



## **APPLICATION PACKET**

Local Agency Formation Commissions (LAFCOs) are responsible under State law for approving, modifying, or disapproving changes of organization consistent with their adopted written policies, procedures, and guidelines. LAFCOs are also authorized to establish conditions in approving changes of organization as long as they do not directly regulate land uses. Underlying LAFCO's decision-making is to consider the logical and timely development of the affected agencies in context with local circumstances and needs. Changes of organization include all of the following:

- City/District Annexations
- City/District Detachments
- City Incorporations
- District Formations
- City/District Dissolutions
- City/District Mergers
- Service Activations (District Only)
- Service Divestitures (District Only)

This application provides the list of forms needed to file a change of organization proposal with LAFCO of Napa County ("Commission"). Attached are forms A-F. The additional forms (G and H) are located on our website ([click here](#)). The attached forms can be completed electronically, just be sure to save the form to your computer. Once completed ([click here](#)) to submit. Please contact our office with any questions.

### **Applicant Checklist**

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- ☐ A. Notice of Intention to Circulate Petition  
(Landowner and Resident Proposals Only)
  - ☐ B. Petition for Proposal  
(Landowner and Resident Proposals Only)
  - ☐ C. Notice of Intention to Adopt Resolution of Application  
(Agency Proposals Only)
  - ☐ D. Proposal Application  
(All Proposals)
  - ☐ E. Political Contribution and Expenditure Disclosures  
(All Proposals)
  - ☐ F. Indemnification Agreement  
(All Proposals)
  - ☐ G. Map and Boundary Description  
Requirements  
(All Proposals)
  - ☐ H. Proposal Fees  
(All Proposals)
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# FORM A

For Staff Use

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

Proposal Name: \_\_\_\_\_

## NOTICE OF INTENT TO CIRCULATE PETITION

For Filing with the Local Agency Formation Commission of Napa County

Applicants shall complete and submit a notice of intention with the Executive Officer before filing a petition proposing a change of organization. The notice shall include the name and mailing address of the applicant along with a written statement no more than 500 words in length setting forth the reasons for the proposal. The petition may be circulated for signatures after the notice has been filed. The Executive Officer shall notify the affected local agencies upon receiving the notice. Applicants are encouraged to use this form.

### Applicant Information:

Applicant Name: \_\_\_\_\_

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

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

### Petition Proposes:

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### Reasons for Proposal:

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

# FORM B

For Staff Use

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

Proposal Name: \_\_\_\_\_

## 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:

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

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### Reason for Proposal and Any Proposed Conditions:

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### Type of Petition:

☐

Landowner

☐

Registered Voter

### Sphere of Influence Consistency:

☐

Yes

☐

No

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

- 1) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_
- 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 C

For Staff Use

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

Proposal Name: \_\_\_\_\_

## NOTICE OF INTENTION TO ADOPT RESOLUTION OF APPLICATION

For Filing with the Local Agency Formation Commission of Napa County

A proposal for a change of organization made by a local agency shall be initiated by an adopted resolution of application in accordance with Government Code Section 56654. Mailed notice of a local agency's intention to adopt a resolution of application must be provided no less than 21 days in advance to the Commission and all affected agencies. The notice shall describe the proposal and the affected territory. Applicants are encouraged to use this form.

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

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

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### Reason for Proposal and Any Proposed Conditions:

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# FORM D

For Staff Use

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

Proposal Name: \_\_\_\_\_

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

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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: \_\_\_\_\_

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

## **FORM E**

### **POLITICAL CONTRIBUTION AND EXPENDITURE DISCLOSURES** For Filing with the Local Agency Formation Commission of Napa County

Contributions and expenditures for political purposes related to a change of organization proposal shall be disclosed and reported pursuant to Article 2.5 of Chapter 4 of the Political Reform Act.

Please see Forms E-1 and E-2.

## FORM E-1

For Staff Use

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

Proposal Name: \_\_\_\_\_

### CAMPAIGN CONTRIBUTION TO COMMISSIONERS - DISCLOSURE REQUIREMENTS

LAFCOs are subject to the campaign disclosure provisions detailed in Government Code Section 84308 and the Regulations of the Fair Political Practices Commission (FPPC), 2 Cal. Adm. Code Sections 18438.1 – 18438.6.

**Please carefully read the following information to determine if the provisions apply to you. If you determine that the provisions are applicable, the Campaign Disclosure Form E-1 must be completed and returned to LAFCO of Napa County with your application.**

1. No LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party<sup>1</sup> or agent<sup>2</sup> while a change of organization proceeding is pending, and for three months subsequent to the date a final decision is rendered by LAFCO. This prohibition commences when your application has been filed, or the proceeding is otherwise initiated.
2. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 made to any commissioner by the party, or agent, during the preceding 12 months. No party to a LAFCO proceeding, or agent, shall make a contribution to a commissioner during the proceeding, and for three months following the date a final decision is rendered by LAFCO.
3. Prior to rendering a decision on a LAFCO proceeding, any commissioner who received a contribution of more than \$250 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding, and shall be disqualified from participating in the proceeding. However, if any commissioner receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, that commissioner shall be permitted to participate in the proceeding.

To determine whether a campaign contribution of more than \$250 has been made by you or your agent to a commissioner within the preceding 12 months, all contributions made by you or your agent during that period must be aggregated.

Names of current LAFCO commissioners are available [http://www.napa.lafco.ca.gov/c\\_commissioners.aspx](http://www.napa.lafco.ca.gov/c_commissioners.aspx). If you have questions about Government Code Section 84308, FPPC regulations, or the Campaign Disclosure Form, please contact the LAFCO Executive Officer at [http://www.napa.lafco.ca.gov/c\\_staff.aspx](http://www.napa.lafco.ca.gov/c_staff.aspx).

<sup>1</sup> “Party” is defined as any person who files an application for, or is the subject of, a proceeding.

<sup>2</sup> “Agent” is defined as a person who represents a party in connection with a proceeding. If an individual acting as an agent also is acting as an employee or member of a law, architectural, engineering, or consulting firm, or a similar entity or corporation, both the individual and the entity or corporation are agents. When a closed corporation is a party to a proceeding, the majority shareholder is subject to these provisions.

**ATTACHMENT: CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

(a) Proposed change(s) of organization: \_\_\_\_\_

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(b) Name and address of any party, or agent, who has contributed more than \$250 to any commissioner within the preceding 12 months:

1. \_\_\_\_\_

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2. \_\_\_\_\_

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(c) Date and amount of contribution:

Date \_\_\_\_\_ Amount \$ \_\_\_\_\_

Date \_\_\_\_\_ Amount \$ \_\_\_\_\_

(d) Name of commissioner to whom contribution was made:

1. \_\_\_\_\_

2. \_\_\_\_\_

(e) I certify that the above information is provided to the best of my knowledge.

Printed Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_ Phone \_\_\_\_\_

## FORM E-2

### Disclosure of Political Expenditures

For Staff Use

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

Proposal Name: \_\_\_\_\_

### DISCLOSURE OF POLITICAL EXPENDITURES FOR/AGAINST A LAFCO PROPOSAL

Expenditures for political purposes, which are related to a change of organization or reorganization proposal that will be or has been submitted to LAFCO of Napa County, are subject to the reporting and disclosure requirements of the Political Reform Act of 1974 and the Cortese-Knox-Hertzberg Act of 2000.

**Please carefully read the following information to determine if reporting and disclosure provisions apply to you.**

1. Any person or combination of persons who for political purposes, directly or indirectly contributes \$1, 000 or more, or expends \$1, 000 or more, in support of or in opposition to a proposal for a change of organization or reorganization that will be submitted to the Commission, must disclose and report as required for local initiative measures under the Political Reform Act of 1974 (commencing with Government Code Section 84250) and Government Code Section 56700. 1 (of the Cortese-Knox-Hertzberg Act of 2000).
- 2 Pursuant to Government Code Section 57009, 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 the conducting authority proceedings for a change of organization or reorganization, must comply with the disclosure requirements as required for local initiative measures under the Political Reform Act of 1974 (commencing with Government Code Section 84250).
3. Applicable reports must be filed with the Secretary of State and the appropriate city or county clerk. Copies of reports must also be filed with the LAFCO Executive Officer.

## ATTACHMENT: CHECKLIST FOR DISCLOSURE OF POLITICAL EXPENDITURES

The following checklist is provided to assist you in determining if the requirements of the Political Reform Act of 1974 (Government Code Sections 81000 et seq.) apply to you. For further assistance contact the Fair Political Practices Commission at 428 J Street, Suite 450, Sacramento, CA 95814, (866) 275-3772, or at <http://www.fppc.ca.gov>.

1. Have you directly or indirectly made a contribution or expenditure of \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCO?

☐ Yes

☐ No

Date of contribution \_\_\_\_\_ Amount \$ \_\_\_\_\_

Name/Ref. No. of LAFCO proposal \_\_\_\_\_

Date proposal submitted to LAFCO \_\_\_\_\_

2. Have you, in combination with other person(s), directly or indirectly contributed or expended \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCO?

☐ Yes

☐ No

Date of contribution \_\_\_\_\_ Amount \$ \_\_\_\_\_

Name/Ref. No. of LAFCO proposal \_\_\_\_\_

Date proposal submitted to LAFCO \_\_\_\_\_

3. If you have filed a report in accordance with FPPC requirements, has a copy of the report been filed with LAFCO?

☐ Yes

☐ No



# **FORM F**

## **INDEMNIFICATION AGREEMENT**

Regarding a Filing with the Local Agency Formation Commission of Napa County

The Commission requires the applicant and any real party in interest to provide written indemnification to the Commission as a condition of approval for a change of organization. A real party in interest includes the landowner and/or registered voter of the affected territory subject to the change of organization application. Attached is a copy of a standard indemnification agreement approved by Commission Counsel.

## Indemnification Agreement

Name of Proposal (assigned by staff): \_\_\_\_\_

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

\_\_\_\_\_  
Date