



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 4/30/2021

Agenda Placement: 7A

## Napa County Legislative Subcommittee Board Agenda Letter

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**TO:** Napa County Legislative Subcommittee

**FROM:** REBECCA CRAIG for Minh Tran - County Executive Officer  
County Executive Office

**REPORT BY:** Nelson Cortez, STAFF ASSISTANT II - BOS - 7072991478

**SUBJECT:** SB 13 (Dodd) Local agency services: contracts: Counties of Napa and San Bernardino

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### **RECOMMENDATION**

County Executive Officer seeks discussion and possible action on SB 13 (Dodd) that would extend the sunset on a pilot program that allows local agency formation commissions in the Counties of Napa and San Bernardino to authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence and recently amended to provide limited authorization for Napa LAFCO to consider the application of a sewer extension authorization by the city of St. Helena.

### **EXECUTIVE SUMMARY**

SB 13 (Dodd) will extend the sunset date with regard to a pilot program (AB 402, Dodd, 2015) that authorized the local agency formation commissions (LAFCO) in Napa and San Bernardino Counties, upon making specified determinations at a noticed public hearing, to 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 specified. The bill is expected to be amended to also provide authorization for Napa LAFCO to consider the application of a sewer extension authorization by the city of St. Helena.

The Legislative Subcommittee recommended a support position on January 25, 2021. The purpose of this item is for the Legislative Subcommittee to review the amendments and provide direction to continue supporting, remove support and stay neutral, or oppose the legislation.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?

No

County Strategic Plan pillar addressed:

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

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 its jurisdictional boundary if it requests and receives written approval from local agency formation commission (LAFCO) in the county in which the extension of service is proposed.

AB 402 in 2015 by, then, Assemblymember Dodd, established a pilot program for Napa and San Bernardino LAFCOs, until January 1, 2021, to allow service extensions outside spheres of influence and jurisdictional boundaries, beyond health and safety issues. Under the pilot, Napa and San Bernardino LAFCOs may authorize, if consistent with their adopted policies, a city or district to extend services to support existing or planned uses, as defined, involving public or private properties, if the approval is done at noticed public hearing where the LAFCO makes specified determinations.

SB 13 (Dodd) will extend the sunset to January 1, 2026.

The Legislative Subcommittee recommended a support position on January 25, 2021. The purpose of this item is for the Legislative Subcommittee to review the amendments and provide direction to continue supporting, remove support and stay neutral, or oppose the legislation.

### **SUPPORTING DOCUMENTS**

A . Bill Text

Recommendation: Approve  
Reviewed By: Helene Franchi