

RESOLUTION R2024__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, (1) AUTHORIZING THE UTILITIES DIRECTOR TO EXECUTE A DECLARATION OF COVENANTS AND AGREEMENT REGARDING WATER SERVICE TO 7855 ST HELENA HIGHWAY 29 IN OAKVILLE (APN 027-280-077-000 (2) AUTHORIZING THE UTILITIES DIRECTOR TO SUBMIT AN APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY FOR AN OUTSIDE SERVICE AGREEMENT; AND (3) DETERMINING THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA.

WHEREAS, Napa Valley Grapegrowers is proposing to use an existing building for office and meeting space and equipment storage ("Project") at 7855 St Helena Highway in Oakville (APN 027-280-077-000) on a site that was historically used for commercial purposes including Oakville Pump Company; and

WHEREAS, the City has an existing water service to the property for domestic purposes; and

WHEREAS, the Utilities Water Division has received an Outside Water Service Application ("Application") for a 6-inch fire water service at 7855 St Helena Highway in Oakville (APN 027-280-077-000) to serve the buildings on the property for the purposes of fire suppression (fire service) to address an impending threat to the health and safety of the workers at the site; and

WHEREAS, City Charter Section 180 prohibits extension of water service outside City limits and the City Rural Urban Limit Line (RUL) unless the extension is approved by a four-fifths (4/5) vote of the City Council (or under limited exceptions not applicable to this Application); and

WHEREAS, the property which is the subject of this Application, at 7855 St Helena Highway in Oakville (APN 027-280-077-000) is outside the RUL and requires four-fifths (4/5) vote of approval by City Council to be granted service; and

WHEREAS, under State LAFCO law (the Cortese-Knox-Hertzberg Local Government Reorganization Act), particularly California Government Code Section 56133, the Local Agency Formation Commission of Napa County ("LAFCO") is generally required to review and approve any proposed new or extended water service outside the City limits (subject to exceptions to this general rule that are not applicable to this Application); and

ATTACHMENT 1

WHEREAS, pursuant to Government Code Section 56133, LAFCO can only approve an extension of City water service to property outside the City limits if the property is within the City's Sphere of Influence (which does not apply to this Application), or the water service is to respond to an existing or impending threat to the public health or safety of the residents of the affected property; and

WHEREAS, the applicant requested the City to allow use of City water for fire sprinkler suppression to protect the health and safety of the residents; and

WHEREAS, City staff has evaluated the Application and concluded that the potential demand of the fire water service will have no adverse effect on water supply availability; and

WHEREAS, City staff has evaluated the Application and concluded that the City has sufficient treatment, storage, and conveyance capacity to accommodate the requested service; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.

2. The City Council hereby determines that the Recommended Action is exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Categorical exemption Class 1 Existing Facilities), which exempts repair, maintenance, or minor alteration of existing facilities involving negligible or no expansion of use; and CEQA Guidelines Section 15302 (Categorical Exemption Class 2 Replacement or Reconstruction), which exempts replacement or reconstruction of existing facilities on the same site and with the same purpose.

3. The City Council hereby authorizes by at least 4/5 vote of the City Council, extension of outside-City fire water service to APN (027-280-077-000) at 7855 St Helena Highway in Oakville to address an existing or impending threat to public health or safety to persons at the commercial property, subject to: (a) execution of a Declaration of Covenants and Agreement Regarding Water Service in substantial conformance to the Non-Binding Summary of Conceptual Terms attached hereto and incorporated herein as Exhibit A and in a form satisfactory to the City Manager and Utilities Director, and approved as to form by the City Attorney; and (b) authorization from LAFCO to extend the water service to respond to an existing or impending threat to public health or safety.

ATTACHMENT 1

4. The City Council hereby authorizes the Utilities Director to execute a Declaration of Covenants and Agreement Regarding Fire Water Service to 7855 St Helena Highway in Oakville (027-280-077-000) for the Project in accordance with this resolution.

5. The City Council hereby authorizes the Utilities Director to submit an application to LAFCO to authorize the extension of water service to the Project in accordance with this resolution.

6. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 19th day of November, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to form:

Christopher Diaz
Interim City Attorney