and projected service commitments. This includes regularly reviewing and amending, as needed, NSD's two principal rates and fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) capacity charge for new connections and (b) annual service charge. The capacity charge is currently \$9,959 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 service charge for a single-family unit is currently \$738.60 and is intended to proportionally recover NSD's ongoing maintenance and operation expenses. The *Napa Countywide Water and Wastewater Municipal Service Review* adopted in 2020 is relied upon and sufficient for this annexation proposal regarding the plan for services required by G.C. Section 56653.

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

The potential future buildout of the affected territory would result in annual water demands for the City totaling approximately 3.3 acre-feet or 1,073,100 gallons. This amount is based on current average water demands within the City of approximately 210 gallons per day per residence. The City's water supplies are generated from three sources: (1) Lake Hennessey; (2) Milliken Reservoir; and (3) State Water Project. Total supplies vary according to hydrologic conditions. A table depicting the City's existing water service demands relative to supplies follows. As reflected in the following table, adequate water supplies exist for the projected needs of the City, including buildout of the affected territory.

<b>Baseline</b> (Amounts in Acre-Feet)			
<b>Category</b>	<b>Normal Year</b>	<b>Multiple Dry</b>	<b>Single Dry</b>
Annual Supply	39,410	26,870	18,840
Annual Demand	12,015	12,015	12,015
Total Surplus	27,395	14,855	6,825

*(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.*

Approval of the proposal could result in an additional 14 residences toward the City achieving its fair share of the regional housing needs since the affected territory is zoned for additional single-family residential units.<sup>8</sup>

<sup>8</sup> A recent report with information on local regional housing needs allocations is available online at: [https://www.napa.lafco.ca.gov/uploads/documents/8-3-20\\_6c\\_Housing-GeneralPlans.pdf](https://www.napa.lafco.ca.gov/uploads/documents/8-3-20_6c_Housing-GeneralPlans.pdf)

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

The landowners of the affected territory are the petitioners seeking annexation. No additional information or comments were submitted.

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

The affected territory has a designation within the City General Plan of *SFR-110 (Single Family Residential)* and a zoning standard of *RS-10 (Residential, minimum lot size 10,000 sq. ft.)*. The affected territory is currently developed with one single-family residence and one structure. The proposed annexation to NSD is consistent with these existing land use designations.

*(16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.*

There is no documentation or evidence suggesting the proposal will have any implication for environmental justice in Napa County.

*(17) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.*

There is no documentation or evidence suggesting a local hazard mitigation plan or safety element of a general plan is relevant to the proposed annexation to NSD. Further, the affected territory is located in a moderate fire hazard zone. Any new development will require conformance with Chapter 7A of the California Building Code.

*(18) 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 current and future landowners and residents within the affected territory by providing permanent access to public sewer service. Public sewer service eliminates the need for septic systems in an area in which any failings could pose a public health and safety threat for immediate and adjacent residents.



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
www.napa.lafco.ca.gov

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

Agenda Item 7d (Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer BF
Dawn Mittleman Longoria, Analyst II DML
MEETING DATE: June 7, 2021
SUBJECT: Proposed Camilla Drive No. 6 Annexation to the Napa Sanitation District and Associated CEQA Findings

RECOMMENDATION

Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations – Camilla Dr. No. 6 Annexation to the Napa Sanitation District (NSD) making California Environmental Quality Act (CEQA) findings and approving the proposed annexation (Attachment One). Standard conditions are also recommended.

BACKGROUND AND SUMMARY

Applicant: Landowner (petition)
Proposed Action: Annexation to NSD
APN: 041-121-002
Location: 14 Camilla Drive
Area Size: 1.1 acres
Jurisdiction: City of Napa ("City")
Sphere of Influence (SOI) Consistency: Yes – NSD
Policy Consistency: Yes
Tax Sharing Agreement: Yes – master tax exchange agreement
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: Exempt
Current Land Uses: one single-family residence, zoning could allow one additional residence

The proposed action involves a landowner petition for annexation of one incorporated parcel along with the adjacent portion of public right-of-way to NSD. The purpose of the proposal is to allow the existing single-family residence to transition from a private onsite septic system to NSD's public sewer infrastructure. The application materials are included as Attachment Two.

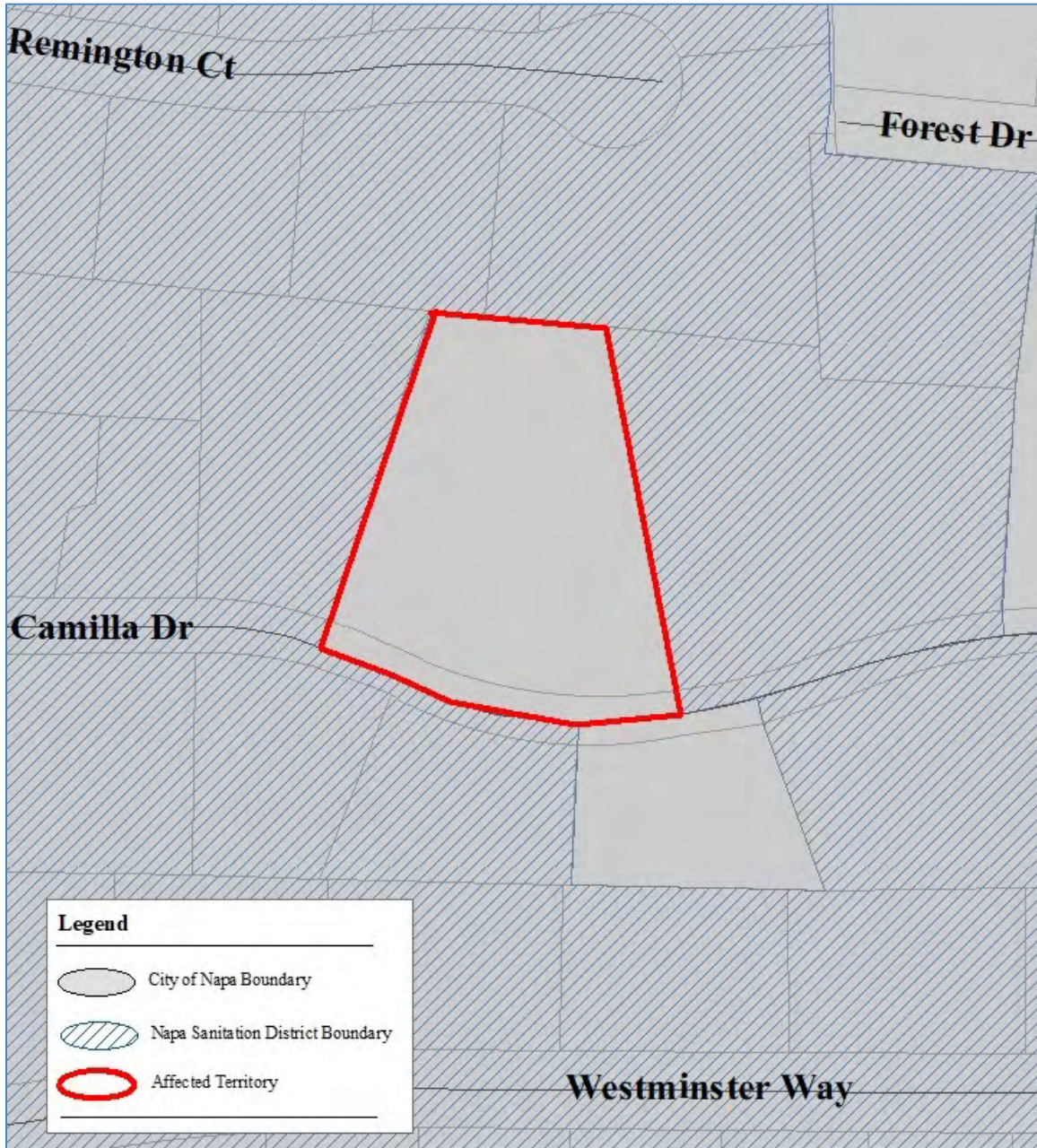
An aerial map of the parcel is included as Attachment Three. A vicinity map of the affected territory showing NSD's jurisdictional boundary and the City's jurisdictional boundary is provided on the following page.

Margie Mohler, Vice Chair
Councilmember, Town of Yountville
Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon
Beth Painter, Alternate Commissioner
Councilmember, City of Napa

Diane Dillon, Chair
County of Napa Supervisor, 3rd District
Brad Wagenknecht, Commissioner
County of Napa Supervisor, 1st District
Ryan Gregory, Alternate Commissioner
County of Napa Supervisor, 2nd District

Kenneth Leary, Commissioner
Representative of the General Public
Eve Kahn, Alternate Commissioner
Representative of the General Public
Brendon Freeman
Executive Officer





## **DISCUSSION**

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

See Attachment Four for an evaluation of the mandated factors for Commission determinations.

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

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 of Napa adopted a resolution on behalf of NSD specifying no adjustment in the allocation of property taxes shall result from annexations involving the District. This resolution has been applied to all subsequent annexations involving NSD. In processing this proposal, staff provided notice to the affected agencies that the Commission would again apply this resolution unless otherwise informed. No affected agency responded with any concerns to the approach outlined by staff.

### ***Protest Proceedings***

Protest proceedings shall be waived in accordance with G.C. Section 56662(a) given that the affected territory is legally uninhabited (less than 12 registered voters), all landowners have provided their written consent, and no written opposition to a waiver of protest proceedings has been received by any agency.

### **ENVIRONMENTAL REVIEW**

The proposed annexation qualifies for a statutory exemption from further review under CEQA Guidelines Section 15282(k), which exempts the installation of new pipeline as long as the project does not exceed one mile in length. Staff believes this exemption is appropriate given any existing and future residential units within the affected territory would connect to NSD by way of installing a sanitary sewer main and/or laterals from existing sewer main located in Camilla Drive, which will involve less than one total mile of new pipeline.

### **ATTACHMENTS**

- 1) Draft Resolution Approving the Proposal and Making CEQA Findings
- 2) Application Materials
- 3) Aerial Map of Affected Territory
- 4) Factors for Commission Determinations

RESOLUTION NO. \_\_\_\_

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

**CAMILLA DRIVE NO. 6  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

**WHEREAS**, an application for a proposed reorganization has been filed with the Local Agency Formation Commission of Napa County, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the proposal seeks Commission approval to annex approximately 1.1 acres of incorporated land to the Napa Sanitation District and represents one entire parcel located at 14 Camilla Drive and identified by the County of Napa Assessor’s Office as 041-121-002; and

**WHEREAS**, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

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

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on June 7, 2021; and

**WHEREAS**, the Commission considered all the factors required by law under Government Code Sections 56668 and 56668.3 as well as adopted local policies and procedures; and

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

**WHEREAS**, the Commission finds that all owners of land 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 considered available exemptions under CEQA, in accordance with Title 14 of the California Code of Regulations (hereinafter “CEQA Guidelines”); and

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

1. The Factors for Commission Determinations provided in the Executive Officer’s written report are hereby incorporated herein by this reference and are adequate.
2. The underlying activity, annexation of the affected territory, is exempt from further review pursuant to CEQA Guidelines Section 15282(k), which exempts the installation of new pipeline as long as the project does not exceed one mile in length. The records upon which these findings are made are located at the Commission’s administrative office located at 1030 Seminary Street, Suite B, Napa, California 94559.
3. The proposal is APPROVED subject to completion of item number 11 below.
4. This proposal is assigned the following distinctive short-term designation:

**CAMILLA DRIVE NO. 6  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the map and described in the geographic description in the attached Exhibit “A”.
6. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
9. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
10. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56662(a).
11. Recordation is contingent upon receipt by the Executive Officer of the following:
  - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
  - (b) Written confirmation from the Napa Sanitation District that it is acceptable to record a Certificate of Completion.

- 12. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.
- 13. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on June 7, 2021, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

AYES: Commissioners \_\_\_\_\_  
NOES: Commissioners \_\_\_\_\_  
ABSENT: Commissioners \_\_\_\_\_  
ABSTAIN: Commissioners \_\_\_\_\_

\_\_\_\_\_  
Diane Dillon  
Commission Chair

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

Recorded by: Kathy Mabry  
Commission Secretary

Exhibit A

**Camilla Drive No. 6**

**Annexation to the Napa Sanitation District**

Geographic Description

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

**Commencing** at the northwest corner of the existing Camilla Drive No. 4 Annexation to the Napa Sanitation District recorded on April 4, 2006 as document 2006-0011556 in the Official Records County of Napa, said point being the true **Point of Beginning**. From the point of beginning:

Course 1:

Thence,  $S11^{\circ}18'E$ , 283.31 feet along said west line of the Camilla Drive No. 4 Annexation to the Napa Sanitation District to a point at the center of the Camilla Drive right of way;

Course 2:

Thence, leaving said west line along said right of way along a curve concave northerly with a radius of 350 feet, an arc length of 220.16' through a central angle of  $36^{\circ}2'$ ;

Course 3:

Thence, continuing along said right of way centerline along a reverse curve concave southerly with a radius of 325 feet, an arc length of 48.63 feet through a central angle of  $8^{\circ}34'$ ;

Course 4:

Thence, leaving said right of way centerline  $N16^{\circ}20'E$ , 259.24 feet;

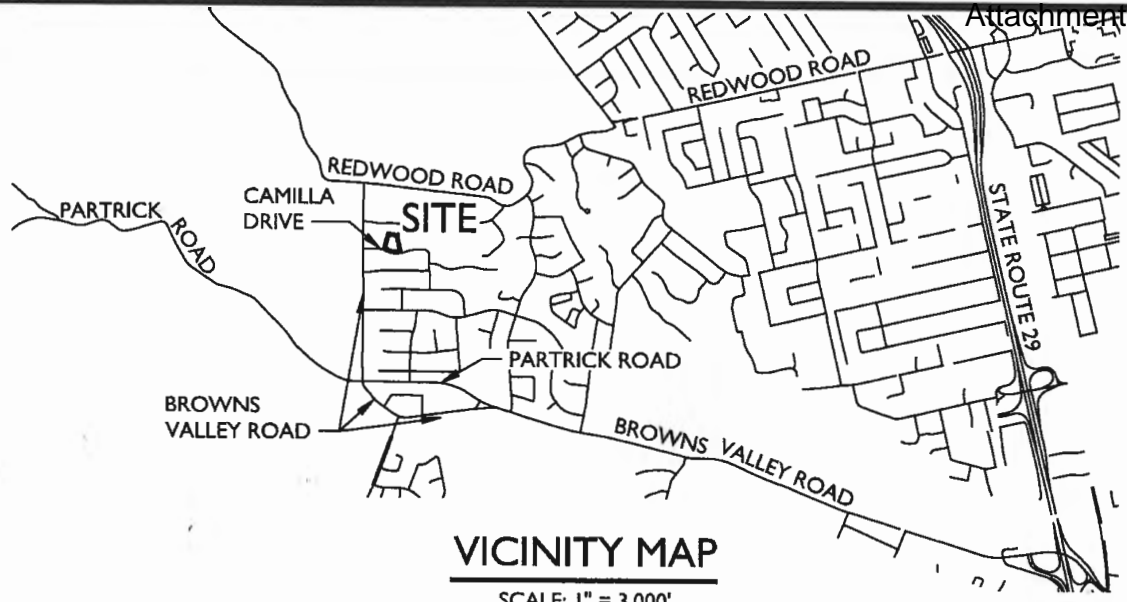
Course 5:

Thence,  $S85^{\circ}22'E$ , 133.00 feet to the **Point of Beginning**,

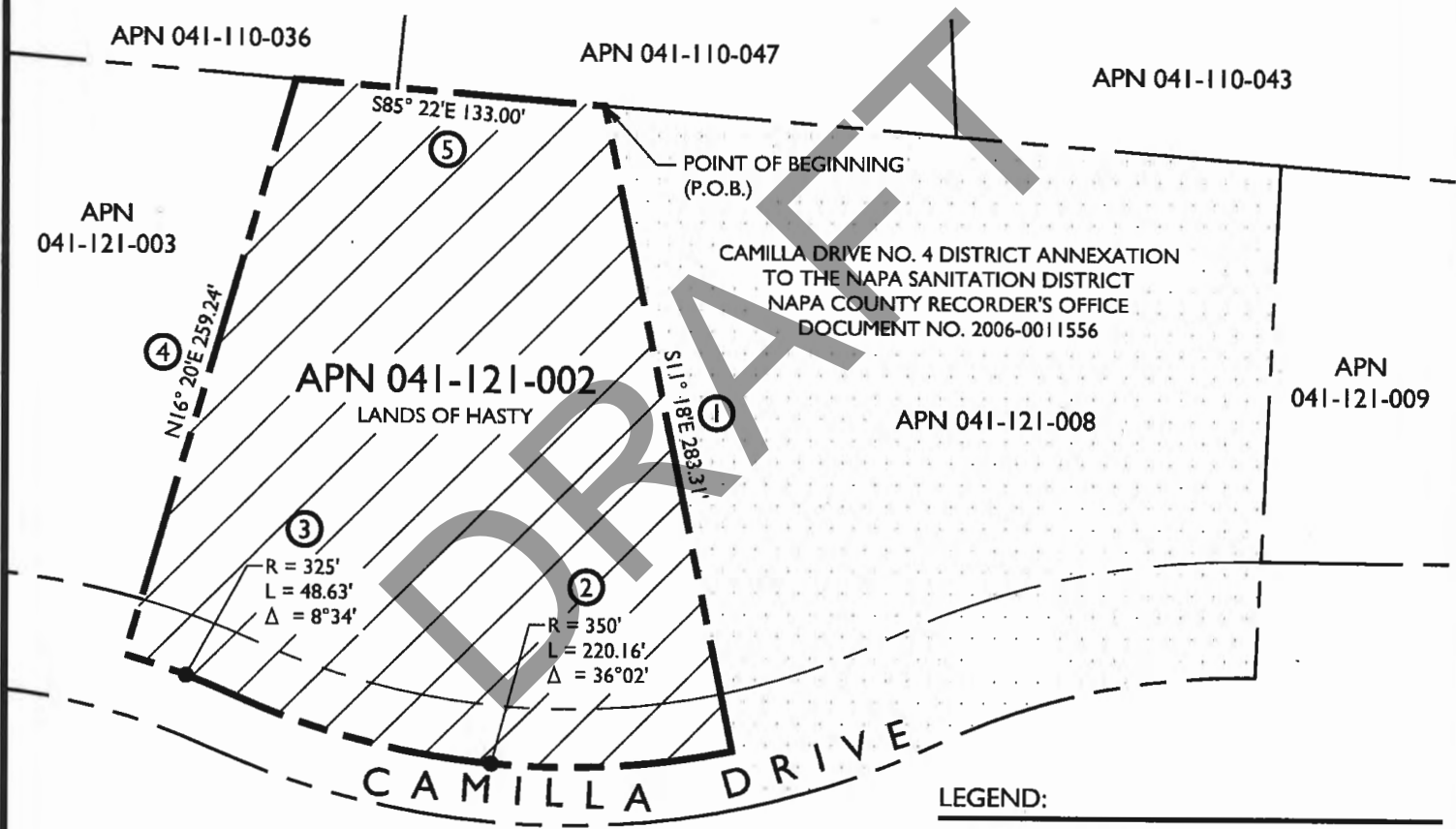
Containing 1.3 acres of land more or less

Disclaimer:

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



**VICINITY MAP**  
SCALE: 1" = 3,000'



**DISCLAIMER:**  
FOR ASSESSMENT PURPOSE 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.

**LEGEND:**

	EXISTING NAPA SANITATION DISTRICT ANNEXATION
	AREA TO BE ANNEXED (1.3 ± ACRES)
	COURSE NUMBER

PREPARED BY:

**APPLIED**  
CIVIL ENGINEERING  
INCORPORATED

2074 West Lincoln Avenue  
Napa, CA 94558  
(707) 320-4968 (707) 320-2395 Fax  
www.appliedcivil.com

**EXHIBIT "B"**  
MAP DELINEATING THE BOUNDARY OF CAMILLA DRIVE NO. 6 DISTRICT ANNEXATION TO THE NAPA SANITATION DISTRICT

SCALE: 1" = 80'

Resolution for Camilla Drive No. 6 Annexation to NSD  
JOB NO. 21-114

Page 5 of 5  
**MARCH 2021**

Date Filed: 3/25/2021

Proposal Name: BF

**PETITION FOR PROPOSAL**

For Filing with the Local Agency Formation Commission of Napa County

A proposal for a change of organization made by a landowner or registered voter shall be initiated by petition. The petition shall state the nature of the proposal and all associated proposed changes of organization. It shall also state the reason for the proposal and enumerate and include supporting information as required under Government Code Section 56700. The petition must be submitted to the Executive Officer for filing within 60 days after the last signature is affixed. Applicants are encouraged to use this form.

**Nature of Proposal and All Associated Changes of Organization:**

This proposal includes the annexation of one parcel of land located at 14 Camilla Drive, Napa into the Napa Sanitation District.

**Description of Boundaries of Affected Territory Accompanied by Map:**

Please see attached geographic description and map.

**Reason for Proposal and Any Proposed Conditions:**

This annexation is being completed to allow the subject property to connect to the Napa Sanitation District sewer services.

**Type of Petition:**

Landowner

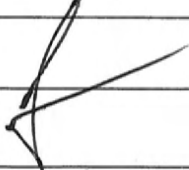
Registered Voter

**Sphere of Influence Consistency:**

Yes

No

**If Landowner Petition, Complete the Following:**

- 1) Name: Steve Hasty  
Mailing Address: 14 Camilla Drive, Napa, CA 94558  
Assessor Parcel: 041-121-002-000  
Signature:  Date: 3/24/24
- 2) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_
- 3) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**If Registered Voter Petition, Complete the Following:**

- 1) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Resident Address: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_
- 2) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Resident Address: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_
- 3) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Resident Address: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

FORM D

PROPOSAL APPLICATION
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: Steve Hasty
Contact Person: Steve Hasty
Agency/Business (If Applicable):
Address: 14 Camilla Drive, Napa, 94558
Street Number: 14, Street Name: Camilla Drive, City: Napa, Zip Code: 94558
Contact: (707) 257-3482, (707) 257-3483, steve@noblehousedev.com
Phone Number, Facsimile Number, E-Mail Address

B. Applicant Type: (Check One)
Local Agency [ ] Registered Voter [ ] Landowner [x]

II. PROPOSAL DESCRIPTION

A. Affected Agencies: Napa Sanitation District 1515 Soscol Ferry Road, Napa, CA 94558
Name Address
Name Address
Name Address

Use Additional Sheets as Needed

B. Proposal Type: (Check as Needed)
Annexation [x] Detachment [ ] City Incorporation [ ] District Formation [ ]
City/District Dissolution [ ] City/District Merger [ ] Service Activation (District Only) [ ] Service Divestiture (District Only) [ ]

C. Purpose Statement: (Specific)
The purpose of this project is to annex one lot located at 14 Camilla Drive, Napa into the Napa Sanitation District to allow the parcel to connect to the Napa Sanitation District sewer service system.



**III. GENERAL INFORMATION**

<b>A. Location:</b>	14 Camilla Drive, Napa	041-121-002-000	1.1 +/-
	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 : 041-121-002-000 Name: Steve Hasty  
 Mailing Address: 14 Camilla Drive, Napa, CA 94558  
 Phone Number: (707) 257-3482 E-mail: steve@nobelhousedev.com
- (2) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_
- (3) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_
- (4) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

*Use Additional Sheets As Needed*

**C. Population:**

- (1) Total Number of Residents: 2
- (2) Total Number of Registered Voters: 2

**D. Land Use Factors:**

- (1a) County General Plan Designation: N/A
- (1b) County Zoning Standard: N/A
- (2a) Applicable City General Plan Designation: Single Family Residential
- (2b) Applicable City Pre-zoning Standard:  
(Required for City Annexations) N/A

**E. Existing Land Uses:** Single family residential  
(Specific)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**F. Development Plans:**

(1a) Territory Subject to a Development Project?  Yes  No

(1b) If Yes, Describe Project: \_\_\_\_\_

\_\_\_\_\_

(1c) If No, When Is Development Anticipated? Existing residence onsite.  
No new projects anticipated at this time.

**G. Physical Characteristics:**

(1) Describe Topography: Hilltop, flat to slopes of 30% +/-

\_\_\_\_\_

(2) Describe Any Natural Boundaries: None

\_\_\_\_\_

(3) Describe Soil Composition and Any Drainage Basins: USDA Soil Type: Millsholm Loam  
Redwood Creek / Napa River drainage basins

(4) Describe Vegetation: Landscaping, grassland, oaks and other  
trees and bushes.

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

Yes  No

**IV. GOVERNMENTAL SERVICES AND CONTROLS**

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**A. Plan For Providing Services:**

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

**Sewer service via the Napa Sanitation District. Existing main line is in Camilla Drive.**

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

**Sewer service for residential use only.**

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

**Within one year of approval.**

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

**Sewer lateral to existing mainline in Camilla Drive.**

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

**Landowner will pay for all associated costs of connection and ongoing service.**

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**V. ENVIRONMENTAL INFORMATION**

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

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

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

**None.**

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*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:** Michael Muelrath, Applied Civil Engineering Incorporated  
**Mailing Address:** 2074 West Lincoln Avenue, Napa, CA 94558  
**E-Mail:** mike@appliedcivil.com

(2) **Recipient Name:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**E-Mail:** \_\_\_\_\_

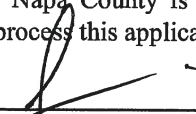
(3) **Recipient Name:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**E-Mail:** \_\_\_\_\_

**VII. CERTIFICATION**

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I certify the information contained in this application is correct. I acknowledge and agree the Local Agency Formation Commission of Napa County is relying on the accuracy of the information provided in my representations in order to process this application proposal.

**Signature:**

  
\_\_\_\_\_

**Printed Name:**

Steve Hasty  
\_\_\_\_\_

**Title:**

Property Owner  
\_\_\_\_\_

**Date:**

3/24/21  
\_\_\_\_\_

**Indemnification Agreement**

Name of Proposal (assigned by staff): Camilla Drive No. 6 Annexation to NSD

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 Steve Hasty and/or \_\_\_\_\_ (real party in interest: the landowner) agree 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

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Principal Landowner Signature

Steve Hasty

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

3/24/21

Exhibit A

**Camilla Drive No. 6**

**Annexation to the Napa Sanitation District**

Geographic Description

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

**Commencing** at the northwest corner of the existing Camilla Drive No. 4 Annexation to the Napa Sanitation District recorded on April 4, 2006 as document 2006-0011556 in the Official Records County of Napa, said point being the true **Point of Beginning**. From the point of beginning:

Course 1:

Thence, S11°18'E, 283.31 feet along said west line of the Camilla Drive No. 4 Annexation to the Napa Sanitation District to a point at the center of the Camilla Drive right of way;

Course 2:

Thence, leaving said west line along said right of way along a curve concave northerly with a radius of 350 feet, an arc length of 220.16' through a central angle of 36°2';

Course 3:

Thence, continuing along said right of way centerline along a reverse curve concave southerly with a radius of 325 feet, an arc length of 48.63 feet through a central angle of 8°34';

Course 4:

Thence, leaving said right of way centerline N16°20'E, 259.24 feet;

Course 5:

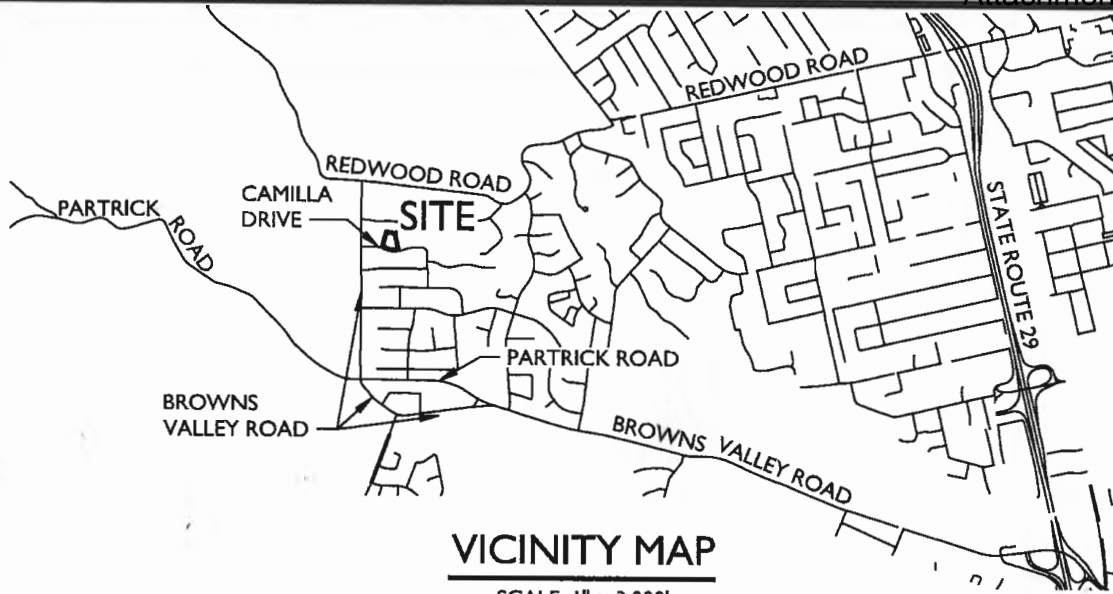
Thence, S85°22'E, 133.00 feet to the **Point of Beginning**,

Containing 1.3 acres of land more or less

Disclaimer:

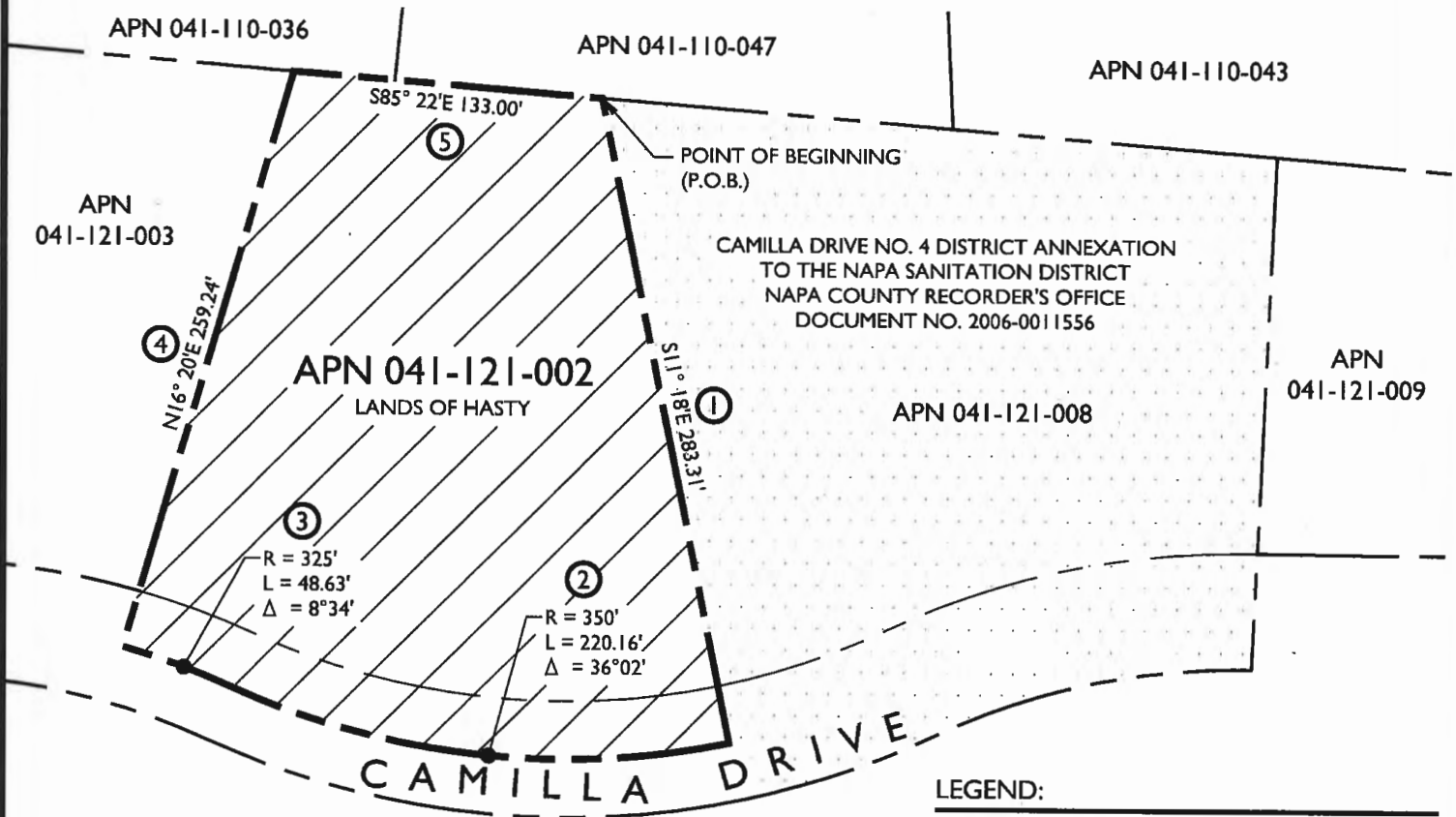
For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.



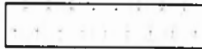




**VICINITY MAP**

SCALE: 1" = 3,000'



**LEGEND:**

-  EXISTING NAPA SANITATION DISTRICT ANNEXATION
-  AREA TO BE ANNEXED (1.3 ± ACRES)
-  COURSE NUMBER

**DISCLAIMER:**  
 FOR ASSESSMENT PURPOSE 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.

PREPARED BY:



INCORPORATED  
 2074 West Lincoln Avenue  
 Napa, CA 94558  
 (707) 320-4968 (707) 320-2395 Fax  
 www.appliedcivil.com

**EXHIBIT "B"**  
 MAP DELINEATING THE BOUNDARY OF CAMILLA DRIVE NO. 6 DISTRICT ANNEXATION TO THE NAPA SANITATION DISTRICT



SCALE: 1" = 80'

JOB NO. 21-114

MARCH 2021


# Camilla Drive No. 6 Annexation to the Napa Sanitation District


Attachment Three



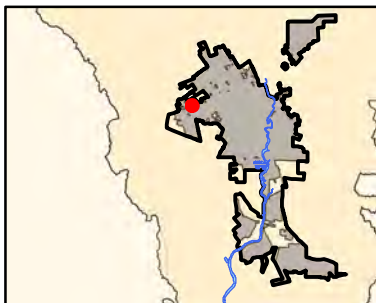
**Legend**

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 Napa Sanitation District

 Affected Territory

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0 0.004250.0085 0.017 Miles

June 7, 2021  
Prepared by LAFCO Staff



**LAFCO of Napa County**  
1030 Seminary Street, Suite B  
Napa, California 94559  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)



**Camilla Drive No. 6 Annexation to the Napa Sanitation District (NSD)  
Factors for Commission Determinations**

California Government Code (G.C.) Sections 56668 and 56668.3 require the Commission to consider the following specific factors for a change of organization involving annexation to a special district. No single factor is determinative, and the intent is to provide a uniform baseline for LAFCOs to consider boundary changes in context with local policies.

*(1) Population and population density; land area and land use; 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.*

Total population within the affected territory is two. The affected territory is legally uninhabited given there are fewer than 12 registered voters.

The affected territory is approximately 1.1 acres in size, incorporated within the City of Napa's jurisdictional boundary, and lies within a residential area designated under the City of Napa General Plan as *Browns Valley*. The affected territory is currently developed with one single-family residence. The current assessment value of the affected territory totals \$1,039,983.<sup>1</sup>

The affected territory is located within the *Napa River – Browns Valley, Redwood Creek* drainage basin. Soil within the affected territory is classified as Millsholm loam, with 15 to 30 percent slopes.

The affected territory has City General Plan land use designations of SFR-43 (*Single Family Residential*) and zoning standards of *RS-20 (Residential, minimum lot size 20,000 sq. ft.)*. The affected territory is currently developed with one single-family residence and could potentially be further built out to include up to one additional residential unit in the future.<sup>2</sup>

Adjacent lands on the all sides of the affected territory are within the City's jurisdictional boundary and are developed or have residential use designations in the General Plan.

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<sup>11</sup> The assessed value of the affected territory is divided into land at \$477,543 and structural improvements at \$562,440.

<sup>2</sup> At buildout, the projected resident population of the affected territory is 6 based on the California Department of Finance's population per household estimate of 2.73 for the City of Napa.



***(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 within the affected territory by the City include water, fire protection and emergency medical, and law enforcement. These services are provided at adequate levels for the existing single-family residence.

The need for additional municipal services for the affected territory includes the extension of public sewer from NSD to allow the existing residential unit to connect to public sewer instead of relying on private septic systems. If the proposal is approved, septic system setback requirements will be eliminated and therefore additional residential development can occur. The maximum buildout potential of the affected territory is two residential units with a projected population of 6 residents. This report analyzes the proposal with potential future buildout impacts in mind.

A review of estimated demands for municipal services within the affected territory indicates the City and NSD have sufficient capacities and controls to reasonably accommodate current and future needs. This statement is based on information collected and analyzed in the Commission's *Central County Region Municipal Service Review* adopted in 2014 and *Napa Countywide Water and Wastewater Municipal Service Review* adopted in 2020.<sup>3</sup> No service deficiencies for the area were identified in the Municipal Service Reviews. Additional information regarding estimated service demands within the affected territory at buildout follows.

### ***Water***

The existing residential unit within the affected territory currently receives water service from the City. City zoning of *RS-20 (Residential, minimum lot size 20,000 sq. ft.)* could allow an additional residence in addition to the exiting residence. Therefore, annual potable water demands within the affected territory are projected at 0.17 acre-feet or 1,226,400 gallons. This amount is based on the City's current average daily water demands of 210 gallons per residence. The City has established adequate capacities and controls to accommodate these demands.

### ***Fire Protection and Emergency Medical***

The affected territory currently receives fire protection and emergency medical service from the City. If an additional residence is constructed, annual service calls within the affected territory are projected at 0.7 based on the City's ratio of 117.5 annual fire protection and emergency medical service calls per 1,000 residents over the last five completed years.<sup>4</sup> The City has established adequate capacities and controls to accommodate these demands into the foreseeable future.

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<sup>3</sup> The *Central County Region Municipal Service Review* is available online at:  
[https://www.napa.lafco.ca.gov/uploads/documents/MSR\\_CentralCounty\\_FinalReport\\_2014.pdf](https://www.napa.lafco.ca.gov/uploads/documents/MSR_CentralCounty_FinalReport_2014.pdf).

The *Napa Countywide Water and Wastewater Municipal Service Review* is available online at:  
[https://www.napa.lafco.ca.gov/uploads/documents/CountywideWaterWastewaterMSR\\_ApprovedFinal\\_11-2-20.pdf](https://www.napa.lafco.ca.gov/uploads/documents/CountywideWaterWastewaterMSR_ApprovedFinal_11-2-20.pdf).

<sup>4</sup> The City Fire Department reports total annual fire protection and emergency medical service calls averaged 9,329.6 over the last five completed years.

### ***Law Enforcement***

The affected territory currently receives law enforcement service from the City. If an additional residence is constructed, annual service calls within the affected territory are projected at 4.8 based on the City's ratio of 799.5 annual law enforcement service calls per 1,000 residents over the last five completed years.<sup>5</sup> The City has established adequate capacities and controls to accommodate these demands into the foreseeable future.

### ***Sewer***

The affected territory needs sewer service from NSD. Proposal approval would result in new immediate sewer flows totaling approximately 150 gallons per day within the affected territory. This amount is based on NSD's design standard of 150 gallons per day per residence. If an additional home is constructed, the affected territory would result in sewer flows totaling approximately 300 gallons per day. NSD has established adequate capacities and controls to accommodate these immediate and potential buildout demands into the foreseeable future.

### ***(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 1975 when the Commission included the affected territory in NSD's SOI, marking an expectation the site would require public sewer 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 adopted policies based on the affected territory's urban land use designation and consistency with NSD's SOI. Further, the affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377.<sup>6</sup> Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

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

The proposal will not have an adverse effect on agricultural lands. The affected territory is located within the City of Napa Rural Urban Limit Line (RUL) and jurisdictional boundary.

---

<sup>5</sup> The City Police Department reports total annual law enforcement service calls averaged 63,459.6 over the last five completed years.

<sup>6</sup> The affected is not devoted to an open-space use under the City General Plan.

***(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 affected territory includes all of the property identified by the County of Napa Assessor's Office as 041-121-002. The applicant has submitted a draft map and geographic description of the affected territory that are undergoing review by the County Surveyor to ensure conformance with the requirements of the State Board of Equalization. Approval of the proposal would have no impact with respect to unincorporated islands or corridors of unincorporated territory given the affected territory is located entirely within the City of Napa.

***(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 2040*, was updated in 2017 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2040.<sup>7</sup> 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.***

Approval of the proposal would allow for public sewer service to be provided to the affected territory to serve existing and future planned uses. The availability and provision of this municipal service is consistent with the City's General Plan land use designation and zoning assignment for the affected territory, both of which contemplate single-family residential development.

***(9) The sphere of influence of any local agency affected by the proposal.***

The affected territory is located entirely within NSD's SOI, which was comprehensively updated by the Commission in October 2015.

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

Staff provided notice of the proposal to all affected agencies, transportation agencies, and school districts inviting comments as required under G.C. Section 56658. No comments were received.

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<sup>7</sup> *Plan Bay Area 2040* is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. *Plan Bay Area 2040* includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan.

*(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 as part of the Commission's *Napa Countywide Water and Wastewater Municipal Service Review* adopted in 2020 concluded NSD has developed overall adequate financial resources and controls relative to current and projected service commitments. This includes regularly reviewing and amending, as needed, NSD's two principal rates and fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) capacity charge for new connections and (b) annual service charge. The capacity charge is currently \$9,959 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 service charge for a single-family unit is currently \$738.60 and is intended to proportionally recover NSD's ongoing maintenance and operation expenses. The *Napa Countywide Water and Wastewater Municipal Service Review* adopted in 2020 is relied upon and sufficient for this annexation proposal regarding the plan for services required by G.C. Section 56653.

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

The potential future buildout of the affected territory would result in annual water demands for the City totaling approximately 0.17 acre-feet or 420 gallons. This amount is based on current average water demands within the City of approximately 210 gallons per day per residence. The City's water supplies are generated from three sources: (1) Lake Hennessey; (2) Milliken Reservoir; and (3) State Water Project. Total supplies vary according to hydrologic conditions. A table depicting the City's existing water service demands relative to supplies follows. As reflected in the following table, adequate water supplies exist for the projected needs of the City, including any planned future development of the affected territory.

<b>Baseline</b> (Amounts in Acre-Feet)			
<b>Category</b>	<b>Normal Year</b>	<b>Multiple Dry</b>	<b>Single Dry</b>
Annual Supply	39,410	26,870	18,840
Annual Demand	12,015	12,015	12,015
Total Surplus	27,395	14,855	6,825

*(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.*

Approval of the proposal would be neutral with respect to achieving its fair share of the regional housing needs since the affected territory is developed with the possible addition of one single family residence.<sup>8</sup>

<sup>8</sup> A recent report with information on local regional housing needs allocations is available online at: [https://www.napa.lafco.ca.gov/uploads/documents/8-3-20\\_6c\\_Housing-GeneralPlans.pdf](https://www.napa.lafco.ca.gov/uploads/documents/8-3-20_6c_Housing-GeneralPlans.pdf).



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

The landowners of the affected territory are the petitioners seeking annexation. No additional information or comments were submitted.

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

The affected territory has a designation within the City General Plan of *SFR-43 (Single Family Residential)* and a zoning standard of *RS-20 (Residential, minimum lot size 20,000 sq. ft.)*. The affected territory is currently developed with one single-family residence. The proposed annexation to NSD is consistent with these existing land use designations.

*(16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.*

There is no documentation or evidence suggesting the proposal will have any implication for environmental justice in Napa County.

*(17) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.*

There is no documentation or evidence suggesting a local hazard mitigation plan or safety element of a general plan is relevant to the proposed annexation to NSD. Further, the affected territory is not located in a high fire hazard zone or a state responsibility area.

*(18) 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 current and future landowners and residents within the affected territory by providing permanent access to public sewer service. Public sewer service eliminates the need for septic systems in an area in which any failings could pose a public health and safety threat for immediate and adjacent residents.



**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  
www.napa.lafco.ca.gov

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

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**Agenda Item 7e (Action)**

**TO:** Local Agency Formation Commission

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

**MEETING DATE:** June 7, 2021

**SUBJECT:** Legislative Report

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**RECOMMENDATION**

It is recommended the Commission discuss Senate Bill (SB) 13 and any other bills of interest and consider directing the Executive Officer to propose amendments or submit position letters to the Legislature as desired.

**BACKGROUND AND SUMMARY**

Chair Dillon, Alternate Commissioner Painter, and the Executive Officer currently serve on the Commission's Legislative Committee ("the Committee"), which is a standing subcommittee tasked with reviewing legislative items related to LAFCOs and making recommendations to the full Commission with respect to taking formal positions. The Commission's *Legislative Policy* ("the Policy") and *Legislative Platform* ("the Platform") are included as Attachments One and Two, respectively.

On March 8, 2021, the Committee held a noticed public meeting to review each new bill affecting LAFCOs as tracked by the California Association of LAFCOs (CALAFCO). CALAFCO's Legislative Report dated June 1, 2021 tracks 33 bills (Attachment Three). As part of this item, the Commission is invited to discuss any bills of interest and consider taking formal positions by directing staff to submit letters to the Legislature.

On April 5, 2021, following discussion of the Committee's recommendations, the Commission directed staff to do the following:

- 1) Submit letters to the Legislature in support of Assembly Bill (AB) 959, AB 1581, and SB 13 as originally introduced.
- 2) Watch AB 1250, SB 273, SB 403, and any proposed amendments to SB 13, and return with updates as appropriate at future Commission meetings.

The submitted letters in support of AB 959, AB 1581, and SB 13 as originally introduced are included consistent with the Policy as Attachments Four, Five, and Six, respectively.

---

Margie Mohler, Vice Chair  
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

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

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

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

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

The Commission directed staff to continue watching AB 1250, SB 273, and SB 403. There are no substantive updates on these three bills. Staff will continue watching these bills and providing updates at future Commission meetings as appropriate. Notably, CALAFCO has taken a watch position for AB 1250, a support position for SB 273, and an “oppose unless amended” position for SB 403 as summarized in Attachment Three.

Staff was also directed to return with updates on any proposed amendments to SB 13, which was amended on May 11, 2021 and summarized below.

***Proposed Amendments to Senate Bill 13 (Dodd)***

A city or district may only provide new or extended services by contract or agreement outside of its jurisdictional boundary if it requests and receives written approval from the LAFCO in the county in which the extension of service is proposed. G.C. §56133.5 was a pilot program that expired on January 1, 2021, and allowed Napa and San Bernardino LAFCOs to authorize a city or district to provide new or extended services outside its boundary and sphere to support existing or specified planned uses. SB 13 would reestablish the pilot program, which would remain in effect until January 1, 2026.

On May 11, 2021, SB 13 was most recently amended (Attachment Seven) following discussions with the City of St. Helena and CALAFCO. SB 13 as amended includes a new G.C. §56133.6 that is specific to Napa County and St. Helena. Notably, G.C. §56133.6 would allow the Commission to enable St. Helena to make a future request for LAFCO authorization to allow the City to extend public sewer service to five specific properties identified by their Assessor Parcel Numbers in the amended bill. Notably, LAFCO would only be able to approve the City’s future request if the Commission determines the service extension will not result in growth-inducing impacts, will result in specific environmental benefits (including transitioning septic systems to a treated sewer system), and either:

- a) The extension of services will serve an agricultural employee housing development of no less than 6 units and no more than 12 units; OR
- b) The extension of services will serve a mobilehome park reuse or mobilehome park redevelopment of no more than 25 units.

G.C. §56133.6 would require the Commission to submit a report to the Legislature detailing its participation in the pilot program, including any information on LAFCO’s decision to approve, deny, or approve with conditions, any authorizations for St. Helena pursuant to G.C. §56133.6.

SB 13 was originally directed towards serving existing or planned uses if it can be determined the extension of service will not be growth inducing or adversely impact agricultural or open space lands. However, the amendments to SB 13 represent a significant shift from the original version of the bill and relate to providing service to future uses or reuses if it can be determined the service extension will result in environmental benefits.

The Commission's letter in support of SB 13 as originally introduced (Attachment Six) stated that any amendments would require careful consideration by the Commission.

CALAFCO has taken an "oppose unless amended" position given that the intent of the pilot program has changed with the addition of G.C. §56133.6 and Napa LAFCO's ability to approve extension of service for parcels that do not meet the original pilot program's requirement of "planned use" as defined in G.C. §56133.5. CALAFCO is opposed unless SB 13 is amended to remove G.C. §56133.6.

The California State Association of Counties and the League of California Cities have each taken a watch position. The California Special Districts Association only makes their positions known to their members.

In terms of the bill's schedule, it is anticipated SB 13 as amended will be heard by the Assembly Local Government Committee on June 23. The deadlines for any proposed amendments and position letters are June 14 and June 17, respectively.

Staff recommends the Commission discuss SB 13 as amended and consider taking a formal position. The Commission may wish to discuss the option of proposing amendments to address any significant concerns.

## **ATTACHMENTS**

- 1) Legislative Policy
- 2) Legislative Platform
- 3) CALAFCO Legislative Report (Dated June 1, 2021)
- 4) AB 959 Support Letter
- 5) AB 1581 Support Letter
- 6) SB 13 Support Letter
- 7) Senate Bill 13 as Amended on May 11, 2021



## LOCAL AGENCY FORMATION COMMISSION OF NAPA

### *Legislative Policy* (Adopted: December 4, 2017)

- 1) The Local Agency Formation Commission (LAFCO) of Napa County (“the Commission”) shall establish a standing committee to review proposed legislation (“Legislative Committee”). At the beginning of each two-year legislative session, the Commission shall appoint (or re-appoint) two members to the Legislative Committee, in addition to LAFCO’s Executive Officer. Meetings of the Legislative Committee must be noticed in accordance with the Ralph M. Brown Act.
- 2) The Legislative Committee shall, at least annually, review the California Association of LAFCOs’ legislative platform as well as the Commission’s adopted legislative platform if applicable and determine what action is needed in terms of adopting or amending a local legislative platform. The Legislative Committee shall present recommendations to the full Commission with respect to actions related to the local legislative platform.
- 3) The Legislative Committee shall, at least annually, review proposed legislation affecting LAFCO. The Executive Officer shall continue monitoring proposed legislation and present recommendations to the full Commission with respect to formal positions on proposed legislation.
- 4) In the event that proposed legislation affecting LAFCO cannot be considered by the full Commission due to timing, the Executive Officer is authorized to submit written correspondence to the legislation’s author regarding the Commission’s position if the position is consistent with the adopted legislative platform of the Commission. The Chair, or the Vice-Chair if the Chair is unavailable, shall review and approve the written correspondence prior to it being submitted by the Executive Officer.
- 5) All submitted correspondence pursuant to this policy will be included on the next available Commission agenda.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA

### *Legislative Platform*

(Adopted: February 5, 2018; Last Amended: May 4, 2020)

The following core guiding principles underlie the Local Agency Formation Commission (LAFCO) of Napa County's activities. Each of these principles is centered on Napa LAFCO having in-depth, active communication with respect to all relevant constituents.

- Municipal Service Reviews based on local agency, Napa County, & LAFCO needs
- Re-writing policies (on a schedule) to be comprehensive, effective, and transparent
- Forecasting issues relating to local services and boundaries, as well as State legislation
- Active involvement of agency constituents in problem-solving local agency sustainability
- Engagement with local city/town general plan updates
- Active with local agencies in managing housing growth and related issues including transportation

The following serves as Napa LAFCO's Legislative Platform for purposes of informing actions relating to proposed legislation. Napa LAFCO will first review and consider the positions of the California Association of Local Agency Formation Commissions (CALAFCO), the League of California Cities, the California State Association of Counties, and the California Special Districts Association, including their stated reasons for their positions, before recommending the full Commission take a formal position on proposed legislation.

### **1. LAFCO Purpose and Authority**

- 1.1 Support legislation which enhances Napa LAFCO's authority and powers to carry out the legislative findings and authority in Government Code §56000 et seq., and oppose legislation which diminishes Napa LAFCO's authority.
- 1.2 Support authority for Napa LAFCO to establish local policies to apply Government Code §56000 et seq. based on local needs and conditions, and oppose any limitations to that authority.
- 1.3 Oppose additional Napa LAFCO responsibilities which require expansion of current local funding sources. Oppose unrelated responsibilities which dilute Napa LAFCO's ability to meet its primary mission.
- 1.4 Support alignment of responsibilities and authority of Napa LAFCO and regional agencies which may have overlapping responsibilities in orderly growth, preservation, and service delivery, and oppose legislation or policies which create conflicts or hamper those responsibilities.

- 1.5 Oppose grants of special status to any individual agency or proposal to circumvent the Napa LAFCO process.
- 1.6 Support individual commissioner responsibility that allows each commissioner to independently vote their conscience on issues affecting their own jurisdiction.
- 1.7 Support the independence of Napa LAFCO from local agencies.
- 1.8 Support recognition of Napa LAFCO's spheres of influence by other agencies involved in determining and developing long-term growth and infrastructure plans.
- 1.9 Support efforts to acquire funding for local projects if the funding efforts are supported by the CALAFCO Board of Directors.

## **2. Agricultural, Watershed, and Open Space Protection**

- 2.1. Support legislation which clarifies Napa LAFCO's authority to identify, encourage, and ensure the preservation of agricultural, watershed, and open space lands.
- 2.2. Support policies which encourage cities, counties and special districts to direct development away from agricultural, watershed, and open space lands.
- 2.3. Support policies and tools which protect agricultural, watershed, and open space lands.
- 2.4. Support the continuance of the Williamson Act and restoration of program funding through State subvention payments.
- 2.5. Support the recognition and use of spheres of influence as a management tool to provide better planning of growth and development, and to preserve agricultural, watershed, and open space lands.



## CALAFCO Daily Legislative Report as of Tuesday, June 01, 2021

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**[AB 339](#) (Lee D) Local government: open and public meetings.**

**Current Text:** Amended: 5/4/2021 [html](#) [pdf](#)

**Introduced:** 1/28/2021

**Last Amended:** 5/4/2021

**Status:** 5/20/2021-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

6/1/2021 #30 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:**

Would, until December 31, 2023, require all open and public meetings of a city council or a county board of supervisors that governs a jurisdiction containing least 250,000 people to include an opportunity for members of the public to attend via a telephonic option or an internet-based service option. The bill would require all open and public meetings to include an in-person public comment opportunity, except in specified circumstances during a declared state or local emergency. The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation in person and remotely via a telephonic or an internet-based service option, as provided.

**Attachments:**

[AB 339 Fact Sheet](#)

**Position:** Watch

**Subject:** Other

**CALAFCO Comments:** This bill allows for continued remote participant in local (and state) hearings/meetings while adding requirements for both call-in and internet service based options for all public meetings; requires providing closed caption services; and requires agencies to provide language access services. The bill requires teleconferenced meetings to include an in-person public comment opportunity that creates a place where members of the public can gather at a designated site to give public comment (barring any in-person restrictions). Further, the bill requires the agenda and instructions for accessing the meeting to be translated into all languages for which 5% of the population in the area governed by the local agency is a speaker.

The bill adds requirements for local agencies to employ a sufficient amount of qualified bilingual people to provide translation services during the meeting in the language of the non-English speaking person (consistent with all languages for which 5% of the population in the area governed by the local agency speak). The bill adds similar requirements for any state legislative body. All of these new requirements are unfunded mandates.

This bill is sponsored by the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

UPDATE AS OF 4/20/21 - The bill was significantly amended on 4-15-21. These amendments removed all state requirements as noted above. Further, they require public participation by phone or internet (with video/audio), and allow agencies to create a registration process for public comments so long as people can register to speak via phone and in person.

The amendments remove the blanket requirement to translate the agenda and meeting access information and makes those an on-request requirements. The amendments also remove the blanket requirement for agencies to have sufficient qualified bilingual translators during meetings and changes that requirement to on-request, and requires agencies to make public the process to make such a request.

All requirements remain unfunded mandates.

UPDATE: Amended on 5-4-21 as a result of the ALGC hearing, this version of the bill now:

- Limits the bill's applicability to the meetings of city councils and county boards of supervisors only, the jurisdictions of which contain a population of at least 250,000 people;
- Requires public access via telephone OR internet (not both);
- Removes language requiring two-way operability for internet;
- Removes all language translation requirements;
- Removes language allowing local agencies to require members of the public to register in order to provide public comment;
- Removes language allowing teleconferencing to be used by members of the legislative body (to avoid inadvertently precluding the use of teleconferencing by the public);
- Refines language referring to "all meetings" to state "all open and public meetings" (to ensure closed sessions are not subject to the provisions of the bill);
- Restores current law allowing public comment before an agenda item is taken up; and,
- Adds a sunset date of December 31, 2023.

**AB 361 (Rivas, Robert D) Open meetings: local agencies: teleconferences.**

**Current Text:** Amended: 5/10/2021 [html](#) [pdf](#)

**Introduced:** 2/1/2021

**Last Amended:** 5/10/2021

**Status:** 5/27/2021-Referred to Coms. on GOV. & F. and JUD.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state of emergency or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body determines, by majority

vote, that meeting in person would present imminent risks to the health or safety of attendees.

**Attachments:**

[AB 361 Fact Sheet](#)

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that certain requirements are met (noticing, public access, etc.). This bill allows a local agency to conduct meetings using teleconference methods without complying with certain teleconferencing requirements if they are meeting for the purposes of declaring or ratifying a local emergency, during a declared state or local emergency (as defined in statute), when state or local health officials have imposed or recommended certain measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

The legislative body must give notice of the meeting and post agendas to allow members of the public to access the meeting and address the legislative body, offer public comment, and protect rights of the parties and public appearing before the legislative body. The bill also rescinds the requirement that at least a quorum of the body must meet within the jurisdictional boundaries of the agency under these circumstances when meeting via telecon.

UPDATE: As amended on 4/6/21, the bill now specifies that the new statute can be applied if meeting in person presents imminent risk to the health & safety of attendees; Requires the agenda to provide opportunity for anyone to attend via call-in or internet option; should there be a service disruption that prevents remote public participation, the agency must take no further action on any agenda item until service is restored; the agency cannot require submittal of public comments in advance of the meeting; and requires the legislative body, every 30 days after the initial declaration of emergency, should the emergency remain active, to make certain findings that the emergency still exists and prevents in-person meetings.

UPDATE: As amended on 5-10-21, the amendments tighten restrictions for in-person meetings to only the determination that meeting in person presents imminent risk to the health and safety of attendees (removing the option to consider if attendance by one of more members of the legislative body is hindered).

This bill is sponsored by the CA Special Districts Association (CSDA). The bill is not marked fiscal. A fact sheet is posted in the tracking section of the bill.

**[AB 703](#) ([Rubio, Blanca D](#)) Open meetings: local agencies: teleconferences.**

**Current Text:** Amended: 4/29/2021 [html](#) [pdf](#)

**Introduced:** 2/16/2021

**Last Amended:** 4/29/2021

**Status:** 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 2/25/2021)(May be acted upon Jan 2021)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor		Enrolled	Vetoed	Chaptered
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1st House	2nd House	Conf. Conc.			
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**Summary:**

Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the notice requirements particular to teleconferencing and would revise the requirements of the act to allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction.

**Position:** Watch

**Subject:** Brown Act

**CALAFCO Comments:** As amended on 4/29/21, the bill requires local agencies to allow for public participation during meetings of the legislative body both at in-person and via a call-in or internet-based option. It further requires that if the agency holds a teleconference meeting, at least a quorum of the governing body shall participate in person from a single location which shall be open to the public (and located within the boundaries of the jurisdiction).

Despite these requirements, the bill is not marked fiscal. Further, it applies only to local agencies, not state agencies.

The bill is sponsored by Three Valleys Municipal Water Agency.

**AB 1581 (Committee on Local Government) Local government: omnibus.**

**Current Text:** Amended: 4/19/2021 [html](#) [pdf](#)

**Introduced:** 3/9/2021

**Last Amended:** 4/19/2021

**Status:** 5/27/2021-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Current law requires a local agency formation commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Current law requires, when a proposed change of organization or reorganization applies to 2 or more affected counties, that exclusive jurisdiction vest in the commission of the principal county, unless certain things occur. This bill would add the determination of a sphere of influence to the types of proposed changes for which exclusive jurisdiction may or may not vest in a principal county.

**Attachments:**

- [LAFCo Support letter template](#)
- [CALAFCO Support letter](#)

**Position:** Sponsor

**Subject:** CKH General Procedures

**CALAFCO Comments:** This is the annual ALGC Omnibus bill which CALAFCO sponsors. Sections amended are: 56133(a) and (f); 56325.1 (renumbered to 56331.4); 56427; and 56879(a).

As amended on 4/19, additional sections amended include 56066, 56123, 56124, 56375. Further the bill repeals sections 56375.2, 56387, 56388, 56747, 56760, 57001.1, 57075.5, 57202.1 and 57383.

**SB 810 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/23/2021 [html](#) [pdf](#)

**Introduced:** 2/23/2021

**Status:** 5/13/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

6/9/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

**Summary:**

This bill would enact the First Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

- [CALAFCO Support Letter March 2021](#)

**Position:** Support

**Subject:** Other

**CALAFCO Comments:** These are the annual validating Acts.

**SB 811 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/23/2021 [html](#) [pdf](#)

**Introduced:** 2/23/2021

**Status:** 5/13/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

6/9/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

**Summary:**

This bill would enact the Second Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

- [CALAFCO Support Letter March 2021](#)

**Position:** Support  
**Subject:** Other  
**CALAFCO Comments:** These are the annual validating Acts.

**SB 812 (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 2/23/2021 [html](#) [pdf](#)

**Introduced:** 2/23/2021

**Status:** 5/13/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

6/9/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

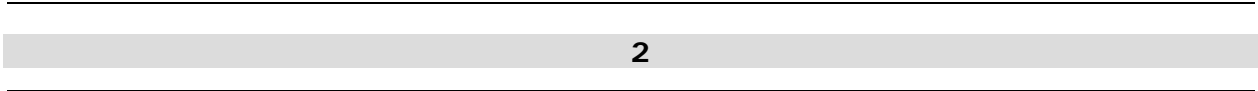
**Summary:**

This bill would enact the Third Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Attachments:**

[CALAFCO Support Letter March 2021](#)

**Position:** Support  
**Subject:** Other  
**CALAFCO Comments:** These are the annual validating Acts.



**AB 1195 (Garcia, Cristina D) Drinking water.**

**Current Text:** Amended: 5/24/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 5/24/2021

**Status:** 5/28/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law authorizes the state board to provide for the deposit into the fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would prohibit a public water system from transferring or abandoning a water right held by the public water system except upon approval of the state board, as prescribed.

**Attachments:**

[AB 1195 Fact Sheet](#)

**Position:** Watch With Concerns

**Subject:** Water

**CALAFCO Comments:** As amended on 4-6-21, the bill was gut and amended and now creates the So LA County Human Rights to Water Collaboration Act. It requires the Water Board to appoint a commissioner to implement the Safe & Affordable Funding for Equity & Resilience Program and gives the commissioner certain authorities (although they are not clearly spelled out). It requires the commissioner by 12-31-24 to submit to the Water Board a plan for the long-term sustainability of public water systems in southern LA County and prescribes what shall be included in the plan. The bill also creates a technical advisory board and requires the commissioner to oversee the Central Basin Municipal Water District.

In its current form the bill creates numerous concerns. CALAFCO's letter of concern is posted in the tracking section of the bill, and includes: (1) Focus of the bill is very broad as is the focus of the commissioner; (2) In an attempt to prevent privatization of water systems there is language regarding severing water rights. That language could be problematic should a consolidation be ordered; (3) Diminishing local control that is being invested in the state (an ongoing concern since SB 88); (4) A clear distinction needs to be made between an Administrator and Commissioner; (5) The poorly written section on the technical advisory board; and (6) The lack of LAFCo involvement in any consolidation process.

UPDATE: As amended on 5-24-21, the bill changes the water rights provision now requiring approval by the water Board; uses the definitions of "at risk system" and "at risk domestic well" found in SB 403 (Gonzalez) as well as the 3,300 connect cap; requires the commissioner appointed by the board to be from the local area; requires the commissioner to do certain things prior to completing the regional plan; and requires the commissioner to apply to LA LAFCo for extension of service, consolidation or dissolution as appropriate. The bill also creates a pilot program for LA LAFCo giving them the authority to take action rather than the water board, providing it is within 120 days of receipt of a completed application. If the LAFCo fails to take action within that time, the matter goes to the water board for their action.

The pilot program also gives LA LAFCo the authority to approve, approve with conditions or deny the application; further giving LAFCo authority to consider consolidation or extension of service with a local publicly owned utility that provides retail water, a private water company or mutual; the bill also waives protest proceedings, gives the LAFCo authority to address governance structure and CEQA is waived, provides full LAFCo indemnification and funding.

There are still issues with the proposed technical advisory board section of the bill, and questions about timing of some of the processes. CALAFCO continues to work with the author and speakers' offices as well as other stakeholders on ongoing amendments.

The bill is author-sponsored and we understand there is currently no funding source. A fact sheet is posted in the tracking section of the bill. CALAFCO's letter of concern is also posted there.

**[AB 1250](#) (Calderon D) Water and sewer system corporations: consolidation of service.**

**Current Text:** Amended: 5/24/2021 [html](#) [pdf](#)

**Introduced:** 2/19/2021



**Last Amended:** 5/24/2021

**Status:** 5/25/2021-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Calendar:**

6/1/2021 #249 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:**

The California Safe Drinking Water Act, provides for the operation of public water systems and imposes on the State Water Resources Control Board related regulatory responsibilities and duties. Current law authorizes the state board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2021, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system. The bill would require the commission to approve or deny the application within 8 months, except as provided.

**Attachments:**

[AB 1250 Fact Sheet 2021](#)

**Position:** Watch

**Subject:** Municipal Services, Water

**CALAFCO Comments:** The intent of the bill is to prescribe response timelines for the PUC in terms of processing consolidations. This bill creates the Consolidation for Safe Drinking Water Act of 2021. The bill allows a water or sewer corp to file an application with the Public Utilities Commission (PUC) to approval to consolidate with a public or state small system. The bill requires the PUC to act on the application within 8 months of receipt. If a consolidation is valued at \$5 million or less, the water or sewer corp can file an advise letter and get the PUC approval via resolution. In this instance, the PUC has 120 days to act on the request. The bill also give the PUC authority to designate a different procedure to request consolidation for systems valued less than \$5M.

The bill requires the PUC to prioritize consolidation requests based on compliance records and requires the entity requesting consolidation to conduct a thorough public process.

The bill is sponsored by the California Water Association and does not have an impact on LAFcos. Nevertheless, CALAFCO will keep a watch on the bill. A fact sheet is posted in the tracking section of the bill.

**[SB 403](#) ([Gonzalez D](#)) Drinking water: consolidation.**

**Current Text:** Amended: 4/27/2021 [html](#) [pdf](#)

**Introduced:** 2/12/2021

**Last Amended:** 4/27/2021

**Status:** 5/28/2021-Referred to Coms. on E.S. & T.M. and L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Summary:**

The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would authorize the state board to also order consolidation where a water system serving a disadvantaged community is an at-risk water system, as defined, or where a disadvantaged community is substantially reliant on at-risk domestic wells, as defined.

**Attachments:**

[CALAFCO Oppose Unless Amended Letter April 2021](#)

[SB 403 Fact Sheet 2021](#)

**Position:** Oppose unless amended

**Subject:** Disadvantaged Communities, Water

**CALAFCO Comments:** Current law (Health & Safety Code Section 116682) authorizes the State Water Resources Control Board (Board) to order consolidation (physical or operational) of a public water system or state small water system serving a disadvantaged community that consistently fails to provide an adequate supply of safe drinking water, or a disadvantaged community (in whole or part) that is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would add to that a water system or domestic well(s) that are at risk of failing to provide an adequate supply of safe drinking water, as determined by the Board. The bill also requires the Board, before ordering consolidation, to conduct outreach to ratepayers and residents served by the at-risk system and to consider any petition submitted by members of a disadvantaged community being served by the at-risk system.

There appears to be several problems with this bill: (1) The bill does not define "at risk" and there is no definition of "at risk" currently in H&S Code Sec. 116681; (2) There is a lack of consultation with GSAs by the State Board when considering ordering consolidation or extension of service; (3) There is no requirement or even consideration for annexation upon extension of service; and (4) there does not appear to be a limitation of the number of connections or the extent to which the system can be extended.

The bill is co-sponsored by the Leadership Counsel for Justice and Accountability, Clean Water Action and Community Water Center. A fact sheet is posted in the tracking section of the bill. CALAFCO's position letter is also posted there.

Specific to SB 403, we requested 3 amendments: (1) Define "at risk"; (2) Add a requirement for the SWRCB to consult with GSAs when considering a domestic well consolidation; and (3) Put a cap on the number of users to be added by the subsuming system or the extent to which the service is being extended. Additionally, CALAFCO recommended a comprehensive review of the current mandatory consolidation process citing a host of issues the current process creates.

UPDATE: As amended on 4/27/21, the bill now defines "at risk system" and "at risk domestic well"; creates an appeal process for potentially subsumed water systems; requires inspection or testing of wells to determine "at risk" status; and allows the Board to prioritize systems historically overburdened by pollution and

industrial development or other environmental justice concerns. It also puts a cap of 3,300 or fewer connections on systems that can be subsumed. These amendments address 2 of our 3 requested amendments. We will continue to work with the author on requiring the SWRCB to consult with GSAs on wells.

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**3**

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**AB 11 (Ward D) Climate change: regional climate change authorities.**

**Current Text:** Amended: 1/21/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amended:** 1/21/2021

**Status:** 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 1/11/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Summary:**

Would require the Strategic Growth Council, by January 1, 2023, to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders.

**Attachments:**

[AB 11 Fact Sheet](#)

**Position:** Watch

**Subject:** Other

**CALAFCO Comments:** As amended on 1/21/21, this bill authorizes/requires the Strategic Growth Council (SGC) to establish up to 12 regional climate change authorities by January 1, 2023, to include local agencies and regional stakeholders. The SGC is required to adopt guidelines that: (1) Define the authority; (2) Include guidelines for establishing an authority via a stakeholder-driven process; (3) Consult with OPR (and other state authorities) in development of the guidelines and award annual grants to authorities.

The bill outlines the regional climate change authorities in summary as: coordination, capacity-building, and technical assistance activities within their boundaries, promote regional alignment and assist local agencies in creating and implementing plans developed pursuant to Section 65302 of the Government Code, other federal or state mandates, and programs designed address climate change impacts and risks. The bill also requires the authority to submit annual reports to the SGC, with the scope of the report outlined in the bill.

This is an author-sponsored bill. There is no appropriation to fund the cost of the program. A fact sheet is posted in the tracking section of the bill.

UPDATE 3/17/21: CALAFCO learned from the author's office they do not intend to

move the bill forward, but instead work with Assm. Mullin on AB 897 and merge the two bills.

**[AB 473](#) (Chau D) California Public Records Act.**

**Current Text:** Introduced: 2/8/2021 [html](#) [pdf](#)

**Introduced:** 2/8/2021

**Status:** 5/24/2021-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

6/1/2021 #64 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:**

The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2023.

**Position:** Watch

**Subject:** Public Records Act

**CALAFCO Comments:** This bill is a redo of AB 2138 from 2020 that did not move forward. According to the author's office, this bill and AB 474 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

**[AB 474](#) (Chau D) California Public Records Act: conforming revisions.**

**Current Text:** Amended: 5/27/2021 [html](#) [pdf](#)

**Introduced:** 2/8/2021

**Last Amended:** 5/27/2021

**Status:** 5/27/2021-Read third time and amended. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

6/1/2021 #65 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:**

Would enact various conforming and technical changes related to another bill, AB 473, which recodifies and reorganizes the California Public Records Act. This bill would only become operative if AB 473 is enacted and becomes operative on January 1, 2023. The bill would also specify that any other bill enacted by the Legislature during the 2021 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

**Position:** Watch

**Subject:** Public Records Act

**CALAFCO Comments:** This bill is a redo of AB 2438 from 2020 that did not move forward. According to the author's office, this bill and AB 473 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

**[AB 897](#) (Mullin D) Office of Planning and Research: regional climate networks: climate adaptation action plans.**

**Current Text:** Amended: 4/19/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amended:** 4/19/2021

**Status:** 5/24/2021-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Calendar:**

6/1/2021 #86 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:**

Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor's office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office to encourage the inclusion of agencies with land use planning authority into regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, as specified.

**Attachments:**

[AB 897 Fact Sheet](#)

**Position:** Watch

**Subject:** Climate Change

**CALAFCO Comments:** As introduced, the bill builds on existing programs through OPR by promoting regional collaboration in climate adaptation planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region.

As amended, the bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 1-1-23 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state can support the creation and ongoing work of regional climate networks. The bill outlines the authority of a regional climate network, and defines eligible entities. Prior versions of the bill kept the definition as rather generic and with each amended version gets more specific. As a result, CALAFCO has requested the author add LAFCOs explicitly to the list of entities eligible to participate in these regional climate networks.

As amended on 4/7, AB 11 (Ward) was joined with this bill - specifically found in 71136 in the Public Resources Code as noted in the amended bill. Other amendments include requiring OPR to, before 7-1-22, establish geographic boundaries for regional climate networks and prescribes requirements in doing so.

This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

**AB 903 (Frazier D) Los Medanos Community Healthcare District.**

**Current Text:** Amended: 4/19/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amended:** 4/19/2021

**Status:** 5/19/2021-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would require the dissolution of the Los Medanos Community Healthcare District, as specified. The bill would require the County of Contra Costa to be successor of all rights and responsibilities of the district, and require the county to develop and conduct the Los Medanos Area Health Plan Grant Program focused on comprehensive health-related services in the district's territory. The bill would require the county to complete a property tax transfer process to ensure the transfer of the district's health-related ad valorem property tax revenues to the county for the sole purpose of funding the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as specified, the bill would impose a state-mandated local program.

**Position:** Watch

**CALAFCO Comments:** This bill mandates the dissolution of the Los Medanos Community Healthcare District with the County as the successor agency, effective 2-1-22. The bill requires the County to perform certain acts prior to the dissolution. The LAFCo is not involved in the dissolution as the bill is written. Currently, the district is suing both the Contra Costa LAFCo and the County of Contra Costa after the LAFCo approved the dissolution of the district upon application by the County and the district failed to get enough signatures in the protest process to go to an election.

The amendment on 4/5/21 was just to correct a typo in the bill.

As amended on 4/19/21, the bill specifies monies received by the county as part of the property tax transfer shall be used specifically to fund the Los Medanos Area Health Plan Grant Program within the district's territory. It further adds a clause that any new or existing profits shall be used solely for the purpose of the grant program within the district's territory.

**AB 959 (Mullin D) Park districts: ordinances: nuisances: abatement.**

**Current Text:** Amended: 5/10/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amended:** 5/10/2021

**Status:** 5/28/2021-Read third time. Passed. Ordered to the Senate. (Ayes 77. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law prescribes procedures, including the election of a board of directors, for the formation of regional park districts, regional park and open-space districts, or regional open-space districts. Current law authorizes a city legislative body to declare what constitutes a nuisance. Current law authorizes the legislative body of a city, county, or city and county to provide for the summary abatement of any nuisance resulting from the defacement of the property of another by graffiti or other inscribed material, at the expense of the minor or other person creating, causing, or committing the nuisance, and, by ordinance, authorizes the legislative body to make the expense of abatement of the nuisance a lien against property of the minor or other person and a personal obligation against the minor or other person. This bill would authorize the board of directors of a district to declare what constitutes a nuisance, as provided. The bill would, among other things, authorize a district to exercise the authority granted to a city, as described above, for purposes of abating a nuisance, as provided.

**Attachments:**

[AB 959 Fact Sheet](#)

**Position:** Watch

**CALAFCO Comments:** As introduced, this bill gives authority to independent regional park & open space districts governed by PRC 5500 to: (1) Declare by ordinance what constitutes a public nuisance; (2) Abate those public nuisances by either administrative or civil actions; and (3) Ability to recover costs incurred in abating the public nuisance, including attorneys' fees. There are 4 of these independent special districts: (1) Midpeninsula Regional Open Space District; (2) East Bay Regional Park District; (3) Monterey Peninsula Regional Park District; and (4) Napa County Regional Park and Open Space District. A fact sheet is posted in the tracking section of the bill.

UPDATE: As amended on 5-10-21, the bill requires the district Board to adopt an ordinance declaring what constitutes a nuisance. It authorizes the district to initiate civil action and recover damages.

**[AB 975](#) ([Rivas, Luz](#) D) Political Reform Act of 1974: statement of economic interests and gifts.**

**Current Text:** Amended: 5/18/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 5/18/2021

**Status:** 5/27/2021-From Consent Calendar. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

6/1/2021 #266 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:**

The Political Reform Act of 1974 regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. The Fair Political Practices Commission is



the filing officer for statewide elected officers and candidates and other specified public officials. If the Commission is the filing officer, the public official generally files with their agency or another person or entity, who then makes a copy and files the original with the Commission. This bill would revise and recast these filing requirements to make various changes, including requiring public officials and candidates for whom the Commission is the filing officer to file their original statements of economic interests electronically with the Commission.

**Position:** Watch

**Subject:** FPPC

**CALAFCO Comments:** As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days after the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

The amendment on 4/21/21 just corrects wording (technical, non-substantive change).

The amendments on 5/18/21 clarify who is to file a statement of economic interest to include candidates (prior text was office holders).

**AB 1021** (**Mayes I**) **Imperial Irrigation District.**

**Current Text:** Amended: 5/24/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 5/24/2021

**Status:** 5/25/2021-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

6/1/2021 #229 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Summary:**

Would require the commissions for the County of Imperial and the County of Riverside to conduct and publish on their internet websites a joint study of voting rights in the Imperial Irrigation District, options for providing electricity in the Imperial Irrigation District, and options for alternative governance structures for the Imperial Irrigation District board of directors, as specified. The bill would require the study to be published no later than July 1, 2023. By imposing new duties on the specified local agency formation commissions, the bill would impose a state-mandated local program.

**Attachments:**

[CALAFCO Oppose Unless Amended 5-26-21](#)

**Position:** Oppose unless amended

**Subject:** Special Districts Governance

**CALAFCO Comments:** As amended on 3/18/21, the bill focuses on the Imperial Irrigation District. The bill requires Imperial and Riverside LAFCos to conduct a

special study of voting rights and options for providing electricity in the district area should the district decide it no longer desires to provide that serve, to be completed by December 31, 2022, as an unfunded mandate. The bill also requires membership of the district board to increase from 5 to 8 members, with the additional 3 members residing in Riverside County in the area being serviced by the district and appointed by the County Supervisor of that County district. The three new members will be non-voting members.

CALAFCO met with the author's staff on March 18 to discuss concerns on the bill, with input from Riverside and Imperial LAFcos (who will meet with the author's office as well). Concerns include: (1) The unfunded mandate and timing of the study; (2) As representation in the Riverside County service area is the issue, governance structure should also be a part of the study; (3) Section 21562.6 of the Water Code as added is far too vague. CALAFCO offered specific suggestions for clarification in this section.

This bill is similar to AB 854 (2019), which died in Appropriations. CALAFCO had a Watch position on that bill as the two member LAFcos had opposing positions, and this is a local matter. However, there is concern about requiring a study without funding (the last time the Legislature mandated a special study on a district it required the study be funded by the district).

The bill is author-sponsored and as of now there is no budget appropriation to cover cost.

UPDATE AS OF 4/21/21 - As amended on 4/19/21, the bill makes substantive changes including: (1) Requires state funding for the study and prescribes an 18-month timeline for completion upon receipt of funds; (2) Adds study content of options for governance structure of the district; (3) Changes the number from 3 to 1 of nonvoting board members appointed to the district Board; and (4) Specifies requirements for the appointment.

UPDATE: The amendments of 5/24/21 remove the funding for the special study, making it an unfunded mandate. The bill also now requires the study to be completed by 7-1-23. As a result of the funding removal and the concerning precedent setting nature of requiring LAFco to conduct a special study without funding, CALAFCO has taken an OPPOSE UNLESS AMENDED position requesting funding be restored.

**[AB 1053](#) ([Gabriel D](#)) City selection committees: County of Los Angeles: quorum: teleconferencing.**

**Current Text:** Amended: 4/20/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 4/20/2021

**Status:** 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/18/2021)(May be acted upon Jan 2021)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Summary:**

Current law creates a city selection committee in each county that consists of 2 or more incorporated cities for the purpose of appointing city representatives to boards, commissions, and agencies. Under current law, a quorum for a city selection committee requires a majority of the number of the incorporated cities

within the county entitled to representation on the city selection committee. Current law requires a city selection committee meeting to be postponed or adjourned to a subsequent time and place whenever a quorum is not present at the meeting. This bill, for the city selection committee in the County of Los Angeles, would reduce the quorum requirement to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to items that appeared on the immediately preceding agenda where a quorum was not established.

**Attachments:**

- [CALAFCO Removal of Opposition Letter April 2021](#)
- [CALAFCO Oppose Unless Amended April 2021](#)

**Position:** Watch

**Subject:** Other

**CALAFCO Comments:** As amended on 3/18/21, the bill reduces the quorum requirement for a city selection committee to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to replicate the meeting for which a quorum was not established. The bill also authorizes a city selection committee to conduct their meetings be teleconference and electronic means.

The bill is sponsored by the Las Virgenes-Malibu Council of Governments.

CALAFCO's letter of Oppose Unless Amended is posted in the bill detail area.

UPDATE AS OF 4/21/21 - As amended on 4/20/21, the scope of the bill is significantly narrowed to apply only to the County of Los Angeles' City Selection Committee. This amendment resolves CALAFCO's concerns and we have removed our opposition and will retain a Watch position. CALAFCO's letter of opposition removal is posted in the bill detail area.

UPDATE: The bill failed to move out of committee so it is now a 2-year bill.

**AB 1246 (Nguyen R) Community services districts.**

**Current Text:** Introduced: 2/19/2021 [html](#) [pdf](#)

**Introduced:** 2/19/2021

**Status:** 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/19/2021)(May be acted upon Jan 2021)

<b>2 year</b>	<b>Policy</b>	<b>Fiscal</b>	<b>Floor</b>	<b>Desk</b>	<b>Policy</b>	<b>Fiscal</b>	<b>Floor</b>	<b>Conf. Conc.</b>	<b>Enrolled</b>	<b>Vetoed</b>	<b>Chapters</b>
	1st House				2nd House						

**Summary:**

Current law, the Community Services District Law, authorizes the formation of community services districts for various specified purposes, including supplying water, treating sewage, disposing of solid waste, and providing fire protection. The law specifies its relation and effect on certain districts organized pursuant to former laws and to actions taken by them, among other things. This bill would make nonsubstantive changes to those provisions.

**Position:** Watch

**CALAFCO Comments:** This is a spot bill.

**[AB 1295](#) ([Muratsuchi D](#)) Residential development agreements: very high fire risk areas.**

**Current Text:** Introduced: 2/19/2021 [html](#) [pdf](#)

**Introduced:** 2/19/2021

**Status:** 5/7/2021-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/4/2021)(May be acted upon Jan 2021)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law requires the Director of Forestry and Fire Protection to identify areas in the state as very high fire hazard severity zones based on the severity of fire hazard that is expected to prevail in those areas, as specified, and requires each local agency to designate, by ordinance, the very high fire hazard severity zones in its jurisdiction. Current law additionally requires the director to classify lands within state responsibility areas into fire hazard severity zones. This bill, beginning on or after January 1, 2022, would prohibit the legislative body of a city or county from entering into a residential development agreement for property located in a very high fire risk area. The bill would define “very high fire risk area” for these purposes to mean a very high fire hazard severity zone designated by a local agency or a fire hazard severity zone classified by the director.

**Attachments:**

[AB 1295 Fact Sheet](#)

**Position:** Watch

**Subject:** Growth Management, Planning

**CALAFCO Comments:** This bill prohibits a city or county from entering into a residential development agreement for property located within a very high fire risk area as of 1-1-2022.

This bill appears similar to SB 55 (Stern) except: (1) This bill explicitly calls out residential development, whereas SB 55 addresses new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone; and (2) SB 55 adds a state responsibility area.

The bill is not marked fiscal. This is an author-sponsored bill and a fact sheet is posted in the tracking section of the bill.

**[SB 10](#) ([Wiener D](#)) Planning and zoning: housing development: density.**

**Current Text:** Amended: 5/26/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amended:** 5/26/2021

**Status:** 5/27/2021-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

6/1/2021 #178 SENATE SENATE BILLS -THIRD READING FILE

**Summary:**

Would, notwithstanding any local restrictions on adopting zoning ordinances,

authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area or an urban infill site, as those terms are defined. The bill would specify that an ordinance adopted under these provisions, and any resolution to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act. The bill would impose specified requirements on a zoning ordinance adopted under these provisions, including a requirement that the zoning ordinance clearly demarcate the areas that are subject to the ordinance and that the legislative body make a finding that the ordinance is consistent with the city or county's obligation to affirmatively further fair housing.

**Position:** Watch

**Subject:** Housing

**CALAFCO Comments:** While not directly affecting LAFcos, the requirements in the bill are of interest. As amended on 4/13/21, the bill authorizes a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined in the bill. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2023, based on specified criteria. The bill would specify that an ordinance adopted under these provisions, and any resolution adopted to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is exempt from CEQA. The bill imposes specified requirements on a zoning ordinance adopted under these provisions. The bill would prohibit a legislative body that adopts a zoning ordinance pursuant to these provisions from subsequently reducing the density of any parcel subject to the ordinance and makes void and unenforceable any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that effectively prohibits or unreasonably restricts a use or density authorized by an ordinance adopted pursuant to the provisions in the bill.

UPDATE: The amendment of 4/27/21 amends 65913.5(a)(3) to remove exemption of parcels excluded from specified hazard zones by a local agency pursuant to 51179(b).

**SB 12 (McGuire D) Local government: planning and zoning: wildfires.**

**Current Text:** Amended: 5/4/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amended:** 5/4/2021

**Status:** 5/20/2021-From committee: Do pass. (Ayes 5. Noes 2.) (May 20). Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Calendar:**

6/1/2021 #31 SENATE SENATE BILLS -THIRD READING FILE

**Summary:**

Current law requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, as specified, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the above-described clearinghouse.

**Position:** Watch

**Subject:** Growth Management, Planning

**SB 13 (Dodd D) Local agency services: contracts: Counties of Napa and San Bernardino.**

**Current Text:** Amended: 5/11/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amended:** 5/11/2021

**Status:** 5/28/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes a pilot program under which the commissions in the Counties of Napa and San Bernardino, upon making specified determinations at a noticed public hearing, may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to support existing or planned uses involving public or private properties, as provided. Current law requires the Napa and San Bernardino commissions to submit a report to the Legislature on their participation in the pilot program, as specified, before January 1, 2020, and repeals the pilot program as of January 1, 2021. This bill would reestablish the pilot program, which would remain in effect until January 1, 2026. The bill would impose a January 1, 2025, deadline for the Napa and San Bernardino commissions to report to the Legislature on the pilot program, and would require the contents of that report to include how many requests for extension of services were received under these provisions.

**Attachments:**

[CALAFCO Oppose Unless Amended letter May 2021](#)

**Position:** Oppose unless amended

**Subject:** CKH General Procedures

**CALAFCO Comments:** This bill is the same as SB 799 from 2020 and seeks to re-establish and continue the pilot program for five more years. The program ended as of January 1, 2021 but due to the pandemic, SB 799 from 2020 to extend the sunset was not moved forward in the legislature.

UPDATE: As amended on 4/29/21, the bill now adds 56133.6 which seeks to address several projects in the City of St. Helena, and resolve a current law suit between the winery and the city. The amendments authorize Napa LAFCo to

consider new or extended service by the city to specific parcels with certain conditions. The bill requires the Napa LAFCo make certain determinations if approving, include any decision in their required report to the Legislature and has a sunset of 1-1-26.

CALAFCO has made a request for several technical amendments to the version dated 4-29-21, and has concern this addition strays too far from the original intent of the pilot program. Requested amendments on the table now include: (1) Rewording of both sections 56133.5(a)(2) and 56133.6(a)(3) to explicitly state both (A) and (B) are required; (2) Reword the new addition to 56133.5(d) so that it does not presume Napa LAFCo will authorize the new or extension of service; and (3) Rewrite 56133.6(a)(1) to clarify that (A) must apply to both (B) and (C).

As amended on 5-11-21, all requested technical amendments were made, however the intent of the pilot program has changed with the addition of 56133.6 and Napa LAFCo's ability to approve extension of service for parcels that do not meet the pilot program's requirement of planned use as defined in 56133.5. For this reason, CALAFCO is opposed unless amended, requesting the removal of 56133.6. Our letter is in the bill detail section.

**SB 55 (Stern D) Very high fire hazard severity zone: state responsibility area: development prohibition: supplemental height and density bonuses.**

**Current Text:** Amended: 4/5/2021 [html](#) [pdf](#)

**Introduced:** 12/7/2020

**Last Amended:** 4/5/2021

**Status:** 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/3/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would, in furtherance of specified state housing production, sustainability communities strategies, greenhouse gas reduction, and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area unless there is substantial evidence that the local agency has adopted a comprehensive, necessary, and appropriate wildfire prevention and community hardening strategy to mitigate significant risks of loss, injury, or death, as specified. By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.

**Attachments:**

[SB 55 Fact Sheet](#)

**Position:** Watch

**Subject:** Growth Management, Planning

**CALAFCO Comments:** This bill prohibits the creation or approval of a new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone or a state responsibility area. The bill is author-sponsored and imposes unfunded mandates. A fact sheet is posted in the tracking section of the bill.

As amended on 4/5/21, the bill removes the "blanket approach" to prohibiting



development as noted above by adding specificity. The bill prohibits development in either of the areas noted above unless there is substantial evidence that the local agency has adopted a comprehensive, necessary and appropriate wildfire preventions and community hardening strategy to mitigate significant risks of loss, injury or death as specified in the bill. Additionally, the bill provides a qualifying developer a supplemental height bonus and a supplemental density bonus, as specified, if the development is located on a site that meets certain criteria, including, among others, not being located in a moderate, high, or very high fire hazard severity zone, as specified. These requirements are unfunded mandates.

This bill appears similar to AB 1295 (Muratsuchi) except this bill appears to be broader in scope in terms of the type of development prohibited and includes a state responsibility area, whereas AB 1295 only addresses residential development in a very high fire risk area.

**SB 96 (Dahle R) Fallen Leaf Lake Community Services District Fire Department Protection Act of 2021: elections.**

**Current Text:** Introduced: 12/21/2020 [html](#) [pdf](#)

**Introduced:** 12/21/2020

**Status:** 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 1/28/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill. The bill, notwithstanding existing law, would provide that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services District, as specified. The bill would require the designations of voters and authority of legal representatives to be filed with the El Dorado County elections official and the secretary of the Fallen Leaf Lake Community Services District and maintained with the list of qualified voters of the district. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** Special Districts Governance

**CALAFCO Comments:** This bill is the same as SB 1180 from 2020 which did not move through the legislature. It is a local El Dorado County/district bill. This bill does several things. (1) Provides that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services. (2) The bill also would authorize a voter who is not a resident of the district but owns a real property interest in the district to designate only one voter to vote on their behalf, regardless of the number of parcels in the district owned by the nonresident voter. (3) This bill would prohibit the Fallen Leaf Lake Community Services District from providing any services or

facilities except fire protection and medical services, including emergency response and services, as well as parks and recreation services and facilities.

**SB 261 (Allen D) Regional transportation plans: sustainable communities strategies.**

**Current Text:** Introduced: 1/27/2021 [html](#) [pdf](#)

**Introduced:** 1/27/2021

**Status:** 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/15/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board. This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

**Position:** Watch

**Subject:** Sustainable Community Plans

**SB 273 (Hertzberg D) Water quality: municipal wastewater agencies.**

**Current Text:** Introduced: 1/29/2021 [html](#) [pdf](#)

**Introduced:** 1/29/2021

**Status:** 5/13/2021-Referred to Coms. on L. GOV. and E.S. & T.M.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

6/9/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

**Summary:**

Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. To the extent this requirement would impose new duties on local agency formation commissions, the bill would impose a state-mandated local program.

**Attachments:**  
[SB 273 Fact Sheet](#)

**Position:** Support  
**Subject:** Municipal Services  
**CALAFCO Comments:** This bill is a redo of SB 1052 from 2020 that was not moved forward because of the pandemic. This bill adds authority to municipal wastewater agencies as outlined in 13911(a) and (b) relating to stormwater runoff and management. The bill authorizes this additional authority while keeping the LAFCo process to activate these latent powers intact.

CALAFCO is requesting an amendment to add a requirement that upon entering into the agreement, the agency has 30 days to file a copy of that agreement or amended agreement with the LAFCo.

The bills is sponsored by the CA Assn of Sanitation Agencies. A fact sheet is posted in the tracking section of the bill.

**SB 274 (Wieckowski D) Local government meetings: agenda and documents.**

**Current Text:** Amended: 4/5/2021 [html](#) [pdf](#)  
**Introduced:** 1/29/2021  
**Last Amended:** 4/5/2021  
**Status:** 5/13/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Calendar:**  
 6/9/2021 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

**Summary:**  
 The Ralph M. Brown Act requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by email or by other electronic means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.

**Attachments:**  
[CALAFCO Support SB 274 \(3-15-21\)](#)  
[SB 274 Fact Sheet](#)

**Position:** Support  
**Subject:** Public Records Act

**CALAFCO Comments:** This bill is a modified redo of SB 931 from 2020 that did not move forward because of the pandemic. This bill updates the Government Code to require a public agency to email the agenda or agenda items to anyone who requests it or the link to the website where the documents can be accessed (current law requires the mailing of such documents upon request, this bill adds the option to email if requested). A fact sheet is posted in the tracking section of the bill.

The amendment on 4/5/21 was to correct a typo reflecting the authority to email information.

**SB 475 (Cortese D) Transportation planning: sustainable communities strategies.**

**Current Text:** Amended: 3/10/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Last Amended:** 3/10/2021

**Status:** 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/26/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would require the State Air Resources Board, on or before June 30, 2023, and in coordination with the California Transportation Commission and the Department of Housing and Community Development, to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years. The bill would delete the provisions related to the Regional Targets Advisory Committee and instead require the State Air Resources Board to appoint, on or before January 31, 2022, the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The bill would require the State-Regional Collaborative for Climate, Equity, and Resilience to develop a quantitative tool for metropolitan planning organizations to use to evaluate a transportation plan’s consistency with long-range greenhouse gas emission reduction targets and recommend guidelines for metropolitan planning organizations to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity.

**Position:** Watch

**Subject:** Sustainable Community Plans

**SB 499 (Leyva D) General plan: land use element: uses adversely impacting health outcomes.**

**Current Text:** Introduced: 2/17/2021 [html](#) [pdf](#)

**Introduced:** 2/17/2021

**Status:** 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 2/25/2021)(May be acted upon Jan 2022)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would prohibit the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to

materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty. By expanding the duties of cities and counties in the administration of their land use planning duties, the bill would impose a state-mandated local program.

**Attachments:**

[SB 499 Fact Sheet](#)

**Position:** Watch

**Subject:** Disadvantaged Communities

**CALAFCO Comments:** As introduced, this bill would prohibit the land use element of a general plan from designating or expanding land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes within or adjacent to disadvantaged communities (DACs) or a racially and ethnically concentrated area of poverty.

The sponsor of this bill is the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

**[SB 574](#) (Laird D) Agricultural preserves: Williamson Act.**

**Current Text:** Amended: 3/4/2021 [html](#) [pdf](#)

**Introduced:** 2/18/2021

**Last Amended:** 3/4/2021

**Status:** 5/13/2021-Referred to Coms. on AGRI. and L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Summary:**

Under the California Land Conservation Act of 1965, the board of supervisors or city council may grant tentative approval for a cancellation by petition of a landowner as to all or any part of land subject to a contract, as specified. Prior to any action by the board or council giving tentative approval to the cancellation of any contract, the county assessor is required to determine the current fair market value of the land as though it were free of the contractual restriction, and requires the assessor to send the fair market value to the Department of Conservation, hereafter department, at the same time the assessor sends the value to the landowner. Current law provides for a certificate of tentative cancellation upon tentative approval of a petition by a landowner accompanied by a proposal for a specified alternative use of the land, as provided. Current law requires the board of supervisors or city council to provide notice to the department related to cancellation of the contract as well as in other specified instances. This bill would revise and recast these provisions to no longer require the assessor to provide notice to the department and to require the board of supervisors or city council to provide notice to the department if the certificate of tentative cancellation is withdrawn, as specified.

**Position:** Watch

**CALAFCO Comments:** This bill narrows the role of Department of Conservation (DOC) in administering the Williamson Act. It does not change other provisions in the Act except for lessening reporting requirements by local governments to the DOC. The bill repeals the ability of the DOC to agree on a cancellation value for contracted land with a landowner, along with the requirement that the department provide a preliminary valuation to the applicable assessor, and repeals the

requirement that the DOC approve cancellation of a farmland security contract. The bill also repeals and narrows reporting requirements by requiring the DOC to post all local government reports on Williamson Act lands/contracts on its website rather than create a report and submit to the Legislature. The bill also repeals certain reporting requirements by local governments (cities and counties) to the DOC regarding Williamson Act contracts.

As amended on 3/4/21, the bill requires cities/counties to file annual maps on Act lands; and removes the requirement for state approval for the amount of security to be paid when paying cancellation fee. CALAFCO will continue to watch this bill to ensure no detrimental changes are made to the Act through future amendments.

**[SB 813](#) (Committee on Governance and Finance) Local Government Omnibus Act of 2021.**

**Current Text:** Amended: 4/12/2021 [html](#) [pdf](#)

**Introduced:** 2/23/2021

**Last Amended:** 4/12/2021

**Status:** 5/20/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law requires the officer of each local agency, who has charge of the financial records of the local agency, to furnish to the Controller a report of all the financial transactions of the local agency during the preceding fiscal year within 7 months of the close of each fiscal year in a form required by the Controller. Current law requires the report to include, among other things, the annual compensation of a local agency's elected officials, officers, and employees, as specified. This bill would specify that the reports shall be furnished at the time prescribed by the Controller and would revise the amount of time in which the report is required to be furnished to either 7 months or within the time prescribed by the Controller, whichever is later

**Position:** Watch

**CALAFCO Comments:** This is the annual Senate Governance & Finance Committee Omnibus bill.

Total Measures: 33

Total Tracking Forms: 33

6/1/2021 10:00:16 AM



**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  
www.napa.lafco.ca.gov

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

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April 6, 2021

Honorable Cecilia Aguiar-Curry, Chair  
Assembly Local Government Committee  
California State Assembly  
State Capitol, Room 5144  
Sacramento, CA 95814

**SUBJECT: Support for Assembly Bill 959 from Napa LAFCO**

Dear Chair Aguiar-Curry:

The Local Agency Formation Commission (LAFCO) of Napa County is pleased to support the Assembly Bill (AB) 959, which is co-sponsored by the Napa County Regional Park and Open Space District and authorize the board of directors of regional park districts, regional park and open-space districts, or regional open-space districts to adopt regulations relating to nuisances and establish a procedure for the abatement of the nuisances, including administrative abatement.

AB 959 would authorize these districts to initiate a civil action to abate a nuisance. The bill would authorize a board of directors to, by regulation, provide for the recovery of costs incurred by the district in abating a nuisance, as provided.

Napa LAFCO believes AB 959 is consistent with LAFCO's goals and Napa County's goals related to the protection of agricultural and open space lands.

Yours sincerely,

Brendon Freeman  
Executive Officer

cc: Members, Assembly Local Government Committee  
Jimmy MacDonald, Consultant, Assembly Local Government Committee  
Pamela Miller, Executive Director, CALAFCO

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Margie Mohler, Chair  
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

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

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

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

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*





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April 6, 2021

Honorable Cecilia Aguiar-Curry, Chair  
Assembly Local Government Committee  
California State Assembly  
State Capitol, Room 5144  
Sacramento, CA 95814

**SUBJECT: Support for Assembly Bill 1581 from Napa LAFCO**

Dear Chair Aguiar-Curry:

The Local Agency Formation Commission (LAFCO) of Napa County is pleased to support the Assembly Local Government Committee Bill (AB) 1581, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

This annual bill includes technical changes to the Act which governs the work of LAFCOs. These changes are necessary as Commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. AB 1581 currently makes minor technical corrections to language used in the Act. Napa LAFCO is grateful to your Committee, staff, and CALAFCO, all of whom worked diligently on this language to ensure there are no substantive changes while creating a significant increase in the clarity of the Act for all stakeholders.

This legislation helps insure the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state. We appreciate your Committee's authorship and support of this bill, and your support of the mission of LAFCOs.

Yours sincerely,

Brendon Freeman  
Executive Officer

cc: Members, Assembly Local Government Committee  
Jimmy MacDonald, Consultant, Assembly Local Government Committee  
Pamela Miller, Executive Director, CALAFCO

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Margie Mohler, Chair  
Councilmember, Town of Yountville

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

Kenneth Leary, Commissioner  
Representative of the General Public

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

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

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

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

Brendon Freeman  
Executive Officer



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April 6, 2021

Honorable Mike McGuire, Chair  
 Senate Governance and Finance Committee  
 State Capitol, 1303 10th Street, Room 5061  
 Sacramento, California 95814

**SUBJECT: Support for Senate Bill 13 from Napa LAFCO**

Honorable Chair McGuire:

The Local Agency Formation Commission (LAFCO) of Napa County is pleased to support Senate Bill 13 as introduced by Senator Bill Dodd.

This bill would reestablish Government Code Section 56133.5, which is an expired pilot program involving Napa County. The pilot program allowed Napa and San Bernardino LAFCOs to authorize a city or special district to extend services outside its jurisdictional boundary and sphere of influence for additional purposes beyond responding to a threat to public health or safety, providing certain determinations are made by LAFCO. The reestablishment of the pilot program would remove many of the barriers to a balanced approach for service delivery in the unique and unusual circumstances that exist in Napa County. Napa LAFCO has already utilized the pilot program once and anticipates additional uses in the future. We believe the reestablishment of this pilot program will provide a transparent process that solves unique issues that must be identified and evaluated in municipal service reviews approved by LAFCO.

If any amendments to Senate Bill 13 are introduced, Napa LAFCO will need to carefully review the amendments and we may reconsider our position.

Should you or your staff have any questions, please contact me by telephone at 707-259-8645 or by e-mail at [BFreeman@napa.lafco.ca.gov](mailto:BFreeman@napa.lafco.ca.gov).

Respectfully,

Brendon Freeman  
 Executive Officer

cc: Senator Bill Dodd, District 3  
 Pamela Miller, Executive Director, CALAFCO  
 Senate Governance & Finance Committee Members  
 Clara Vazeix, Legislative Aide, Senator Bill Dodd  
 Jaleel Baker, Fellow, Senate Governance & Finance Committee  
 Anton Favorini-Csorba, Consultant, Senate Governance & Finance Committee

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Margie Mohler, Chair  
 Councilmember, Town of Yountville

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

Kenneth Leary, Commissioner  
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Beth Painter, Alternate Commissioner  
 Councilmember, City of Napa

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

Brendon Freeman  
 Executive Officer

AMENDED IN SENATE MAY 11, 2021

AMENDED IN SENATE APRIL 29, 2021

**SENATE BILL**

**No. 13**

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**Introduced by Senator Dodd**

December 7, 2020

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An act to add and repeal Sections 56133.5 and 56133.6 of the Government Code, relating to local agency formation, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 13, as amended, Dodd. Local agency services: contracts: Counties of Napa and San Bernardino.

Under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, a city or district may only provide new or extended services by contract or agreement outside of its jurisdictional boundary if it requests and receives written approval, as provided, from the local agency formation commission in the county in which the extension of service is proposed. The act establishes a pilot program under which the commissions in the Counties of Napa and San Bernardino, upon making specified determinations at a noticed public hearing, may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to support existing or planned uses involving public or private properties, as provided. Existing law requires the Napa and San Bernardino commissions to submit a report to the Legislature on their participation in the pilot program, as specified, before January 1, 2020, and repeals the pilot program as of January 1, 2021.

This bill would reestablish the pilot program, which would remain in effect until January 1, 2026. The bill would impose a January 1, 2025,

deadline for the Napa and San Bernardino commissions to report to the Legislature on the pilot program, and would require the contents of that report to include how many requests for extension of services were received under these provisions. *The bill would require the Napa commission to include information on its decision to approve, deny, or approve with conditions any authorization for the City of St. Helena to provide new or extended services outside its jurisdictional boundary and sphere of influence.* The bill would also authorize the Napa commission, until January 1, 2026, as part of the pilot program, to authorize the City of St. Helena to provide new or extended services outside its jurisdictional boundary and sphere of influence to specified property parcels, subject to approval at a noticed public hearing in which the Napa commission makes all of specified determinations concerning the extension of services.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Counties of Napa and San Bernardino.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

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

- 1 SECTION 1. Section 56133.5 is added to the Government
- 2 Code, to read:
- 3 56133.5. (a) A pilot program is hereby established for the
- 4 Napa and San Bernardino commissions. If consistent with adopted
- 5 policy, the Napa and San Bernardino commissions may authorize
- 6 a city or district to provide new or extended services outside its
- 7 jurisdictional boundary and outside its sphere of influence to
- 8 support existing or planned uses involving public or private
- 9 properties, subject to approval at a noticed public hearing in which
- 10 the commission makes all of the following determinations:
- 11 (1) The extension of service or services deficiency was identified
- 12 and evaluated in a review of municipal services prepared pursuant
- 13 to Section 56430.
- 14 (2) ~~The extension~~ *The commission determines both of the*
- 15 *following:*

1 (A) *The extension of service will not result in either: (A) adverse*  
2 *impacts on open space or agricultural lands or (B) growth inducing*  
3 *lands.*

4 (B) *The extension of service will not result in growth-inducing*  
5 *impacts.*

6 (3) A sphere of influence change involving the affected territory  
7 and its affected agency is not feasible under this division or  
8 desirable based on the adopted policies of the commission.

9 (b) Subdivision (d) of Section 56133 shall apply to any request  
10 for new or extended services pursuant to this section.

11 (c) For purposes of this section, “planned use” means any project  
12 that is included in an approved specific plan as of July 1, 2015.

13 (d) The Napa and San Bernardino commissions shall submit a  
14 report before January 1, 2025, to the Legislature on their  
15 participation in the pilot program, including how many requests  
16 for extension of services were received on or after the effective  
17 date of this section, and the action by the commission to approve,  
18 disapprove, or approve with conditions. The Napa commission  
19 shall also include in the report on the pilot program information  
20 on its *decision to approve, deny, or approve with conditions any*  
21 *authorization for the City of St. Helena to provide new or extended*  
22 *services outside its jurisdictional boundary and sphere of influence,*  
23 *as described in Section 56133.6. The report required to be*  
24 *submitted pursuant to this subdivision shall be submitted in*  
25 *compliance with Section 9795 of the Government Code.*

26 (e) The pilot program established pursuant to this section shall  
27 be consistent with Chapter 8.5 (commencing with Section 1501)  
28 of Part 1 of Division 1 of the Public Utilities Code.

29 (f) This section shall remain in effect only until January 1, 2026,  
30 and as of that date is repealed.

31 SEC. 2. Section 56133.6 is added to the Government Code, to  
32 read:

33 56133.6. (a) As part of the pilot program established pursuant  
34 to Section 56133.5, the Napa commission may authorize the City  
35 of St. Helena to provide new or extended services outside its  
36 jurisdictional boundary and outside its sphere of influence to 341  
37 Saint Helena Hwy S, St. Helena, Napa County, Assessor’s Parcel  
38 Numbers 027-130-006 and 027-130-005, and to 401 St. Helena  
39 Highway S, St. Helena, Napa County, Assessor’s Parcel Numbers  
40 027-120-052, 027-120-061, and 027-120-062, subject to approval

1 at a noticed public hearing in which the Napa commission makes  
2 all of the following determinations:

3 (1) The extension of service or ~~services: (A) services~~ will result  
4 in specific environmental benefits, including transitioning septic  
5 systems to a treated sewer system, and ~~(B) will either of the~~  
6 ~~following:~~

7 (A) ~~The extension of services~~ will serve an agricultural employee  
8 housing development, as contemplated by Section 17021.8 of the  
9 Health and Safety Code, of no less than 6 units and no more than  
10 ~~12 units, or (C) will units.~~

11 (B) ~~The extension of services~~ will serve a mobilehome park  
12 reuse or mobilehome park redevelopment of no more than 25 units.

13 (2) The extension of service or service deficiency was identified  
14 and evaluated in a review of municipal services prepared pursuant  
15 to Section 56430.

16 (3) ~~The extension~~ ~~The commission determines both of the~~  
17 ~~following:~~

18 (A) ~~The extension of service~~ will not result in ~~either: (A) adverse~~  
19 ~~impacts on open space or agricultural lands or (B) growth-inducing~~  
20 ~~lands.~~

21 (B) ~~The extension of service~~ will not result in growth-inducing  
22 impacts.

23 (4) A sphere of influence change involving the affected territory  
24 and its affected agency is not feasible under this division or  
25 desirable based on the adopted policies of the commission.

26 (b) This section shall remain in effect only until January 1, 2026,  
27 and as of that date is repealed.

28 SEC. 3. The Legislature finds and declares that a special statute  
29 is necessary and that a general statute cannot be made applicable  
30 within the meaning of Section 16 of Article IV of the California  
31 Constitution because of the unique circumstances relating to  
32 implementing the pilot program described in Sections 56133.5 and  
33 56133.6 of the Government Code in the Counties of Napa and San  
34 Bernardino.

35 SEC. 4. This act is an urgency statute necessary for the  
36 immediate preservation of the public peace, health, or safety within  
37 the meaning of Article IV of the California Constitution and shall  
38 go into immediate effect. The facts constituting the necessity are:

39 Due to the public health crisis resulting from the coronavirus  
40 (COVID-19) pandemic, the Legislature was not able to vote on

1 the extension of the pilot program described in Sections 56133.5  
2 and 56133.6 of the Government Code, which provides necessary  
3 public services. In order to preserve the public peace and safety  
4 and avoid any interruptions in the approval process for a city or  
5 district to provide public services outside its boundaries and sphere  
6 of influence, it is necessary for this act to take effect immediately.

O





**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  
www.napa.lafco.ca.gov

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

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**Agenda Item 7f (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *BF*  
Dawn Mittleman Longoria, Analyst II *DML*

**MEETING DATE:** June 7, 2021

**SUBJECT:** Work Program for Fiscal Year 2021-2022

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**RECOMMENDATION**

It is recommended the Commission adopt the Resolution of the Local Agency Formation Commission of Napa County Adopting a Work Program for Fiscal Year 2021-2022 (Attachment One).

**BACKGROUND AND SUMMARY**

Local policy directs the Commission to annually adopt a Work Program for purposes of providing a comprehensive overview of agency activities over the course of the fiscal year. This includes assigning schedules for planning, regulatory, and administrative activities.

On February 5, 2018, the Commission adopted a five-year strategic plan, included as Attachment Two, that includes comprehensive schedules for municipal service reviews (MSRs), sphere of influence (SOI) updates, and review of local policies. *Strategic Plan 2018-2022* provides the foundation for the Commission's Work Programs during this time. It is anticipated the Commission will schedule a new strategic planning session within the foreseeable future to guide future Work Programs.

A proposed Work Program for fiscal year 2021-2022 is included as an exhibit to the draft resolution, included as Attachment One. It is recommended the Commission adopt the proposed Work Program by resolution with any desired changes.

***Proposed Work Program for Fiscal Year 2021-2022***

The proposed Work Program for fiscal year 2021-2022 includes approximate timelines and categories for each scheduled activity. The Commission is invited to discuss the proposed Work Program and consider its adoption with any desired changes.

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Margie Mohler, Vice Chair  
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

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

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

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

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

Studies initiated by the Commission such as MSRs and SOI updates are generally the highest priority activities and also time sensitive. The following is a brief summary of scheduled MSRs and SOI updates along with a possible island annexation program.

- SOI Updates for Lake Berryessa Districts:  
This activity involves updating the SOIs for the following special districts based on information contained in the Napa Countywide Water and Wastewater MSR: Lake Berryessa Resort Improvement District; Napa Berryessa Resort Improvement District; and Spanish Flat Water District. The SOI updates will be included as part of an appendix to the MSR. It was previously contemplated these SOI updates would be completed at the same time as the other special districts studied in the MSR. However, due to the 2020 fires, previous comments by members of the Commission, and communication with landowners in the area, staff will expedite this activity. The target completion date for this activity is August 2021.
- SOI Update for the Napa Sanitation District:  
This activity involves updating the SOI for the Napa Sanitation District based on information contained in the Napa Countywide Water and Wastewater MSR. The SOI update will be included as part of an appendix to the MSR. It was previously contemplated this SOI update would be completed at the same time as the other special districts studied in the MSR. However, recent discussions with staff from other local agencies suggest it would be appropriate to delay action on this activity until more information is known about how the upcoming housing element cycle may create housing development pressures in areas that may require an expansion of the District's wastewater service area. With this in mind, the target completion date for this activity is presently uncertain pending additional information from the affected land use authorities.
- SOI Updates for Other 5 Napa Countywide Water and Wastewater MSR Districts:  
This activity involves updating the SOIs for the following special districts based on information contained in the Napa Countywide Water and Wastewater MSR: Circle Oaks County Water District; Congress Valley Water District; Los Carneros Water District; Napa County Flood Control and Water Conservation District; and Napa River Reclamation District No. 2109. The SOI updates will be included as part of an appendix to the MSR. The target completion date for this activity is October 2021.
- MSR and SOI Update for the City of Napa:  
This MSR and SOI Update will be partially based on information contained in the Napa Countywide Water and Wastewater MSR and will follow the City's General Plan update. The target completion date for this activity is presently uncertain.

- MSR and SOI Update for the City of St. Helena:  
A preliminary draft MSR and SOI Update for the City of St. Helena was completed by a former consultant of the Commission in August 2017. The City requested numerous revisions along with an indefinite delay to allow the City to first complete its General Plan Update, which has since been completed. City staff has indicated the current timing is not ideal to re-initiate this activity. Staff will resume work on this MSR and SOI Update upon request by the City and/or the Commission. The target completion date for this activity is presently uncertain.
- Island Annexation Program:  
The City of Napa recently directed its staff to initiate a public outreach campaign to survey interest among unincorporated island landowners and residents with respect to possible future annexation to the City. LAFCO staff will assist City staff with public outreach activities. Notably, staff has created a bilingual flyer with a map and information about the islands. In addition, the Commission's website has a page dedicated to information about islands and their possible annexation, which is available online at: [https://www.napa.lafco.ca.gov/r\\_island\\_annexation.aspx](https://www.napa.lafco.ca.gov/r_island_annexation.aspx).

## **ATTACHMENTS**

- 1) Draft Resolution Adopting the Work Program for Fiscal Year 2021-2022
- 2) Strategic Plan 2018-2022

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

**RESOLUTION OF  
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
ADOPTING A WORK PROGRAM FOR FISCAL YEAR 2021-2022**

**WHEREAS**, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) directs the Local Agency Formation Commission of Napa County (hereinafter “the Commission”) to prepare Municipal Service Reviews in order to prepare and to update spheres of influence; and

**WHEREAS**, local policy directs the Commission to annually adopt a Work Program; and

**WHEREAS**, the Commission’s annual Work Program establishes a schedule for the preparation of Municipal Service Reviews, Sphere of Influence Updates, and other agency activities; and

**WHEREAS**, at its June 7, 2021, meeting, the Commission considered adopting a Work Program for fiscal year 2021-2022 prepared by staff.

**NOW, THEREFORE, BE IT RESOLVED** that the Local Agency Formation Commission of Napa County hereby adopts the Work Program for fiscal year 2021-2022, included as Exhibit “A” to this resolution.

This Resolution shall take effect immediately.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on June 7, 2021, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

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

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

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

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

\_\_\_\_\_  
Diane Dillon  
Commission Chair

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

Recorded by: Kathy Mabry  
Commission Secretary

Napa LAFCO Work Program for Fiscal Year 2021-2022				
		Timeline	Lead	Comments
STUDIES	Lake Berryessa Districts SOI Updates	1/21 - 8/21	Staff	Concurrent SOI updates for LBRID, NBRID & SFWD; admin draft circulated to affected agencies on 5/11/21
	Napa Sanitation District SOI Update	TBD	Staff	On hold for City & County housing element progress
	Other 5 Napa Countywide Water & Wastewater MSR Districts SOI Updates	1/21 - 12/21	Staff	Concurrent SOI updates for COCWD, CVWD, LCWD, NCFWCD & NRRD
	City of Napa MSR & SOI Update	TBD	Staff	On hold while City completes its General Plan update
	City of St. Helena MSR & SOI Update	TBD	Staff	Will resume at request of City and/or Commission
APPLICATIONS	Change of Organization/Reorganization Proposals	Ongoing	Staff	Summary of active & anticipated annexation proposals
	Island Annexation Program	TBD	Staff	Staff is partnering with City of Napa staff on public outreach to provide educational resources and determine public interest in City annexation
	Outside Service Agreement Requests	Ongoing	EO & Chair	Commission approval needed to authorize cities and districts to provide service outside their boundaries
	Completion Proceedings for Approved Annexations	Ongoing	Staff	Staff continues processing annexations previously approved by Commission: terms and conditions, Certificates of Completion, GIS mapping, TRA determinations, Board of Equalization filings
PUBLIC OUTREACH	Conduct LAFCO Outreach; Agencies & Community Groups	Ongoing	Staff	Outreach Committee, Outreach Plan, Strategic Plan
	Comments on Local Agency Projects	Ongoing	Staff	General Plan Updates, EIRs, Strategic Plans, etc.
	Respond to Grand Jury Reports	Ongoing	Staff & Commission	Respond as appropriate to Grand Jury findings & recommendations
	Annual Countywide Update on Housing and General Plans	8/21	Staff	Summary of matters related to local housing and general plan updates
	Conduct Informational Workshops & Meetings	Ongoing	Staff	Meetings are anticipated in partnership with City of Napa for island annexation outreach
	Public Records Requests	Ongoing	Staff	Provide records as requested by members of the public
	Website Maintenance and Updates	Ongoing	Staff	Meeting info, financial info, policies, public notices, maps, staff and Commissioner info, etc.
	Social Media: Meetings Notices and Announcements	Ongoing	Staff	Staff shares meeting info, public notices, press releases, and other relevant info on Commission's Facebook page
COMMISSION	Expiring Commissioner Terms	5/22	Staff	Terms for Commissioners Dillon & Leary expire 5/2/22
	Chair and Vice Chair Designation	5/21 - 5/22	Staff	Commissioners Dillon & Mohler are Chair and Vice Chair, respectively, until 5/2/22
	Statement of Economic Interest (Form 700)	4/22	Clerk	Required for all Commissioners & EO upon entering office, leaving office, and annually by April 1
	Ethics Training	Biennially	Clerk	Required for all Commissioners & EO every two years
	Develop Budget for FY 2022-2023	12/21 - 6/22	Budget Committee	On 12/6/21, two Commissioners will be appointed to the FY 22-23 Budget Committee
	State Legislation Monitoring and Position Letters	Ongoing	Legislative Committee	Legislative Committee (Dillon & Painter) reviews and monitors bills affecting LAFCOs and recommends the full Commission take positions based on the local policy and legislative platform
	Policy Review and Revisions	Ongoing	Policy Committee	Policy Committee (Mohler & Wagenknecht) is comprehensively reviewing all local policies and recommending revisions or new policies as appropriate
ADMINISTRATION	Audit for FY 2020-2021	8/21 - 12/21	Staff	Staff begins working with auditors in August final audit presented by the County Auditor-Controller at the Commission's December meeting each year
	Update Support Services Agreement with County of Napa	4/21 - 6/22	Staff	Staff working with County staff to update SSA
	Fiscal Year-End Contracts Close-Out	6/22	EO & Clerk	Staff closes out and re-encumbers all the Commission's contracts in June each year
	Quarterly Budget Reports	Quarterly	Staff	Analysis of year-to-date and projected year-end revenues and expenses
	Provide Strategic Plan Updates	Semiannually	Staff	Progress reports presented to Commission twice per year (typically February and August meetings)
	Verify Median Household Income Data to Identify DUCs	7/21	Staff	Staff will review Census Bureau American Community Survey data (currently no known DUCs in Napa County)
	Work Program for FY 2022-2023	6/22	Staff	Work Program is developed by staff and adopted by the Commission consistent with local policy
	Electronic Document Management System Maintenance Geographic Information System Mapping Updates	Ongoing Ongoing	Staff Staff	Digitalization of historical and current agency records GIS boundary layer edits for completed annexations
OTHER	2021 CALAFCO Annual Conference (Newport Beach)	10/21	Staff & Commission	Registration details forthcoming
	2022 CALAFCO Staff Workshop (Monterey)	TBD	Staff	Additional details forthcoming
	Statewide LAFCO EO Teleconference Meetings	Monthly	EO & Analyst	Sharing information with other LAFCOs statewide
	Statewide LAFCO Clerks Teleconference Meetings	Monthly	Clerk	Sharing information with other LAFCOs statewide
Proposed for Adoption on June 7, 2021				



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

*Strategic Plan 2018-2022*  
(Adopted: February 5, 2018)

### Mission Statement

The Local Agency Formation Commission (LAFCO) of Napa County is committed to serving the citizens and government agencies of its jurisdiction by encouraging the preservation of agricultural lands and open-space and coordinating the efficient delivery of municipal services.

### Focus of Napa LAFCO

The following core guiding principles underlie Napa LAFCO's activities. Each of these principles is centered on Napa LAFCO having in-depth, active communication with respect to all relevant constituents.

- Municipal Service Reviews based on local agency, Napa County, & LAFCO needs
  - Study Schedule for 2018-2022 included as Exhibit A
- Re-writing policies (on a schedule) to be comprehensive, effective, and transparent
  - Policy Review Schedule for 2018-2020 included as Exhibit B
- Forecasting issues relating to local services and boundaries, as well as State legislation
- Active involvement of agency constituents in problem-solving local agency sustainability
- Engagement with local city/town general plan updates
- Active with local agencies in managing housing growth and related issues including transportation



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### STUDY SCHEDULE (2018-2022)

**Municipal Service Reviews (Government Code §56430)**  
**Sphere of Influence Updates (Government Code §56425)**  
**Major Boundary Change Projects**

Adopted: February 5, 2018

## 2018

### **South County Region MSR and SOIs**

Municipal Service Review will examine the governmental services provided by the City of American Canyon, American Canyon Fire Protection District, and County Service Area No. 3. The Municipal Service Review will inform Sphere Of Influence Updates for all three local agencies.

### **City of St. Helena MSR and SOI**

Municipal Service Review will examine the governmental services provided by the City of St. Helena. The Municipal Service Review will inform a Sphere Of Influence Update.

### **Napa County Regional Park and Open Space District MSR and SOI**

Municipal Service Review will examine the governmental services provided by the Napa County Regional Park and Open Space District and inform a Sphere Of Influence Update.

### **Island Annexation Program**

The Commission will seek to partner with the City of Napa and the County of Napa to develop an island annexation program.

## 2019

### **Island Annexation Program**

The Commission will seek to partner with the City of Napa and the County of Napa to develop an island annexation program.

### **Countywide Water and Wastewater Services MSR**

Municipal Service Review will examine all municipal water and wastewater services provided throughout Napa County and will inform Sphere Of Influence Updates for each agency under review.

## 2020

### **Island Annexation Program**

The Commission will seek to partner with the City of Napa and the County of Napa to develop an island annexation program.

### **City of Napa MSR and SOI**

Municipal Service Review will examine the governmental services provided by the City of Napa and inform a Sphere Of Influence Update.

### **Lake Berryessa Resort Improvement District SOI**

Sphere Of Influence Update for the Lake Berryessa Resort Improvement District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

### **Napa Berryessa Resort Improvement District SOI**

Sphere Of Influence Update for the Napa Berryessa Resort Improvement District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

### **Spanish Flat Water District SOI**

Sphere Of Influence Update for the Spanish Flat Water District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

### **Napa Sanitation District SOI**

Sphere Of Influence Update for the Napa Sanitation District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.



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## 2021

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### **Napa County Resource Conservation District MSR and SOI**

Municipal Service Review will examine the governmental services provided by the Napa County Resource Conservation District and inform a Sphere Of Influence Update.

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### **Napa County Flood Control and Water Conservation District SOI**

Sphere Of Influence Update for the Napa County Flood Control and Water Conservation District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

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### **Silverado Community Services District MSR and SOI**

Municipal Service Review will examine the governmental services provided by the Silverado Community Services District and inform a Sphere Of Influence Update.

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### **Public Cemetery Districts MSR and SOIs**

Municipal Service Review will examine the governmental services provided by the Monticello Public Cemetery District and Pope Valley Cemetery District and inform Sphere Of Influence Updates for both agencies.

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### **Los Carneros Water District SOI**

Sphere Of Influence Update for the Los Carneros Water District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

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### **Napa River Reclamation District No. 2109 SOI**

Sphere Of Influence Update for the Napa River Reclamation District No. 2109 will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

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### **City of Calistoga MSR and SOI**

Municipal Service Review will examine the governmental services provided by the City of Calistoga and inform a Sphere Of Influence Update.

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## 2022

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### **Congress Valley Water District SOI**

Sphere Of Influence Update for the Congress Valley Water District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

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### **Circle Oaks County Water District SOI**

Sphere Of Influence Update for the Circle Oaks County Water District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

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### **County Service Area No. 4 MSR and SOI**

Municipal Service Review will examine the governmental services provided by County Service Area No. 4 and inform a Sphere Of Influence Update.

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### **Napa County Mosquito Abatement District MSR and SOI**

Municipal Service Review will examine the governmental services provided by the Napa County Mosquito Abatement District and inform a Sphere Of Influence Update.

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### **Town of Yountville MSR and SOI**

Municipal Service Review will examine the governmental services provided by the Town of Yountville and inform a Sphere Of Influence Update.

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Recent MSRs and SOI Updates / Study Schedule 2018-2022				
Local Agencies	Last MSR	Next MSR	Last SOI Update	Next SOI Update
CITIES/TOWN				
American Canyon	<a href="#">June 2009</a>	April 2018	<a href="#">June 2010</a>	April 2018
Calistoga	<a href="#">December 2016</a>	December 2021	<a href="#">December 2016</a>	December 2021
Napa	<a href="#">December 2013</a>	April 2020	<a href="#">February 2014</a>	December 2020
St. Helena	<a href="#">May 2008</a>	October 2018	<a href="#">August 2008</a>	December 2018
Yountville	<a href="#">April 2017</a>	October 2022	<a href="#">April 2017</a>	October 2022
SPECIAL DISTRICTS				
American Canyon Fire Protection District (ACFPD)	<a href="#">June 2009</a>	April 2018	<a href="#">August 2010</a>	April 2018
Circle Oaks County Water District (COCWD)	<a href="#">August 2016</a>	December 2019	<a href="#">August 2016</a>	April 2022
Congress Valley Water District (CVWD)	<a href="#">December 2017</a>	December 2019	<a href="#">December 2017</a>	February 2022
County Service Area No. 3 (CSA 3)	<a href="#">June 2009</a>	April 2018	<a href="#">October 2012</a>	April 2018
County Service Area No. 4 (CSA 4)	<a href="#">December 2017</a>	June 2022	<a href="#">December 2017</a>	June 2022
Lake Berryessa Resort Improvement District (LBRID)	<a href="#">April 2011</a>	December 2019	<a href="#">December 2012</a>	August 2020
Los Carneros Water District (LCWD)	<a href="#">August 2016</a>	December 2019	<a href="#">August 2016</a>	August 2021
Monticello Public Cemetery District (MPCD)	<a href="#">July 2016</a>	June 2021	<a href="#">July 2016</a>	June 2021
Napa Berryessa Resort Improvement District (NBRID)	<a href="#">April 2011</a>	December 2019	<a href="#">April 2013</a>	August 2020
Napa County Flood Control & Water Conservation District (NCFCWCD)	<a href="#">June 2016</a>	December 2019	<a href="#">June 2016</a>	April 2021
Napa County Mosquito Abatement District (NCMAD)	<a href="#">June 2017</a>	June 2022	<a href="#">June 2017</a>	June 2022
Napa County Regional Park and Open Space District (NCRPOSD)	<a href="#">December 2010</a>	December 2018	<a href="#">December 2010</a>	December 2018
Napa County Resource Conservation District (NCRCD)	<a href="#">April 2016</a>	February 2021	<a href="#">April 2016</a>	February 2021
Napa River Reclamation District No. 2109 (NRRD)	<a href="#">December 2016</a>	December 2019	<a href="#">December 2016</a>	October 2021
Napa Sanitation District (NSD)	<a href="#">April 2014</a>	December 2019	<a href="#">October 2015</a>	December 2020
Pope Valley Cemetery District (PVCD)	<a href="#">July 2016</a>	June 2021	<a href="#">July 2016</a>	June 2021
Silverado Community Services District (SCSD)	<a href="#">April 2014</a>	April 2021	<a href="#">October 2015</a>	April 2021
Spanish Flat Water District (SFWD)	<a href="#">April 2011</a>	December 2019	<a href="#">August 2013</a>	August 2020

South County Region MSR and SOI Updates

Public Cemetery Districts MSR and SOI Updates

Countywide Water and Wastewater Services MSR

<b>Policy</b>	<b>Priority</b>	<b>Adopted or Last Amended</b>	<b>Complete Review</b>
Legislation	1	N/A	December 2017
Unincorporated Islands *	1	October 2011	February 2018
Outside Service Agreements	1	April 2016	April 2018
Conflict of Interest Code	1	October 2016	August 2018
Spheres of Influence *	1	October 2011	October 2018
Municipal Service Reviews	1	October 2015	December 2018
Annexations *	2	October 2011	February 2019
Disadvantaged Unincorporated Communities	2	N/A	April 2019
Definitions *	2	October 2011	June 2019
CEQA	3	December 2006	August 2019
Appointment of Public Members	3	April 2008	October 2019
Appointment of Chair and Vice-Chair	3	June 2015	October 2019
Budget	3	June 2016	December 2019
Budget Contributions and Collection of Funds	3	April 2001	December 2019
Establishing Officers of the Commission	3	August 2004	February 2020
Executive Officer Performance Review	3	October 2014	February 2020
Executive Officer Purchasing Authority	3	October 2014	February 2020
Records Retention and Destruction	3	December 2015	April 2020
Social Media	3	October 2011	April 2020
Conducting Meetings and Business	3	December 2015	June 2020
Scheduling of Meetings	3	June 2016	June 2020
Indemnification	3	October 2014	August 2020
Conducting Authority Proceedings	3	December 2008	August 2020
Appointment of Commission Counsel	3	April 2001	October 2020
Work Schedule	3	June 2002	October 2020
Telecommuting	3	July 1997	December 2020
Travel Policy	3	November 2009	December 2020

\* Currently Part of General Policy Determinations



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

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

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**Agenda Item 7g (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *BF*  
Dawn Mittleman Longoria, Analyst II *DWL*

**MEETING DATE:** June 7, 2021

**SUBJECT:** CALAFCO Nominations and Annual Conference Items

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**RECOMMENDATION**

Staff recommends the Commission take the following actions:

- 1) Appoint one voting delegate and one alternate voting delegate for the 2021 California Association of Local Agency Formation Commissions (CALAFCO) Annual Conference;
- 2) If interested, nominate a City and/or Public Member for the CALAFCO Board of Directors;
- 3) If interested, nominate a person and/or project for an achievement award; and
- 4) Authorize the Chair to make any final decisions related to nominations for the CALAFCO Board of Directors or achievement awards.

**BACKGROUND**

The 2021 CALAFCO Annual Conference is scheduled for October 6<sup>th</sup> to 8<sup>th</sup> at the Hyatt Regency Newport Beach John Wayne Airport. The Annual Conference will include Board of Directors (“Board”) elections and an achievement awards ceremony.

On October 31, 2019, Vice Chair Mohler was re-elected to serve a second two-year term on the Board. Commissioner Mohler is eligible for re-election at the Annual Conference.

**SUMMARY**

The Commission will consider appointing voting delegates to represent the agency at the Annual Conference. The Commission will also consider making nominations for the Board as well as achievement awards. A summary of voting delegate appointments and possible nominations follows.

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Margie Mohler, Vice Chair  
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

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

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

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

Kenneth Leary, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

### ***Voting Delegates***

Each LAFCO is responsible for appointing a delegate and alternate delegate to participate in the Board elections and business meeting held on the second day of the Annual Conference. Board elections are conducted by regions (Central, Coastal, Northern, and Southern). Napa County is in the Coastal Region. Voting delegates may be commissioners or staff.

### ***Board Nominations***

Board elections for the Coastal Region's City and Public Member seats will occur at the Annual Conference on Thursday, October 7<sup>th</sup>. Nominations for these seats must be signed by the respective LAFCO Chair and include a completed resume form for the candidate. Although not advised, candidates may also be nominated from the floor. Board members serve two-year terms, and there are no term limits. The incumbent CALAFCO Coastal Region City Member is Vice Chair Mohler. The incumbent CALAFCO Coastal Region Public Member is Tom Murray from San Luis Obispo County.

The Commission's eligible Board candidates for City Member are Vice Chair Mohler, Commissioner Aboudamous, and Alternate Commissioner Painter. The Commission's eligible Board candidates for Public Member are Commissioner Leary and Alternate Public Member Kahn. If the Commission would like to nominate a candidate, the deadline to submit a complete nomination packet to CALAFCO is September 7<sup>th</sup> (Attachment One). If an eligible member indicates interest in serving on the Board, staff recommends the Commission consider a formal nomination of that member. Staff also recommends authorizing the Chair to make final decisions related to nominations for the Board if a decision can't be made at today's meeting.

### ***Achievement Award Nominations***

CALAFCO invites individual LAFCOs to nominate persons or projects for various achievement awards (Attachment Two). The awards were established in 1997 and currently include 12 categories ranging from "Most Effective Commission" to "Legislator of the Year". The Commission's most recent award was in 2018 when Vice Chair Mohler received the "Outstanding Commissioner" award. Award winners will be announced during the banquet dinner scheduled for Thursday, October 7<sup>th</sup>. If the Commission would like to nominate any persons or projects for awards, the deadline to submit nominations to CALAFCO is August 13<sup>th</sup>. If a member of the Commission indicates interest in nominating a person and/or project for any awards, staff recommends the Commission consider a formal nomination of that person and/or project. Staff also recommends authorizing the Chair to make final decisions related to nominations for achievement awards if a decision can't be made at today's meeting.

## **ATTACHMENTS**

- 1) CALAFCO Invitation for Board Nominations
- 2) CALAFCO Invitation for Achievement Award Nominations



June 1, 2021

**To:** Local Agency Formation Commission  
Members and Alternate Members

**From:** Gay Jones, Committee Chair  
CALAFCO Board Election Committee  
CALAFCO Board of Directors

**CALAFCO**

**RE: Nominations for 2021/2022 CALAFCO Board of Directors**

Nominations are now open for the fall elections of the CALAFCO Board of Directors. Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal and operational issues that affect us all. The Board meets four to five times each year at alternate sites around the state. Any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat.

CALAFCO's Election Committee is accepting nominations for the following seats on the CALAFCO Board of Directors:

**Central Region**

City Member  
Public Member

**Southern Region**

County Member  
District Member

**Northern Region**

County Member  
District Member

**Coastal Region**

City Member  
Public Member

The election will be conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 7, 2021 at the Hyatt Regency in Newport Beach at the John Wayne Airport, CA.

**Please inform your Commission that the CALAFCO Election Committee is accepting nominations for the above-cited seats until *Tuesday, September 7, 2021 at 5:00 p.m.***

Incumbents are eligible to run for another term. Nominations received by September 7 will be included in the Election Committee's Report and will be on the ballot. The Report will be distributed to LAFCo members no later than September 23, 2021 and ballots made available to Voting Delegates at the Annual Conference. Nominations received after this date will be returned; however, nominations will be permitted from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting an electronic ballot will be made available if requested in advance. **The ballot request must be made no later than Tuesday, September 7, 2021. Completed absentee ballots must be returned by 8:00 a.m., Monday, October 4, 2021.**

*Should your Commission nominate a candidate, the Chair of your Commission must complete the attached Nomination Form and the Candidate's Resume Form or provide the specified information in another format other than a resume. Commissions may also include a letter of recommendation or resolution in support of their nominee.*

**The nomination forms and materials must be received by the CALAFCO Executive Director no later than Tuesday, September 7, 2021 at 5:00 p.m.** Here is a summary of the deadlines for this year's nomination process:

- **June 1** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 7** – Completed Nomination packet due
- **September 7** – Request for an absentee/electronic ballot due
- **September 7** – Voting delegate name due to CALAFCO
- **September 23** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **September 23** – Distribution of requested absentee/electronic ballots.
- **October 4** – Absentee ballots due to CALAFCO
- **October 7** - Elections

Returning the nomination form prior to the deadline ensures your nominee is placed on the ballot. Names will be listed in the order nominations were received should there be multiple candidates. Electronic filing of nomination forms and materials is encouraged to facilitate the recruitment process. Please send e-mails with forms and materials to [info@calafco.org](mailto:info@calafco.org). Alternatively, nomination forms and materials can be mailed to the address below. Please forward nominations to:

CALAFCO Election Committee c/o Executive Director  
California Association of Local Agency Formation Commissions  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, California 95814  
EMAIL: [info@calafco.org](mailto:info@calafco.org)

Questions about the election process can be sent to the Chair of the Committee, Gay Jones, at [gjones@calafco.org](mailto:gjones@calafco.org) or by calling her at 916-208-0736. You may also contact CALAFCO Executive Director Pamela Miller at [pmiller@calafco.org](mailto:pmiller@calafco.org) or by calling 916-442-6536.

Members of the 2021/2022 CALAFCO Election Committee are:

Gay Jones, Chair <a href="mailto:gjones@calafco.org">gjones@calafco.org</a>	Sacramento LAFCo (Central Region) 916-208-0736
Blake Inscore <a href="mailto:binscore@calafco.org">binscore@calafco.org</a>	Del Norte LAFCo (Northern Region) 707-951-0517
Chris Lopez <a href="mailto:clopez@calafco.org">clopez@calafco.org</a>	Monterey LAFCo (Coastal Region) 831-755-5033
David West <a href="mailto:dwest@calafco.org">dwest@calafco.org</a>	Imperial LAFCo (Southern Region) 760-352-3411

Attached please find a copy of the CALAFCO Board of Directors Nomination and Election Procedures as well as the current listing of Board Members and corresponding terms of office.

*Please consider joining us!*

Enclosures



## **Board of Directors Nomination and Election Procedures and Forms**

The procedures for nominations and election of the CALAFCO Board of Directors [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in the CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

### **1. APPOINTMENT OF AN ELECTION COMMITTEE:**

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.<sup>8</sup>
- b. The Board shall appoint one of the members of the Election Committee to serve as Chairman. The CALAFCO Executive Officer shall appoint a CALAFCO staff member to serve as staff for the Election Committee in cooperation with the CALAFCO Executive Director.<sup>8</sup>
- c. Each region shall designate a regional representative to serve as staff liaison to the Election Committee.<sup>8</sup>
- d. Goals of the Committee are to provide oversight of the elections process and to encourage and solicit candidates by region who represent member LAFCoS across the spectrum of geography, size, and urban suburban and rural population if there is an open seat for which no nominations papers have been received close to the deadline.<sup>8</sup>

### **2. ANNOUNCEMENT TO ALL MEMBER LAFCoS:**

- a. No later than three months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFCo for distribution to each commissioner and alternate. The announcement shall include the following:<sup>8</sup>
  - i. A statement clearly indicating which offices are subject to the election.
  - ii. A regional map including LAFCoS listed by region.
  - iii. The dates by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFCo marked "Received too late for Elections Committee action."<sup>8</sup>
  - iv. The names of the Election Committee members with the Committee Chairman's LAFCo address and phone number, and the names and contact information for each of the regional representatives.<sup>8</sup>
  - v. The address to send the nominations forms.
  - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
- b. No later than four months before the annual membership meeting, the Election Committee Chairman shall send an announcement to the Executive Director for distribution to each member LAFCo and for publication in the newsletter and on the web site. The

#### **Key Timeframes for Nominations Process**

<u>Days*</u>	
90	Nomination announcement
30	Nomination deadline
14	Committee report released

\*Days prior to annual membership meeting

announcement shall include the following:<sup>8</sup>

- i. A statement clearly indicating which offices are subject to the election.
  - ii. The specific date by which all nominations must be received by the Election Committee. Nominations received after the closing dates shall be returned to the proposing LAFCo marked "Received too late for Election Committee action."<sup>8</sup>
  - iii. The names of the Election Committee members with the Committee Chair's LAFCo address and phone number, and the names and contact information for each of the regional representatives.<sup>8</sup>
  - iv. Requirement that nominated individual must be a commissioner or alternate commissioner from a member in good standing within the region.
- c. A copy of these procedures shall be posted on the web site.

### **3. THE ELECTION COMMITTEE:**

- a. The Election Committee and the regional representatives have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Election Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.<sup>8</sup>
- b. At the close of the nominations the Election Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated seats. Caucus elections must be held prior to the annual membership meeting at the conference. The Executive Director or assigned staff along with a member of the Election Committee shall tally ballots at each caucus and provide the Election Committee the names of the elected Board members and any open seats. In the event of a tie, the staff and Election Committee member shall immediately conduct a run-off ballot of the tied candidates.<sup>8</sup>
- c. Make available sufficient copies of the Committee Report for each Voting Delegate by the beginning of the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Executive Director to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.<sup>8</sup>
- f. Post the candidate statements/resumes organized by region on a bulletin board near the registration desk.
- g. Regional elections shall be conducted as described in Section 4 below. The representative from the Election Committee shall serve as the Presiding Officer for the purpose of the caucus election.<sup>8</sup>
- h. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Election Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.<sup>8</sup>

**4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING<sup>6</sup>**

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCOs requesting an electronic ballot shall do so in writing no later than 30 days prior to the annual meeting.
- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the executive director no later than three days prior to the annual meeting.
- e. LAFCOs voting under this provision may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCOs voting under this provision may only vote for the candidates nominated by the Election Committee and may not vote in any run-off elections.<sup>8</sup>

**5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING:**

- a. The Election Committee Chairman, another member of the Election Committee or the Chair's designee (hereafter called the Presiding Officer) shall:<sup>8</sup>
  - i. Review the election procedure with the membership.
  - ii. Present the Election Committee Report (previously distributed).
  - iii. Call for nominations from the floor by category for those seats subject to this election:
    1. For city member.
    2. For county member.
    3. For public member.
    4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a "Candidates Forum". Each candidate shall be given time to make a brief statement for their candidacy.
- e. The Presiding Officer shall then conduct the election:
  - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:

1. Name the nominees and offices for which they are nominated.
2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.
- ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
  1. Poll the LAFCoS in good standing by written ballot.
  2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.
  3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.<sup>8</sup>
  4. With assistance from CALAFCO staff, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
  1. The nominee receiving the majority<sup>6</sup> of votes cast is elected.
  2. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).<sup>6</sup>
  3. In case of tie votes<sup>6</sup>:
    - a. A second run-off election shall be held with the same two nominees.
    - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.
  4. In the case of two vacancies, any candidate receiving a majority of votes cast is elected.<sup>6</sup>
    - a. In the case of no majority for either vacancy, the three nominees receiving the three highest number of votes cast shall face each other in a run-off election.
    - b. In the case of no majority for one vacancy, the two nominees receiving the second and third highest number of votes cast shall face each other in a run-off election.
    - c. In the event of a tie, a second run-off election shall be held with the tied nominees. If there remains a tie after the second run-off election the winner shall be determined by a draw of lots.

## 6. ADDITIONAL PROCEDURES

- a. For categories where there are more candidates than vacancies, names will be listed in the order nominated.
- b. The Election Committee Chair shall announce and introduce all Board Members elected at the Regional Caucuses at the annual business meeting.<sup>8</sup>
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFCo may be nominated

- for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after election of new board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

**7. LOSS OF ELECTION IN HOME LAFCO**

Board Members and candidates who lose elections in their home office shall notify the Executive Director within 15 days of the certification of the election.

**8. FILLING BOARD VACANCIES**

Vacancies on the Board of Directors may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

**CALAFCO Regions  
FOUR REGIONS**



The counties in each of the four regions consist of the following:

**Northern Region**

Butte  
Colusa  
Del Norte  
Glenn  
Humboldt  
Lake  
Lassen  
Mendocino  
Modoc  
Nevada  
Plumas  
Shasta  
Sierra  
Siskiyou  
Sutter  
Tehama  
Trinity  
Yuba

**CONTACT:** Steve Lucas  
Butte LAFCo  
slucas@buttecounty.net

**Southern Region**

Orange  
Los Angeles  
Imperial  
Riverside  
San Bernardino  
San Diego

**CONTACT:** Gary Thompson  
Riverside LAFCo  
gthompson@lafco.org

**Coastal Region**

Alameda  
Contra Costa  
Marin  
Monterey  
Napa  
San Benito  
San Francisco  
San Luis Obispo  
San Mateo  
Santa Barbara  
Santa Clara  
Santa Cruz  
Solano  
Sonoma  
Ventura

**CONTACT:** Martha Poyatos  
San Mateo LAFCo  
mpoyatos@smcgov.org

**Central Region**

Alpine  
Amador  
Calaveras  
El Dorado  
Fresno  
Inyo  
Kern  
Kings  
Madera  
Mariposa  
Merced  
Mono  
Placer  
Sacramento  
San Joaquin  
Stanislaus  
Tulare  
Tuolumne  
Yolo

**CONTACT:** Christine Crawford, Yolo LAFCo  
christine.crawford@yolocounty.org

<b>CALAFCO Board Members 2020-21</b> (as of June 1, 2021)		
<b>Board Member Name</b>	<b>LAFCo - Region</b>	<b>Type</b> (Term Expires)
Bill Connelly - <b>Secretary</b>	Butte - <i>Northern</i>	County (2021)
David Couch	Humboldt - <i>Northern</i>	District (2021)
Blake Inscore	Del Norte - <i>Northern</i>	City (2022)
Gay Jones	Sacramento - <i>Central</i>	District (2022)
Michael Kelley – <b>Chair</b>	Imperial - <i>Southern</i>	County (2021)
Christopher Lopez	Monterey – <i>Coastal</i>	County (2022)
Daron McDaniel	Merced – <i>Central</i>	County (2022)
Michael McGill – <b>Immediate Past Chair</b>	Contra Costa - <i>Coastal</i>	District (2022)
Jo MacKenzie	San Diego - <i>Southern</i>	District (2021)
Margie Mohler - <b>Treasurer</b>	Napa - <i>Coastal</i>	City (2021)
Tom Murray	San Luis Obispo - <i>Coastal</i>	Public (2021)
Anita Paque – <b>Vice Chair</b>	Calaveras - <i>Central</i>	Public (2021)
Daniel Parra	Fresno - <i>Central</i>	City (2021)
Josh Susman	Nevada - <i>Northern</i>	Public (2022)
Acquanetta Warren	San Bernardino – <i>Southern</i>	City (2022)
David West	Imperial - <i>Southern</i>	Public (2022)





## Board of Directors 2021/2022 Nominations Form

### *Nomination to the CALAFCO Board of Directors*

In accordance with the Nominations and Election Procedures of CALAFCO,

\_\_\_\_\_ LAFCo of the \_\_\_\_\_ Region

Nominates \_\_\_\_\_

for the (check one)     City     County     Special District     Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual Membership Meeting of the Association.

\_\_\_\_\_  
LAFCo Chair

\_\_\_\_\_  
Date

#### **NOTICE OF DEADLINE**

Nominations must be received by **September 7, 2021** at 5:00 p.m. to be considered by the Election Committee. Send completed nominations to:  
CALAFCO Election Committee  
CALAFCO  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, CA 95814

Or email to: [info@calafco.org](mailto:info@calafco.org)

Date Received _____
------------------------

CALIFORNIA ASSOCIATION OF  
LOCAL AGENCY FORMATION  
COMMISSIONS



**Board of Directors  
2021/2022 Candidate Resume Form  
(Complete both pages)**

Nominated By: \_\_\_\_\_ LAFCo      Date: \_\_\_\_\_

Region (please check one):     Northern     Coastal     Central     Southern

Category (please check one):     City     County     Special District     Public

Candidate Name \_\_\_\_\_

Address \_\_\_\_\_

Phone      Office \_\_\_\_\_      Mobile \_\_\_\_\_

e-mail \_\_\_\_\_

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

**NOTICE OF DEADLINE**

Nominations must be received by **September 7, 2021** at 5:00 p.m. to be considered by the Election Committee. Send completed nominations to:  
CALAFCO Election Committee  
CALAFCO  
1020 12<sup>th</sup> Street, Suite 222  
Sacramento, CA 95814

Or email to: [info@calafco.org](mailto:info@calafco.org)

**Date:** May 24, 2021

**To:** CALAFCO Members  
LAFCo Commissioners and Staff  
Other Interested Organizations

**From:** CALAFCO Achievement Awards Committee

**Subject: 2021 CALAFCO Achievement Award Nominations**



On behalf of the Association, we are pleased to announce the newly updated CALAFCO Achievement Awards program and the opening of the nomination period. During the past year while the Committee and program were in hiatus due to the pandemic, the program underwent a comprehensive review and update. On April 30, 2021, the Board of Directors unanimously approved and adopted the program.

Each year, CALAFCO recognizes outstanding achievements by dedicated and committed individuals and/or organizations from throughout the state at the Annual Conference Achievement Awards Ceremony. This year's ceremony will be on October 7 at the Hyatt Regency Newport Beach John Wayne Airport, during the awards banquet.

Recognizing individual and organizational achievements is an important responsibility. It provides visible recognition and support to those who go *above and beyond* in their work to advance the principles and goals of the Cortese-Knox-Hertzberg Act. We invite you to use this opportunity to nominate the individuals and organizations you feel deserve this important recognition based on the criteria outlined. *Please carefully review the nomination instructions and the criteria for each category. Incomplete nominations will not be considered by the Committee, nor will nominations that do not adhere to the submittal guidelines.*

*For this year only*, the nomination period covers the 2020 and 2021 timeframe. This is because there were no awards last year. This will be a one-time only expansion of the timeframe. ***SPECIFICALLY, THAT IS JULY 1, 2019 THROUGH JUNE 30, 2020. Please ensure your nomination highlights achievements only during this timeframe.***

To make a nomination, please use the following procedure:

1. Nominations may be made by an individual, a LAFCo, a CALAFCO Associate Member, or any other organization.
2. Each nomination must meet the specific award category criteria for consideration. The Committee will not consider any nomination for an award for any category other than the one for which it was submitted. Duplicate nominations *will not be considered by the Committee.*
3. Nominations *must be submitted with a completed nomination form.* Please use a separate form for each nomination. The form is your opportunity to highlight the most important points of your nomination.
4. Nomination *Executive Summaries* must be *limited to no more than 250 words in length.* Nomination *Summaries* must be *limited to no more than 1,000 words or 2 pages in length maximum.* You are encouraged to write them in a clear, concise and understandable manner. If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount *will not be considered by the Committee.*

5. All supporting information (e.g. reports, news articles, etc.) must be submitted with the nomination. *Limit supporting documentation to no more than 3 pages.* If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount *will not be considered by the Committee.*
6. All nomination materials must be submitted at one time and must be received by the deadline. No late nominations will be accepted – no exceptions. Electronic submittals are required and must be submitted as pdf document, using the fillable pdf document provided.
7. **Nominations and supporting materials must be received no later than 3:00 p.m., Friday, August 13, 2021.** Send nominations via e-mail to:

Stephen Lucas, CALAFCO Executive Officer  
[slucas@buttecounty.net](mailto:slucas@buttecounty.net)

**AND**

Christine Crawford, CALAFCO Deputy Executive Officer  
[christine.crawford@yolocounty.org](mailto:christine.crawford@yolocounty.org)

*Please contact Steve Lucas, CALAFCO Executive Officer, at [slucas@buttecounty.net](mailto:slucas@buttecounty.net) or (530) 538-7784 with any questions.*

### Members of the 2021 CALAFCO Board of Directors Awards Committee

#### Board Members:

*Anita Paque*, Committee Chair (Calveras LAFCo, Central Region)

*Daron McDaniel* (Merced LAFCo, Central Region)

*Jo MacKenzie* (San Diego LAFCo, Southern Region)

*Margie Mohler* (Napa LAFCo, Coastal Region)

*Josh Susman* (Nevada LAFCo, Northern Region)

[apaque@calafco.org](mailto:apaque@calafco.org)

[dmcdaniel@calaco.org](mailto:dmcdaniel@calaco.org)

[jmackenzie@calafco.org](mailto:jmackenzie@calafco.org)

[mmohler@calafco.org](mailto:mmohler@calafco.org)

[jsusman@calafco.org](mailto:jsusman@calafco.org)

#### Regional Officer Members:

*Christine Crawford*, CALAFCO Deputy Executive Officer (Central Region)

*Steve Lucas*, CALAFCO Executive Officer (Northern Region)

*Martha Poyatos*, CALAFCO Deputy Executive Officer (Coastal Region)

*Gary Thompson*, CALAFCO Deputy Executive Officer (Southern Region)

[christine.crawford@yolocounty.org](mailto:christine.crawford@yolocounty.org)

[slucas@buttecounty.net](mailto:slucas@buttecounty.net)

[mpoyatos@smcgov.org](mailto:mpoyatos@smcgov.org)

[gthompson@lafco.org](mailto:gthompson@lafco.org)

#### Included as attachments:

- Achievement Awards Program Summary
- 2021 Achievement Award nomination form
- Achievement Award categories, nomination and selection criteria
- Listing of prior Achievement Award recipients





## CALAFCO ACHIEVEMENT AWARDS SUMMARY OF PROGRAM CHANGES

**AS ADOPTED BY THE BOARD OF DIRECTORS ON APRIL 30, 2021**

### **Purpose of the changes**

There are several goals to updating the CALAFCO Achievement Awards program.

First, nomination criteria did not exist for any award. By adding specific nomination criteria to each award, it will be easier for those considering submittal of a nomination to have clear standards that must be met in order for any nomination to be considered. Further, the criterion creates guidelines for the author of a nomination submittal.

Next, also non-existent were selection criteria. By creating selection criteria for each award, the Awards Committee has clear guidelines by which to review and consider each nomination within a given award category. Each proposed selection criteria is customized to the nomination criteria for that award category. This clear criterion also allows nominators to understand what will be considered by the Awards Committee as the nominations for a given category are considered.

We believe both of these goals create a more transparent and comprehensive Achievement Awards program for our membership.

Additionally, the updated Awards Program does several other things. First, it spotlights achievements *above and beyond* what is expected in the normal course of business. Second, it streamlines the current Award categories. Finally, it links specific achievements back to the mission and purpose of LAFCo, thereby enhancing their value and meaning.

On April 30, 2021, the Board of Directors unanimously approved the updated program. This approval was preceded by months of comprehensive review and work by the Association's Executive Director and Regional Officers, followed by a unanimous approval and recommendation to the Board by the Awards Committee.

### **Difference of the prior program to the updated program**

In addition to the differences noted above, there are other notable differences:

- Prior program had eleven (11) total award categories whereas the updated program has eight (8).
- Eliminated *Distinguished Service Award* (already awarding longevity in *Lifetime Achievement Award*).
- Rolled *Outstanding LAFCo Clerk* into *Outstanding LAFCo Professional* and expanded to all LAFCo personnel. With the new criteria, each LAFCo personnel role shall be treated equally.
- Changed *Outstanding CALAFCO Member* to *Outstanding CALAFCO Volunteer*, thereby excluding "staff person" and expanding scope to all who volunteer for the Association, not just Board or staff.
- Added nomination criteria to *Outstanding CALAFCO Associate Member*.
- Combined the following four awards into one (with two distinct categories): *Most Effective Commission, Project of the Year, Government Leadership Award and Mike Gotch Courage and Innovation in Local Government Award*. These are now the *Mike Gotch Excellence in Public Service Award*.

- Criteria for this new award was taken from all four eliminated awards and tied directly to several aspects of the mission of LAFCo through the creation of the two distinct award subcategories.

### **Adopted changes to the membership and voting of the Achievement Awards Committee**

There are two other changes directly affecting the Awards Committee. One relates to the membership structure of the Awards Committee and the other is to the voting.

First, the four Regional Officers are full voting members of the Committee. These Officers enhance the perspective of the Board Committee Members through their technical expertise and “on the ground” experiences. By adding them as voting members (they were previously “advisors” to the Committee), the full voting membership is nine (9).

And finally, it is now a policy of the Committee that any voting member abstain from voting on any category in which a nomination has been submitted by/for their LAFCo or a member (staff or commissioner) of their LAFCo. With bringing the voting membership to nine, this abstention should not pose a problem in terms of not having a quorum of votes cast.





**2021 Achievement Award Nominations**  
**Due by Friday, August 13, 2021 at 3:00 p.m.**

## **Achievement Award Nomination Form**

**NOMINEE - Person or Agency Being Nominated**

Name:

Organization:

Address:

Phone:

E-mail:

**NOMINATION CATEGORY** (check one – see category criteria on attached sheet)

- Outstanding CALAFCO Volunteer
- Outstanding CALAFCO Associate Member
- Outstanding Commissioner
- Outstanding LAFCo Professional
- Mike Gotch Excellence in Public Service (choose one category below)
  - Protection of agricultural and open space lands and prevention of sprawl*
  - Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*
- Legislator of the Year (must be approved by the full CALAFCO Board)
- Lifetime Achievement Award

**NOMINATION SUBMITTED BY:**

Name:

Organization:

Address:

Phone:

E-mail:



**2021 Achievement Award Nominations  
Due by Friday, August 13, 2021 at 3:00 p.m.**

**EXECUTIVE SUMMARY**

In no more than 250 words, summarize why this recipient is the most deserving of this award.



**2021 Achievement Award Nominations  
Due by Friday, August 13, 2021 at 3:00 p.m.**

**NOMINATION SUMMARY**

Please indicate the reasons why this person or agency deserves to be recognized (this section must be no more than 1,000 words or 2 pages maximum).



## **CALAFCO ACHIEVEMENT AWARD CATEGORIES, NOMINATION & SELECTION CRITERIA**

CALAFCO recognizes excellence within the LAFCo community and the full membership by presenting the *Achievement Awards* at the CALAFCO Annual Conference. Nominations are being accepted until **3:00 p.m., Friday, August 13, 2021** in the following categories:

### **Outstanding CALAFCO Volunteer**

#### Award Summary:

Recognizes a CALAFCO volunteer who has provided exemplary service during the past year. Exemplary service is service which clearly goes above and beyond that which is asked or expected in the charge of their responsibilities. This category may include a CALAFCO Board member, regional officer, program volunteer, or any other requested volunteer.

#### Nomination criteria:

1. Nominee must have volunteered for the Association during the year in which the nomination is being made.
2. Nominee does not have to be a CALAFCO member.
3. Volunteer efforts must have demonstrated the individual going above and beyond what was asked/expected with positive and effective results.
4. Nominee can be a CALAFCO Board member, regional officer, program volunteer or any other volunteer.

#### Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee, regardless of their position or role as a volunteer. Only the contributions and outcomes shall be considered, not the individual's position.
3. The extent of the volunteerism and the overall impact to the statewide Association and membership based on that volunteerism shall be considered.
4. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

### **Outstanding CALAFCO Associate Member**

#### Award Summary:

Presented to an active CALAFCO Associate Member (person or agency) that has advanced or promoted the cause of LAFCos by consistently producing distinguished work that upholds the mission and goals of LAFCos and has helped elevate the role and mission of LAFCos through its work. Recipient consistently demonstrates a collaborative approach to LAFCo stakeholder engagement. Further, the individual or firm has a proven commitment to the Association membership through volunteering time and resources to further the cause of LAFCo and CALAFCO.

#### Nomination criteria:

1. Nominee must be a CALAFCO Associate Member in good standing with the Association.
2. Nominee shall be an Associate Member for the full year in which the nomination is being made.
3. The Associate Member nominated shall have been an Associate Member in good standing with the Association for at least one year prior to the year for which the nomination is being made.
4. As an Associate Member, the nominee may be an individual, firm or agency.
5. The nominee may be an individual within an Associate Member firm or agency.
6. Nominee shall demonstrate that through their work as an Associate Member, the role and mission of LAFCo has been upheld and furthered.
7. Nominee must have proven cooperative and collaborative approaches to situations and solutions that affect LAFCos statewide as an Associate Member.
8. Proven commitment to the Association's membership as an Associate Member by volunteering resources to the Association during the year in which the nomination is made.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. The level of volunteering time and resources to the Association shall be a consideration with all other nomination criteria.

**Outstanding Commissioner**

Award Summary:

Presented to an individual Commissioner for extraordinary service to his or her Commission. Extraordinary service is considered actions above and beyond those required in the course of fulfilling their statutory responsibilities as a Commissioner. It requires consistently demonstrating independent judgment on behalf of the interest of the entire county, developing innovative and collaborative solutions to local issues, and leading the commission and community by example.

Nomination criteria:

1. Nominee must be a Commissioner of a LAFCo in good standing with the Association.
2. Nominee shall be a Commissioner for the full year in which the nomination is being made.
3. Proven demonstration of consistently exercising independent judgment for the greater good of the County is required.
4. Proven leadership of the commission and the community through collaborative, innovative and creative solutions to local issues is required.
5. Proven effective results and outcomes shall be demonstrated in the nomination.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Representation type (city-county-district-public) shall not be a consideration nor shall be the size or geographic area of the LAFCo on which the Commissioner serves.
4. The overall impact of the leadership of the Commissioner shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

**Outstanding LAFCo Professional**

Award Summary:

Recognizes an Executive Officer, Staff Analyst, Clerk, Legal Counsel or any other LAFCo staff person for exemplary service during the past year. Exemplary service is considered actions which clearly go above and beyond that which is asked, expected, or required in the charge of their LAFCo responsibilities.

Nomination criteria:

1. Nominee must be a staff person of a LAFCo in good standing with the Association.
2. Nominee shall be a staff person for the full year in which the nomination is being made.
3. As a staff person, the nominee can be either an employee of the LAFCo or a contractor providing employee-type services to the LAFCo.
4. Efforts must be demonstrated that the individual has consistently gone above and beyond or outside the scope of their role or job responsibilities, with proven results that otherwise would not have occurred.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Position within a LAFCo shall not be a consideration, nor shall be the size or geographic area of the LAFCo.
4. The overall impact of the LAFCo professional to their LAFCo and the greater community shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

## **Lifetime Achievement Award**

### Award Summary:

Recognizes any individual who has made extraordinary contributions to the statewide LAFCo community in terms of longevity of service, exemplary advocacy of LAFCo-related legislation, proven leadership in approaching a particular issue or issues, and demonstrated support in developing and implementing innovative and creative ways to support the goals of LAFCos throughout California. At a minimum, the individual should be involved in the LAFCo community for at least twenty (20) years.

### Nomination criteria:

1. Nomination must be received from a member LAFCo or Associate Member in good standing with the Association.
2. A minimum of 20 years direct involvement with the LAFCo community is required for consideration.
3. During that time, nominee shall have a proven positive impact and effect on the support and evolution of LAFCos statewide.
4. This includes advocacy of LAFCos statewide through legislation, developing creative and innovative solutions to LAFCo issues that serve beyond their LAFCo to the greater good, and collaborative stakeholder approaches to issues and opportunities to further the cause and mission of LAFCo.

### Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Preference may be given to nominees who also have proven experience volunteering for CALAFCO through a regional officer role, serving on committees, serving on the CALAFCO Board, or any other method of volunteering for the Association that serves to promote and support the mission and work of LAFCos throughout the state.

## **Legislator of the Year**

### Award Summary:

Presented to a member of the California State Senate or Assembly in recognition of leadership and valued contributions in support of LAFCo goals that have a statewide effect. The recipient shall have demonstrated clear support and effort to further the cause and ability of LAFCos to fulfill their statutory mission. Selected by CALAFCO Board by super majority.

### Nomination criteria:

1. Nominee shall be a California State legislator during the full year in which the nomination was made.
2. Nominee must have demonstrated extraordinary leadership in the Legislature on behalf of LAFCos statewide, with efforts resulting in a positive impact for all LAFCos.

### Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. All Legislator of the Year nominations shall be forwarded by the Achievement Awards Committee to the Board for consideration.
3. Selection of the recipient of this award shall be done with a super majority approval of the Board (present at the time of the vote).

### **Mike Gotch Excellence in Public Service Award**

Awarded to an individual, group or agency for actions that rise above expected or common functions or actions that are LAFCo-related; *and* reduce or eliminate common institutional roadblocks; *and* result in a truly extraordinary public service outcome. Individuals, a LAFCo, or collaborative effort among multiple LAFCOs or a LAFCo with other entities are eligible. Other entities shall be decision-making bodies at the local, regional or state level. This award has two distinct categories, each focusing on specific areas of the LAFCo mission.

### **Mike Gotch Excellence in Public Service Award categories:**

1. *Protection of agricultural and open space lands and prevention of sprawl*
2. *Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*

#### Mike Gotch Excellence in Public Service Award categories:

#### **Protection of agricultural and open space lands and prevention of sprawl**

Includes the development and implementation of programs or other actions associated with agriculture, water, flood control, parks and recreation, habitat conservation plans and public lands. Demonstrates the recipient has identified, encouraged and ensured the preservation of agricultural and open space lands. Proven actions that encourage cities, counties and special districts to direct development away from all types of agricultural lands, including prime agricultural lands and open space lands. Includes demonstrated consideration given in decisions to Regional Transportation Plans, including sustainable communities strategies and other growth plans to ensure reliable services, orderly growth, and sustainable communities.

#### **Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services**

Includes the development and implementation of innovate support and systems within internal LAFCo operations in the support of local agencies. Actions produce systemic and sustainable improvements and innovation of local government. Proven facilitation of constructive discussions with local and regional agencies and proactive outreach to local and regional agencies as well as local stakeholders and communities to identify issues and solutions and demonstrated action as a coordinating agency in offering and supporting unique local solutions to meet local challenges. Successful demonstration of development of capacities and abilities of local agencies. Provide tools and resources to local agencies to address aging infrastructure, fiscal challenges and the maintenance of existing services. Demonstrated action to streamline the provision of local services with proven results that services are consistent or have been improved as a result, with little to no increased cost to the consumer. Focused efforts and proven results to ensure delivery of services to all communities, especially disadvantaged communities.

#### Nomination criteria:

1. Clear demonstration that the actions rise above expected or common functions or actions.
2. The actions reduced or eliminated common institutional roadblocks.
3. The actions clearly proven a truly extraordinary public service outcome that is systemic and sustainable.
4. Identified unique circumstances and factors leading to the solution/project.
5. The innovative steps taken by the LAFCo or entity/entities/individual to solve the problem, overcome the situation, or to take action.
6. Clear description of the results/outcomes of the work and the short- and long-term effects.
7. How this work can be promoted as a LAFCo best practice.
8. Clear demonstration how this nomination meets all criteria.

#### Selection Criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee within each category. The size or geographic area of the LAFCo within a given category shall not be a consideration.
3. The overall impact of the actions and outcomes to the greater community being served shall be considered.
4. The level of impact based on the required nomination criteria shall be considered.





## **PREVIOUS CALAFCO ACHIEVEMENT AWARD RECIPIENTS**

### **2019**

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Distinguished Service Award	<b>Charley Wilson</b> , Orange LAFCo
Most Effective Commission	<b>Contra Costa LAFCo</b>
Outstanding Commissioner	<b>Jim DeMartini</b> , Stanislaus LAFCo
Outstanding LAFCo Professional	<b>David Church</b> , San Luis Obispo LAFCo
Project of the Year	<b>Orange LAFCo</b> , for <i>San Juan Capistrano Utilities MSR</i>
Government Leadership Award	<b>CA State Water Resources Control Board, Los Angeles County and Los Angeles LAFCo</b> , for <i>Sativa Water District</i>
Mike Gotch Courage & Innovation in Local Government Leadership Award	<b>Butte LAFCo</b>
Legislator of the Year	<b>Assembly Member Mike Gipson</b>
Lifetime Achievement Award	<b>John Benoit</b> , various LAFCos, <b>Jurg Heuberger</b> , Imperial LAFCo

### **2018**

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Distinguished Service Award	<b>John Withers</b> , Orange LAFCo
Most Effective Commission	<b>Santa Clara LAFCo</b>
Outstanding Commissioner	<b>Margie Mohler</b> , Napa LAFCo
Outstanding LAFCo Professional	<b>George Williamson</b> , Del Norte LAFCo
Outstanding LAFCo Clerk	<b>Elizabeth Valdez</b> , Riverside LAFCo
Outstanding CALAFCO Associate Member	<b>Best Best &amp; Krieger</b>
Project of the Year	<b>Lake LAFCo</b> , water services consolidation
Government Leadership Award	<b>City of Porterville, County of Tulare, Dept. of Water Resources, State Water Resources Control Board, Governor's Office of Emergency Services, Self Help Enterprises, Community Water Center</b> for East Porterville water supply project
Mike Gotch Courage & Innovation in Local Government Leadership Award	<b>Mike Ott</b> , San Diego LAFCo
Legislator of the Year	<b>Assembly Member Anna Caballero</b>
Lifetime Achievement Award	<b>Pat McCormick</b> , Santa Cruz LAFCo, <b>George Spiliotis</b> , Riverside LAFCo

### **2017**

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Most Effective Commission	<b>Los Angeles LAFCo</b>
Outstanding CALAFCO Member	<b>Sblend Sblendorio</b> , Alameda LAFCo
Outstanding Commissioner	<b>John Marchand</b> , Alameda LAFCo
Outstanding LAFCo Professional	<b>Paul Novak</b> , Los Angeles LAFCo
Outstanding LAFCo Clerk	<b>Richelle Beltran</b> , Ventura LAFCo
Outstanding CALAFCO Associate Member	<b>Policy Consulting Associates</b>
Project of the Year	<b>County Services MSR</b> , Butte LAFCo, and <b>Santa Rosa Annexation</b> , Sonoma LAFCo

Government Leadership Award  
Lifetime Achievement Award

**San Luis Obispo County Public Works Dept.**  
**Kathy Rollings McDonald** (San Bernardino)

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**2016**

Distinguished Service Award  
Most Effective Commission  
Outstanding CALAFCO Member  
Outstanding Commissioner  
Outstanding LAFCo Professional  
Outstanding LAFCo Clerk  
Project of the Year  
Government Leadership Award  
Lifetime Achievement Award

**Peter Brundage**, Sacramento LAFCo  
**San Luis Obispo LAFCo**  
**John Leopold**, Santa Cruz LAFCo  
**Don Tatzin**, Contra Costa LAFCo  
**Steve Lucas**, Butte LAFCo  
**Cheryl Carter-Benjamin**, Orange LAFCo  
**Countywide Water Study**, (Marin LAFCo)  
**Southern Region of CALAFCO**  
**Bob Braitman** (retired Executive Officer)

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**2015**

Mike Gotch Courage & Innovation in  
Local Government Leadership Award  
Distinguished Service Award  
Most Effective Commission  
Outstanding CALAFCO Member  
Outstanding Commissioner  
Outstanding LAFCo Professional  
Outstanding LAFCo Clerk  
Project of the Year  
  
Government Leadership Award  
  
CALAFCO Associate Member of the Year  
Legislators of the Year Award  
Lifetime Achievement Award

**Yuba County Water Agency**  
  
**Mary Jane Griego**, Yuba LAFCo  
**Butte LAFCo**  
**Marjorie Blom**, formerly of Stanislaus LAFCo  
**Matthew Beekman**, formerly of Stanislaus LAFCo  
**Sam Martinez**, San Bernardino LAFCo  
**Terri Tuck**, Yolo LAFCo  
**Formation of the Ventura County Waterworks District No. 38** (Ventura LAFCo) and **2015 San Diego County Health Care Services five-year sphere of influence and service review report** (San Diego LAFCo)  
**The Cities of Dublin, Pleasanton, Livermore and San Ramon, the Dublin San Ramon Services District and the Zone 7 Water Agency**  
**Michael Colantuono** of Colantuono, Highsmith & Whatley  
**Assembly member Chad Mayes**  
**Jim Chapman** (Lassen LAFCo) and **Chris Tooker** (formerly of Sacramento LAFCo)

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**2014**

Mike Gotch Courage & Innovation in  
Local Government Leadership Award  
Distinguished Service Award  
Most Effective Commission  
Outstanding CALAFCO Member  
Outstanding Commissioner  
Outstanding LAFCo Professional  
Outstanding LAFCo Clerk  
Project of the Year

**David Church**, San Luis Obispo LAFCo  
  
**Kate McKenna**, Monterey LAFCo  
**Santa Clara LAFCo**  
**Stephen Lucas**, Butte LAFCo  
**Paul Norsell**, Nevada LAFCo  
**Kate McKenna**, Monterey LAFCo  
**Paige Hensley**, Yuba LAFCo  
**LAFCo Procedures Guide: 50<sup>th</sup> Year Special Edition**,  
San Diego LAFCo

Government Leadership Award

**Orange County Water District, City of Anaheim, Irvine Ranch Water District, and Yorba Linda Water District**

Legislators of the Year Award

**Assembly member Katcho Achadjian**

Lifetime Achievement Award

**Susan Wilson, Orange LAFCo**

### **2013**

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Mike Gotch Courage & Innovation in Local Government Leadership Award

**Simón Salinas, Commissioner, Monterey LAFCo**

Distinguished Service Award

**Roseanne Chamberlain, Amador LAFCo**

Most Effective Commission

**Stanislaus LAFCo**

Outstanding CALAFCO Member

**Harry Ehrlich, San Diego LAFCo**

Outstanding Commissioner

**Jerry Gladbach, Los Angeles LAFCo**

Outstanding LAFCo Professional

**Lou Ann Texeira, Contra Costa**

LAFCo Outstanding LAFCo Clerk

**Kate Sibley, Contra Costa LAFCo**

Project of the Year

**Plan for Agricultural Preservation, Stanislaus LAFCo**

Government Leadership Award

**Orange County LAFCo Community Islands Taskforce, Orange LAFCo**

Legislators of the Year Award

**Senators Bill Emmerson and Richard Roth**

Lifetime Achievement Award

**H. Peter Faye, Yolo LAFCo; Henry Pellissier, Los Angeles LAFCo; Carl Leverenz, Butte LAFCo; Susan Vicklund-Wilson, Santa Clara LAFCo.**

### **2012**

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Mike Gotch Courage & Innovation in Local Government Leadership Award

**Bill Chiat, CALAFCO Executive Director**

Distinguished Service Award

**Marty McClelland, Commissioner, Humboldt LAFCo**

Most Effective Commission

**Sonoma LAFCo**

Outstanding CALAFCO Member

**Stephen A. Souza, Commissioner, Yolo LAFCo and CALAFCO Board of Directors**

Outstanding Commissioner

**Sherwood Darington, Monterey**

LAFCo Outstanding LAFCo Professional

**Carole Cooper, Sonoma LAFCo**

Outstanding LAFCo Clerk

**Gwenna MacDonald, Lassen LAFCo**

Project of the Year

**Countywide Service Review & SOI Update, Santa Clara LAFCo**

Government Leadership Award

**North Orange County Coalition of Cities, Orange LAFCo**

Lifetime Achievement Award

**P. Scott Browne, Legal Counsel LAFcos**

### **2011**

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Mike Gotch Courage & Innovation in Local Government Leadership Award

**Martin Tuttle, Deputy Director for Planning, Caltrans**

Distinguished Service Award

**Mike McKeever, Executive Director, SACOG**

LAFCo Most Effective Commission

**Carl Leverenz, Commissioner and Chair, Butte San Bernardino LAFCo**

Outstanding CALAFCO Member

**Keene Simonds, Executive Officer, Napa LAFCo**

Outstanding Commissioner

**Louis R. Calcagno, Monterey LAFCo**

Outstanding LAFCo Professional

**June Savala, Deputy Executive Officer, Los Angeles LAFCo**

Outstanding LAFCo Clerk

**Debbie Shubert, Ventura LAFCo**

Project of the Year	<b>Cortese-Knox-Hertzberg Definitions Revision</b> Bob Braitman, Scott Browne, Clark Alsop, Carole Cooper, and George Spiliotis
Government Leadership Award	<b>Contra Costa Sanitary District</b> <b>Elsinore Water District and Elsinore Valley Municipal Water District</b>

**2010**

Mike Gotch Courage & Innovation in Local Government Leadership Award	<b>Helen Thompson</b> , Commissioner, Yolo LAFCo
Distinguished Service Award	<b>Kathleen Rollings-McDonald</b> , Executive Officer, San Bernardino LAFCo <b>Bob Braitman</b> , Executive Officer, Santa Barbara LAFCo <b>Tulare LAFCo</b>
Most Effective Commission	<b>Roger Anderson, Ph.D.</b> , CALAFCo Chair, Santa Cruz LAFCo
Outstanding CALAFCo Member	<b>George Lange</b> , Ventura LAFCo
Outstanding Commissioner	<b>Harry Ehrlich</b> , Government Consultant, San Diego LAFCo
Outstanding LAFCo Professional	
Outstanding LAFCo Clerk	<b>Candie Fleming</b> , Fresno LAFCo
Project of the Year	<b>Butte LAFCo</b> Sewer Commission - Oroville Region Municipal Service Review
Government Leadership Award	<b>Nipomo Community Services District</b> and the <b>County of San Luis Obispo</b>
Special Achievement	<b>Chris Tooker</b> , Sacramento LAFCo and CALAFCo Board of Directors

**2009**

Mike Gotch Courage & Innovation in Local Government Leadership Award	<b>Paul Hood</b> , Executive Officer, San Luis Obispo LAFCo
Distinguished Service Award	<b>William Zumwalt</b> , Executive Officer, Kings LAFCo
Most Effective Commission	<b>Napa LAFCo</b>
Outstanding CALAFCo Member	<b>Susan Vicklund Wilson</b> , CALAFCo Vice Chair <b>Jerry Gladbach</b> , CALAFCo Treasurer
Outstanding Commissioner	<b>Larry M. Fortune</b> , Fresno LAFCo
Outstanding LAFCo Professional	<b>Pat McCormick</b> , Santa Cruz LAFCo Executive Officer
Outstanding LAFCo Clerk	<b>Emmanuel Abello</b> , Santa Clara LAFCo
Project of the Year	<b>Orange LAFCo</b> Boundary Report
Government Leadership Award	<b>Cities of Amador City, Jackson, Lone, Plymouth &amp; Sutter Creek; Amador County; Amador Water Agency; Pine Grove CSD</b> – Countywide MSR Project
Legislator of the Year Award	<b>Assembly Member Jim Silva</b>

**2008**

Distinguished Service Award	<b>Peter M. Detwiler</b> , Senate Local Government Committee Chief Consultant
Most Effective Commission	<b>Yuba LAFCo</b>
Outstanding Commissioner	<b>Dennis Hansberger</b> , San Bernardino LAFCo
Outstanding LAFCo Professional	<b>Michael Ott</b> , San Diego LAFCo Executive Officer <b>Martha Poyatos</b> , San Mateo Executive Officer

Outstanding LAFCo Clerk Project of the Year	<b>Wilda Turner</b> , Los Angeles LAFCo <b>Kings LAFCo</b> City and Community District MSR and SOI Update
Government Leadership Award Legislator of the Year Award	<b>San Bernardino Board of Supervisors</b> <b>Assembly Member Anna M. Caballero</b>

**2007**

Outstanding CALAFCo Member Distinguished Service Award Counsel Most Effective Commission Outstanding Commissioner	<b>Kathy Long</b> , Board Chair, Ventura LAFCo <b>William D. Smith</b> , San Diego Legal <b>Santa Clara LAFCo</b> <b>Gayle Uilkema</b> , Contra Costa LAFCo
Outstanding LAFCo Professional Outstanding LAFCo Clerk Project of the Year	<b>Joyce Crosthwaite</b> , Orange LAFCo Executive Officer <b>Debby Chamberlin</b> , San Bernardino LAFCo <b>San Bernardino LAFCo and City of Fontana</b> Islands Annexation Program
Government Leadership Award Lifetime Achievement	<b>City of Fontana - Islands Annexation Program</b> <b>John T. "Jack" Knox</b>

**2006**

Outstanding CALAFCo Member Distinguished Service Award Most Effective Commission Award Outstanding Commissioner Award	<b>Everett Millais</b> , CALAFCo Executive Officer and Executive Officer of Ventura LAFCo <b>Clark Alsop</b> , CALAFCo Legal Counsel <b>Alameda LAFCo</b> <b>Ted Grandsen</b> , Ventura LAFCo <b>Chris Tooker</b> , Sacramento LAFCo
Outstanding LAFCo Professional Award Outstanding LAFCo Clerk Award Project of the Year Award	<b>Larry Calemine</b> , Los Angeles LAFCo Executive Officer <b>Janice Bryson</b> , San Diego LAFCo <b>Marilyn Flemmer</b> , Sacramento LAFCo <b>Sacramento Municipal Utility District</b> Sphere of Influence Amendment and Annexation; <b>Sacramento LAFCo</b>
Outstanding Government Leadership Award Legislator of the Year Award	<b>Cities of Porterville, Tulare, and Visalia and Tulare LAFCo</b> Island Annexation Program <b>Senator Christine Kehoe</b>

**2005**

Outstanding CALAFCo Member Distinguished Service Award Most Effective Commission Award Outstanding Commissioner Award	<b>Peter Herzog</b> , CALAFCo Board, Orange LAFCo <b>Elizabeth Castro Kemper</b> , Yolo LAFCo <b>Ventura LAFCo</b> <b>Art Aseltine</b> , Yuba LAFCo <b>Henri Pellissier</b> , Los Angeles LAFCo
Outstanding LAFCo Professional Award Outstanding LAFCo Clerk Award Project of the Year Award	<b>Bruce Baracco</b> , San Joaquin LAFCo <b>Danielle Ball</b> , Orange LAFCo <b>San Diego LAFCo</b> MSR of Fire Protection and Emergency Medical Services
Outstanding Government Leadership Award	<b>Sacramento Area Council of Governments (SACOG)</b>

**2004**

Outstanding CALAFCo Member Distinguished Service Award Most Effective Commission Award	<b>Scott Harvey</b> , CALAFCo Executive Director <b>Julie Howard</b> , Shasta LAFCo <b>San Diego LAFCo</b>
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Outstanding Commissioner Award	<b>Edith Johnsen</b> , Monterey LAFCo
Outstanding LAFCo Professional Award	<b>David Kindig</b> , Santa Cruz LAFCo
Project of the Year Award	<b>San Luis Obispo LAFCo</b> Nipomo CSD SOI Update, MSR, and EIR
<b>2003</b>	
Outstanding CALAFCO Member	<b>Michael P. Ryan</b> , CALAFCO Board Member
Distinguished Service Award	<b>Henri F. Pellissier</b> , Los Angeles LAFCo
Most Effective Commission Award	<b>San Luis Obispo LAFCo</b>
Outstanding Commissioner Award	<b>Bob Salazar</b> , El Dorado LAFCo
Outstanding LAFCo Professional Award	<b>Shirley Anderson</b> , San Diego LAFCo
Outstanding LAFCo Clerk Award	<b>Lori Fleck</b> , Siskiyou LAFCo
Project of the Year Award	<b>Napa LAFCo</b> Comprehensive Water Service Study
Special Achievement Award	<b>James M. Roddy</b>
<b>2002</b>	
Outstanding CALAFCO Member	<b>Ken Lee</b> , CALAFCo Legislative Committee Chair
Most Effective Commission Award	<b>San Diego LAFCo</b> Outstanding
Commissioner Award	<b>Ed Snively</b> , Imperial LAFCo
Outstanding LAFCo Professional Award	<b>Paul Hood</b> , San Luis Obispo LAFCo
Outstanding LAFCo Clerk Award	<b>Danielle Ball</b> , Orange LAFCo
Project of the Year Award	<b>San Luis Obispo LAFCo</b>
Outstanding Government Leadership Award	<b>Napa LAFCo, Napa County Farm Bureau, Napa Valley Vintners Association, Napa Valley Housing Authority, Napa County Agricultural Commissioner's Office, Napa County Counsel Office, and Assembly Member Patricia Wiggins</b>
<b>2001</b>	
Outstanding CALAFCO Member	<b>SR Jones</b> , CALAFCO Executive Officer
Distinguished Service Award	<b>David Martin</b> , Tax Area Services Section, State Board of Equalization
Outstanding Commissioner Award	<b>H. Peter Faye</b> , Yolo LAFCo
Outstanding LAFCo Professional Award	<b>Ingrid Hansen</b> , San Diego LAFCo
Project of the Year Award	<b>Santa Barbara LAFCo</b>
Outstanding Government Leadership Award	<b>Alameda County Board of Supervisors, Livermore City Council, Pleasanton City Council</b>
Legislator of the Year Award	<b>Senator Jack O'Connell</b>
<b>2000</b>	
Outstanding CALAFCO Member	<b>Ron Wootton</b> , CALAFCO Board Chair
Distinguished Service Award	<b>Ben Williams</b> , Commission on Local Governance for the 21st Century
Most Effective Commission Award	<b>Yolo LAFCo</b>
Outstanding Commissioner	<b>Rich Gordon</b> , San Mateo LAFCo
Outstanding LAFCo Professional Award	<b>Annamaria Perrella</b> , Contra Costa LAFCo
Outstanding LAFCo Clerk Award	<b>Susan Stahmann</b> , El Dorado LAFCo
Project of the Year Award	<b>San Diego LAFCo</b>
Legislator of the Year Award	<b>Robert Hertzberg</b> , Assembly Member

**1999**


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Distinguished Service Award	<b>Marilyn Ann Flemmer-Rodgers</b> , Sacramento LAFCo
Most Effective Commission Award	<b>Orange LAFCo</b>
Outstanding Executive Officer Award	<b>Don Graff</b> , Alameda LAFCo
Outstanding LAFCo Clerk Award	<b>Dory Adams</b> , Marin LAFCo
Most Creative Solution to a Multi-Jurisdictional Problem	<b>San Diego LAFCo</b>
Outstanding Government Leadership Award	<b>Assembly Member John Longville</b>
Legislator of the Year Award	<b>Assembly Member Robert Hertzberg</b>

**1998**


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Outstanding CALAFCO Member	<b>Dana Smith</b> , Orange LAFCo
Distinguished Service Award	<b>Marvin Panter</b> , Fresno LAFCo
Most Effective Commission Award	<b>San Diego LAFCo</b>
Outstanding Executive Officer Award	<b>George Spiliotis</b> , Riverside LAFCo
Outstanding Staff Analysis	<b>Joe Convery</b> , San Diego LAFCo <b>Joyce Crosthwaite</b> , Orange LAFCo
Outstanding Government Leadership Award	<b>Santa Clara County Planning Department</b>

**1997**


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Most Effective Commission Award	<b>Orange LAFCo</b>
Outstanding Executive Officer Award	<b>George Finney</b> , Tulare LAFCo
Outstanding Staff Analysis	<b>Annamaria Perrella</b> , Contra Costa LAFCo
Outstanding Government Leadership Award	<b>South County Issues Discussion Group</b>
Most Creative Solution to a Multi-Jurisdictional Problem	<b>Alameda LAFCo and Contra Costa LAFCo</b>
Legislator of the Year Award	<b>Assembly Member Tom Torlakson</b>

