



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 4/23/2019

Agenda Placement: 10B

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 direction to staff to submit a letter to the Local Agency Formation Commission regarding proposed updates to the 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 circulated an initial draft of proposed updates to SOI policies which the County commented on in a letter dated November 9, 2019 (attached). A revised draft policy was distributed by LAFCO for public review and comment.

Today's item is to seek discussion and direction on Napa County's response to the revised draft policy. Staff will present recommendations at the Board meeting.

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.

In February 2017, LAFCO established an ad hoc policy committee to review and recommend policy edits. On August 6, 2018, LAFCO reviewed a draft of proposed updates to the SOI policies, and requested comments. The Board of Supervisors reviewed the proposed policy and submitted comments. At the March 11, 2019 LAFCO Retreat, LAFCO staff provided copies of comments received and a revised draft SOI policy. The commission reviewed the changes and the revised draft policy was put out for public comment.

LAFCO is requesting comments on the revised draft in April 2019 for likely review and consideration by the Commission at the June 3, 2019 meeting.

Staff has reviewed the proposed draft and has significant and serious concerns about the revisions. Staff will present specific recommendations as part of the presentation of this item. Generally, the concerns identified relate to preservation of agriculture and open space (including conflicts between the proposed policy and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that governs LAFCO policies) and the policies for the provision of services outside of an existing sphere of influence.

Staff is preparing a draft letter outlining the concerns for review and discussion. Staff is seeking direction to send a letter outlining the County's concerns.

Documents attached to this agenda item include:

1. Napa County Staff Report and Memorandum dated October 30, 2018
2. Napa County Letter to LAFCO on Draft Policy dated November 9, 2018
3. Revised Draft Sphere of Influence Policy from LAFCO dated March 11, 2019 (Redlined)
4. St. Helena Staff Report on LAFCO SOI Policy dated April 9, 2019
5. Municipal Water Operation Boundaries Map

SUPPORTING DOCUMENTS

- A . Napa County Staff Report on LAFCO-October 30, 2018
- B . Napa County Comment Letter to LAFCO-November 9, 2018
- C . Revised Draft SOI Policy from LAFCO-March 11, 2019 (Redlined)

D . St. Helena Staff Report on LAFCO SOI Policy-April 9, 2019

E . SOW Boundary Maps

CEO Recommendation: Approve

Reviewed By: Helene Franchi