



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 10/30/2018

Agenda Placement: 10C

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Minh Tran - County Executive Officer
County Executive Office
REPORT BY: Molly Rattigan, Deputy County Executive Officer - 253-4112
SUBJECT: Proposed Updates to LAFCO Sphere of Influence Policy

RECOMMENDATION

County Executive Officer requests discussion and possible direction to staff regarding proposed updates to the Local Agency Formation Commission's (LAFCO) Sphere of Influence (SOI) Policy.

EXECUTIVE SUMMARY

Napa County LAFCO periodically updates its policies regarding proposals to form, reorganize, expand and/or dissolve cities and special districts. In February, 2017, LAFCO established an ad hoc Policy Committee to review all of the agency's policies and propose amendments as appropriate. On August 6, 2018, LAFCO reviewed a draft of proposed updates to SOI policies, and requested that comments from the public and member agencies be provided by November 9, 2018. It is requested that the Board review the proposed updated policies, and provide direction to be included the County Executive Officer's response.

PROCEDURAL REQUIREMENTS

1. Staff presentation.
2. Public comment.
3. Board discussion and direction to Staff.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: This discussion item and any corresponding County comments on LAFCO's proposal does not constitute a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Napa County LAFCO has utilized locally adopted General Policy Determinations to guide decision making on boundary adjustments for cities and special districts, and to uniformly apply LAFCO's prescribed duties. LAFCO periodically updates these policies at their discretion, and as necessary to maintain consistency with updates to State law. Included with these updates, LAFCO proposes to separate SOI policies into a new stand-alone policy document.

LAFCO is requesting comments on the proposed update by November 9, 2018, for consideration at their next regular meeting scheduled for December 3, 2018. These policies set forth the requirements for the establishment, amendment, study, review and update of SOIs. It is very important that these policies align with Napa County's General Plan to ensure that growth within cities and special districts does not conflict with the County's long standing agricultural preservation and sustainability objectives.

As noted in the Background Section of the attached Draft Policy on Spheres of Influence, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, beginning with California Government Code (G.C.) §56425, requires LAFCO to establish and maintain SOIs for all cities and special districts in Napa County. SOIs are 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 must be consistent with the SOIs of the local agencies affected by that determination (G.C. §56375.5). The Background Section goes on to state that LAFCO encourages cities, towns, and the County to meet and agree to SOI changes, and that LAFCO 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 based on information in Municipal Service Reviews (MSRs), including adopted determinative statements and recommendations (G.C. §56430).

Napa County's local agencies have a well established track record of working together, and through LAFCO, to ensure that the adopted General Plans (for all agencies) and SOIs guide orderly growth of our communities without negative impact to agricultural lands. To varying degrees, the County has urban growth boundary agreements with all of the incorporated communities. However, both at a local and regional level, there are ongoing factors that result in pressure to expand SOIs. Factors include but are not limited to: Regional and local market demand for new residential and commercial development; provision of affordable housing; achieving jobs and housing balance; maintaining local agency fiscal health; addressing State-mandated land use and fiscal measures; and responding to existing substandard water and sewage needs. As such, sustaining mutually agreed upon urban growth boundaries is, and will remain an ongoing challenge.

Attached is a side-by-side comparison of existing and proposed policies, LAFCO's August 6, 2018 Staff Report, and a track changes copy of the policies. Staff will provide a report regarding these policies and seek direction and discussion for responding to the proposed policy.

SUPPORTING DOCUMENTS

- A . LAFCO Staff Report with Existing and Proposed Policies
- B . LAFCO Draft Sphere of Influence Policy (tracked changes)

C . Existing and Proposed Policy Comparison

CEO Recommendation: Approve

Reviewed By: Molly Rattigan