



Agenda Date: 6/27/2006
Agenda Placement: 6BB

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Silva Darbinian for Robert Westmeyer - County Counsel
County Counsel
REPORT BY: Brandi Periera, Paralegal, 251-1090
SUBJECT: Approval of Amendment to Napa County Agreement No. 6151

RECOMMENDATION

County Counsel requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6151 with the City of American Canyon (2003 Housing Memorandum of Understanding (MOU)) extending the phases in the Housing MOU to coincide with the housing element cycles established under State law, as those cycles may be amended from time to time by the Legislature.

EXECUTIVE SUMMARY

In October 2003, the City of American Canyon and the County of Napa entered into Napa County Agreement No.6151 (also known as the Housing MOU) concerning the parties' respective housing elements and related matters of mutual interest. The Housing MOU divides the terms and responsibilities of the parties into three phases consisting of three time periods.

The parties intended for these phases to coincide with the housing element cycles established under State law. However, the State extended the housing element cycles after the Housing MOU was adopted by the parties. Consequently, the time lines in the Housing MOU do not correspond with the housing element cycles established by State law.

This Amendment would revise the Housing MOU so that each of the phases would automatically coordinate with the housing element cycles whenever those cycles are extended by the State. The duties and obligations of the parties under each of the phases would also be extended accordingly.

Notwithstanding the foregoing, obligations of the parties under paragraph 10.c of the Housing MOU concerning the City's Rural Urban Limit Line would be extended from June 30, 2006 to August 30, 2006.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

BACKGROUND AND DISCUSSION

In October 2003, the City of American Canyon and the County of Napa entered into Napa County Agreement No.6151 (also known as the Housing MOU) concerning the parties' respective housing elements and related matters of mutual interest. The Housing MOU divides the terms and responsibilities of the parties into three phases consisting of three time periods.

The parties intended for these phases to coincide with the housing element cycles established under State law. At the time the Housing MOU was written, Phase I was scheduled to end on June 30, 2006. This was the same date that ABAG jurisdictions were required to revise their housing elements (for the housing element cycle that began in 1999). However, the Legislature later extended this date to June 30, 2007, pursuant to Government Code section 65588(e)(2). The State Department of Housing and Community Development thereafter extended this deadline to June 30, 2009, pursuant to Government Code section 65584.02.

This Amendment would revise the Housing MOU so that each of the phases would automatically coordinate with the housing element cycles whenever those cycles are extended by the State. The duties and obligations of the parties under each of the phases would also be extended accordingly.

Notwithstanding the foregoing, obligations of the parties under paragraph 10.c of the Housing MOU concerning the City's Rural Urban Limit Line would be extended from June 30, 2006 to August 30, 2006.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Maiko Klieman