

**ORDINANCE NO. 98-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
AMERICAN CANYON ADOPTING AN ORDINANCE PROVIDING FOR COST  
RECOVERY AN SECOND SHERIFF'S CALLS TO UNRULY GATHERINGS**

**WHEREAS**, the City of American Canyon contracts with the Napa County Sheriff's Department for law enforcement services; and

**WHEREAS**, there is a need to assist the Sheriff's Department by reducing the number of calls to a single location in a short period of time; and

**WHEREAS**, in order to offset the costs of multiple responses to a single location to control an unruly gathering, it is necessary to provide a mechanism where the City is reimbursed for the cost of additional responses.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** A new Chapter 9.06, Unruly gatherings, is hereby added to Title 9 of the Municipal Code as set forth below.

**Chapter 9.06**

**UNRULY GATHERINGS**

**Sections:**

<b>9.06.010</b>	<b>Purpose and application</b>
<b>9.06.020</b>	<b>Definitions</b>
<b>9.06.030</b>	<b>Emergency response charges</b>
<b>9.06.040</b>	<b>Calculation of charges</b>
<b>9.06.050</b>	<b>Collection of charges</b>
<b>9.06.060</b>	<b>Mandatory warnings</b>
<b>9.06.070</b>	<b>Additional Emergency Response Charges</b>
<b>9.06.080</b>	<b>Other remedies</b>
<b>9.06.090</b>	<b>Charge against person liable; minors</b>

**9.06.010 Purpose and application.** The purposes of this Chapter are:

1. To assist law enforcement officers in controlling unruly gatherings;
- B. To defray the cost of providing an emergency response during a second call to such gatherings;  
and
3. To deter noisy or dangerous gatherings which are disturbing the public peace.

4. This chapter shall have no application to assemblies, meetings, gatherings, demonstrations or marches supporting or espousing political, social, ethical, religious or other causes or beliefs, the expression of which is entitled to protection under the United States or State Constitution.

**9.06.020 Definitions.** For purposes of this Chapter the following words or phrases shall have be defined as:

1. An unruly gathering is a noisy or dangerous gathering of two or more persons which is disturbing the public peace.
2. A second call to an unruly gathering is a second on-site visit to the premises by law enforcement officers which occurs after the initial response has been made to advise the person apparently in charge, or other person as provided in Section 9.06.060, that the gathering is unruly and informing such person of his or her liability under this section. Additional visits to the premises regarding the same unruly gathering shall be deemed second calls for the purpose of this Section.

**9.06.030 Emergency response charges.** Whenever law enforcement officers respond for a second time to an unruly individual or gathering after responding within the previous thirty (30) calendar days to an unruly individual or gathering, the law enforcement personnel making the second call are deemed to be providing special emergency security services the cost of which, shall be charged to the individual or individual responsible for the unruly individual or gathering as provided in this Chapter.

**9.06.040 Calculation of charges.** The charge for providing such services during a second call to an unruly gathering shall be based on the hourly pay and benefit rates plus the established City administrative fee. The charge shall also include the cost of providing equipment and repairing or replacing damaged equipment. The charge for each call shall be the cost of providing the services, but no less than on hundred dollars nor more than five hundred dollars plus the cost of actual damage to city property. Additional calls to the same gathering shall be separately charged. The City Council may approve a higher charge for a call if it is determined that additional costs were incurred.

**9.06.050 Collection of charges.** The person or persons in charge of the unruly gathering, and if occurring on private property, the person or persons in charge of the property, shall be jointly and severally liable for the cost of providing the special emergency security services. The Sheriff, or his designee, shall determine charges for a second call and bill the parties who are liable. Payment shall be within thirty days of mailing of the bill to the parties.

**9.06.060 Mandatory warnings.** No person shall be liable for charges unless such person has been informed of their potential liability by a Sheriff's Deputy during the first call. The Sheriff's Department shall prepare a written document warning of potential liability under this chapter and during the first call to provide a copy thereof to each such person.

**9.06.070 Additional Emergency Response Charges.** Whenever a law enforcement officer responds for a second time to an unruly individual or gathering, notwithstanding the time limitation of section 9.06.030, if there has been a conviction of disturbance of the public peace under this Code or Penal Code Section 415, within one calendar year of the second response then the cost of providing such services, which are deemed to be special security services, shall be charged to the individual or individuals causing the disturbance or the individual or individuals responsible for the individual or gathering as provided in this Chapter.

**9.06.080 Other remedies.** The foregoing charges are cumulative and shall not limit or replace other remedies or penalties, civil or criminal.

**9.06.090 Charge against persons liable; minors.** If the person liable is a minor, the parents or guardian of the minor shall be responsible.

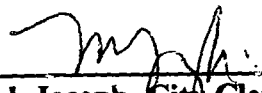
**SECTION 2.** The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen days of its adoption cause it or a summary of it to be published in a newspaper published and circulated in the City and thereupon and thereafter this Ordinance shall take effect and be in force according to law.

The foregoing Ordinance was introduced and read at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 2nd day of July, 1998, and was passed and adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 16th day of July, 1998, by the following vote:


<b>AYES:</b>	Cypher, Maples, Colcleaser, Andeson, Kudrna
<b>NOES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

  
\_\_\_\_\_  
Roger Cypher, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Mark Joseph, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
William D. Ross, City Attorney

Copy: Bill (fox)  
Sandy  
Muller



# NAPA COUNTY LOCAL AGENCY FORMATION COMMISSION

1195 THIRD STREET, ROOM 310 • NAPA, CALIFORNIA 94559-3082  
VOICE 707/253-4805 FAX 707/253-4176

CHARLES WILSON  
Executive Officer

## MEMORANDUM

TO: Mark Joseph, American Canyon City Manager/City Clerk  
FROM: Charles Wilson, Executive Officer *[Signature]*  
SUBJECT: LAFCO Resolution Making Determinations Transmittal  
DATE: March 10, 1998

In accordance with Section 56853 of the California Government Code, I am forwarding a certified copy of LAFCO Resolution Making Determinations for the following annexation to the City of American Canyon:

1. American Canyon Road/Flosden Road City Annexation –  
City of American Canyon (Res. #98-2)

In accordance with Section 57002 of the California Government Code, the City Clerk is required to set the proposal for hearing within 35 days following adoption of the Commission's Resolution Making Determinations.

4/2/98  
P.H.

Following adoption of a resolution by the Conducting Authority effecting annexation of the affected territory to the City of American Canyon, the City Clerk shall transmit six (6) certified copies of said resolution to the Executive Officer of LAFCO accompanied with the following:

1. A warrant payable to the County of Napa in the amount of \$125.00 for the Napa County Assessor's Mapping Services Fee.
2. A warrant payable to the State Board of Equalization in an amount to cover Applicable State Board of Equalization Filing Fees:  
Area No.1 (88 acres) - \$500.00      Area No.2 (156 acres) - \$750.00

CC: Mary Jean McLaughlin, Clerk of the Board of Supervisors  
Joseph P. Ghisletta III, Chief Petitioner  
David Gilbreth, Attorney

RESOLUTION NO. 98-2

**SUPERSEDING RESOLUTION OF THE NAPA COUNTY LOCAL AGENCY  
FORMATION COMMISSION AMENDING THE SPHERE OF INFLUENCE  
BOUNDARY LINE FOR THE CITY OF AMERICAN CANYON,  
AMENDING THE DISTRICT SPHERE OF INFLUENCE BOUNDARY LINE  
FOR THE AMERICAN CANYON FIRE PROTECTION DISTRICT  
AND MAKING DETERMINATIONS**

**AMERICAN CANYON ROAD/FLOSDEN ROAD ANNEXATION  
CITY OF AMERICAN CANYON  
(MODIFIED PROPOSAL)**

**WHEREAS**, Joseph P. Ghisletta III, as Chief Petitioner, filed a property owner petition and application with the Executive Officer of the Napa County Local Agency Formation Commission ("Commission") pursuant to Title 5, Division 3, commencing with Section 56000, of the California Government Code proposing the annexation of certain territory (the "affected territory") to the City of American Canyon ("City"); and

**WHEREAS**, the reason for this proposed annexation, hereinafter referred to as the "American Canyon Road/Flosden Road Annexation", is to provide for future development of the affected territory under the City's jurisdiction and land use regulations; and

**WHEREAS**, on May 15, 1991, the Commission established a sphere of influence for the City; and

**WHEREAS**, on July 14, 1982, the Commission established a sphere of influence for the American Canyon Fire Protection District ("District"), which District was reorganized on January 1, 1992, as a subsidiary district of the City whose primary function and purpose is to provide urban level fire protection and emergency response services to the City as well as to the remaining unincorporated areas located within the District's boundaries; and

**WHEREAS**, a portion of the affected territory is presently located outside of the current City sphere of influence boundary, and a portion of the affected territory is presently located outside of the current District sphere of influence boundary; and

**WHEREAS**, the American Canyon Road/Flosden Road Annexation, which is part of the implementation of the Southeast Area Specific Plan ("Specific Plan") prepared by the City for development of the affected territory, requires that all of the affected territory be brought within the boundaries of the City and the District; and

I HEREBY CERTIFY THAT THIS DOCUMENT  
IS A TRUE AND CORRECT COPY OF THE  
ORIGINAL ON FILE IN THE OFFICE OF THE  
NAPA COUNTY LOCAL AGENCY FORMATION  
COMMISSION.

Walter M. J. J. J.

**WHEREAS**, in connection with his analysis of the American Canyon Road/Flosden Road Annexation, the Executive Officer of the Commission reviewed the current sphere of influence boundaries of the City and the District and submitted to the Commission on December 3, 1997 his reports and recommendations on a proposed City sphere of influence amendment ("City Sphere Amendment") and a proposed District sphere of influence amendment ("District Sphere Amendment") which would include all of the affected territory within the boundaries of both the City and the District spheres of influence (the proposed American Canyon Road/Flosden Road Annexation, City Sphere Amendment and District Sphere Amendment are hereinafter collectively referred to as the "Initial Proposal"); and

**WHEREAS**, the Commission provided public notice and held a public hearing on the proposed City Sphere Amendment and the proposed District Sphere Amendment on December 3, 1997 in accordance with Section 56427 of the California Government Code; and

**WHEREAS**, at the public hearing the Commission heard and fully considered all evidence submitted, including the report of the Executive Officer, and considered the four (4) factors required by Section 56425 of the California Government Code with respect to each of the proposed City Sphere Amendment and the proposed District Sphere Amendment; and

**WHEREAS**, the December 3, 1997 report of the Executive Officer also reviewed the proposed American Canyon Road/Flosden Road Annexation including his recommendations thereon; and

**WHEREAS**, the American Canyon Road/Flosden Road Annexation and the Executive Officer's report were presented to the Commission in the manner provided by law; and

**WHEREAS**, the Commission heard and fully considered all the evidence presented at the hearing held on the American Canyon Road/Flosden Road Annexation and considered all of the factors required by law under Section 56841 of the California Government Code; and

**WHEREAS**, after giving due consideration to the Initial Proposal, the Commission, at its meeting on December 3, 1997 adopted its Resolution No. 97-11 making determinations denying the American Canyon Road/Flosden Road Annexation Application; and

**WHEREAS**, by letter dated December 11, 1997, the Chief Petitioner requested that the Commission reconsider its denial of the American Canyon Road/Flosden Road Annexation; and

**WHEREAS**, in accordance with the provisions of section 56857 of the Government Code, the Commission gave notice of this request for reconsideration in the manner required by law; and

**WHEREAS**, the Commission, on January 7, 1998, considered additional testimony and documentary evidence, including the supplemental report of the Executive Officer; and

**WHEREAS**, Betsy Strauss, attorney representing the Chief Petitioner submitted her letter dated January 7, 1998 which includes a proposed alternative modified boundary for the American Canyon Road/Flosden Road Annexation; and

**WHEREAS**, the Chief Petitioner, at the request of the Executive Officer, prepared and submitted for Commission consideration the attached boundary description and map, herein after referred to as Exhibit A and Map, which describes the affected territory of the modified boundary contained in the January 7, 1998 letter of Betsy Strauss; and

**WHEREAS**, the Initial Proposal is hereby amended to reflect the Chief Petitioner's modified boundaries for the affected territory as described in the attached Exhibit A and Map and is herein after referred to as the "Modified Proposal"; and

**WHEREAS**, the Commission has now concluded that it should reconsider its previous decision and approve the Modified Proposal.

**NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER** as follows:

1. **RECITALS:** The foregoing recitals are true and correct.
2. **PRIOR RESOLUTION SUPERSEDED:** Commission Resolution No. 97-11 denying the Proposal is hereby superseded and shall have no further force or effect.
3. **CEQA FINDINGS:**
  - A. **Review of Environmental Documents.** Pursuant to Section 15096(f) of the CEQA Guidelines, the Commission, as a Responsible Agency under CEQA, hereby finds that it has reviewed and considered prior to taking action on the Modified Proposal the Southeast Area Specific Plan EIR (and the City's General Plan EIR into which the Specific Plan EIR is tiered), which are the environmental documents prepared under CEQA to analyze the overall area development project of which the Proposal is a part.

B. **Obligations of Commission Regarding Mitigation.** Pursuant to Section 15096(g) of the CEQA Guidelines, as a Responsible Agency the Commission is required to mitigate or avoid only the direct or indirect adverse environmental effects of those parts of the overall project which it decides to carry out, finance, or approve. In this instance those would be impacts resulting solely from the Commission action authorizing the City to conduct proceedings for the proposed annexation. Applying this principle and as authorized by Section 15091(a)(2) of the CEQA Guidelines, the Commission finds that the adverse environmental impacts identified in the Specific Plan EIR would not result from and could not be mitigated by the actions of the Commission approving the proposed annexation or sphere amendments but rather would be caused by and be mitigated through subsequent discretionary actions of other public agencies having jurisdiction over approval of the project or mitigation measures, in whole or in part. Such other public agencies include the City, the American Canyon Fire Protection District, the State Department of Fish & Game, the Metropolitan Transportation Commission, and the State Department of Transportation.

C. **Specific CEQA Findings.** Pursuant to Section 15096(h) of the CEQA Guidelines, the Commission makes findings under CEQA Guidelines Section 15091 and 15093 as follows:

1. **Findings Regarding Mitigable Environmental Impacts.** Pursuant to Section 15091 of the CEQA Guidelines, a public agency may not approve or carry out a project for which an EIR has been completed which identifies one or more significant environmental effects to the project unless the public agency makes one or more written findings for each of those significant effects accompanied by a brief explanation of the rationale for each finding. The Commission hereby approves and adopts the findings-adopted by the City in its Resolution No. 97-30 in regard to the identification of the significant mitigable environmental impacts of the Specific Plan Project and further finds that appropriate mitigation for all such impacts has either been incorporated into the project description or, as set forth in (B), above, falls within the responsibility and jurisdiction of public agencies other than the Commission.
2. **Statement of Overriding Considerations for Unavoidable Impacts.** Under Section 15093 of the CEQA Guidelines, a public agency, including a Responsible Agency such as the Commission, is required to balance the benefits of the proposed project against the unavoidable environmental risks when determining whether to approve those aspects of the project within its jurisdiction. If the benefits to the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable" if such benefits are identified in a Statement of Overriding Considerations adopted by the



approving agency. In this regard, the Specific Plan EIR identified the following environmental impacts as unavoidable:

- Traffic & Circulation (Cumulative impacts at study area intersections)
- Aesthetics (irretrievable loss of open space)
- Biological Resources (impacts on special-status bird species)
- Cultural Resources (impacts to two archaeological sites, one potentially important)
- Air Quality (The General Plan EIR identified air quality impact as an unmitigable result of development resulting from implementation of the overall General Plan)

Accordingly, to the extent required and/or authorized by law, the Commission, in order to approve the Modified Proposal, hereby adopts the following Statement of Overriding Considerations reflecting the LAFCO perspective:

- a. The overall Specific Plan project, including the Modified Proposal, is consistent with the Commission's policy to promote the orderly expansion of cities to ensure effective, efficient and economic provision of essential public services, including public sewer and water, fire protection and emergency response, and police protection and to prevent the premature conversion of designated agricultural or open space lands to urban uses.
- b. The Specific Plan project, including the Modified Proposal, is consistent with the Napa County General Plan policies of directing growth into the County's Urban areas, thereby preserving the County's valuable agricultural and open space lands.
- c. The Specific Plan project, including the Modified Proposal, is consistent with State Legislative policies and declarations which discourage urban sprawl and encourages the orderly formation and development of local governmental agencies and which preserve valuable agricultural and open space lands.
- d. The Specific Plan project, when fully implemented, will promote the construction of additional housing needed to accommodate future new residents resulting from the planned industrial development within the City and within the Napa County Airport Industrial Specific Plan Area.

- e. Future development within the Specific Plan area, which is contingent upon but not mandated by the annexation involved in the Modified Proposal, will provide the City with needed and varied shopping opportunities thereby reducing vehicle trips to outlying communities.

4. **CITY SPHERE AMENDMENT: STATEMENT OF DETERMINATIONS  
REQUIRED BY GOVERNMENT CODE SECTION 56425:**

Section 56425 of the California Government Code (Cortese/Knox Local Government Reorganization Act of 1985) requires the Commission to consider certain factors in the establishment or amendment of a sphere of influence. Considering these factors, the Commission makes the following determinations in regard to the City Sphere Amendment:

A. **Present and planned land uses in the area, including agricultural and open space lands.**

The County General Plan designates the subject territory as Agriculture, Watershed, & Open Space (AWOS). While the City General Plan designates the territory for Low Density residential uses, the Specific Plan adopted by the City designates the territory as Open Space-Hill Side. The subject territory does not lie within or involve any agricultural preserve lands.

B. **The present and probable need for public facilities and services in the area.**

Based on the Open Space-Hill Side designation for the 25 acres in Area 2 under the Specific Plan, the area will require negligible public services, although it is probable that the need for fire protection and emergency response services could increase as development of the surrounding area under the Specific Plan's land use plan increases the number of persons using the subject territory for recreational uses.

C. **The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.**

The City provides a full range of municipal services which at present are adequately provided to City residents and property owners. Police services are provided by the Napa County Sheriff under contract with the City. Fire protection and emergency response services are provided by the American Canyon Fire Protection District. Public water is provided by the City with sufficient capacity available through agreement with the Napa County Flood Control and Water

Conservation District for State Water Project water and through agreement with the City of Vallejo for water controlled by that municipality. Public sewer treatment is currently handled by the Napa Sanitation District under agreement with the City, but the City is currently considering sewage treatment options which might include continued treatment by the Napa Sanitation District, connection to and treatment by the City of Vallejo sewage treatment facilities, and/or construction of City-owned treatment facilities. The City also provides other municipal services typical of a developed urban area including parks and recreation, street repair and maintenance, street lighting, and street-sweeping.

**D. The existence of any social or economic communities of interest in the area.**

As territory currently in open space use, the 25-acres in Area 2 proposed for inclusion within the City sphere of influence boundary presently has limited social and economic ties to the City of American Canyon which would be strengthened by inclusion of the area within the City's sphere of influence and its subsequent annexation to the City.

5. **APPROVAL OF CITY SPHERE AMENDMENT:** Based upon the foregoing findings and determinations, the City Sphere Amendment is APPROVED.

6. **DISTRICT SPHERE AMENDMENT: STATEMENT OF DETERMINATIONS REQUIRED BY GOVERNMENT CODE SECTION 56425:**

As stated above, section 56425 of the California Government Code (Cortese/Knox Local Government Reorganization Act of 1985) requires the Commission to consider certain factors in the establishment or amendment of a sphere of influence. Considering these factors, the Commission makes the following determinations in regard to the District Sphere Amendment:

**A. Present and planned land uses in the area, including agricultural and open space lands.**

The County General Plan designates all but 25 acres in Area 2 of the subject territory as Urban-Residential. Located in the southeastern portion of the annexation boundary, this 25-acre portion of Area 2 is designated by the Napa County General Plan as Agricultural, Watershed and Open Space (AWOS). The City General Plan designates the area for predominantly residential uses with neighborhood commercial allowed. More specifically, the Specific Plan provides for general residential development of the subject territory with provision for neighborhood commercial services, school sites, parks and open space. Finally,

while the City General Plan designates the entire subject territory for Low Density residential uses, the Specific Plan designates the 25-acres of County-designated AWOS land in Area 2 as Open Space-Hill Side. None of the subject territory, including the 25 acres, presently lies within or involves any agricultural preserve lands.

**B. The present and probable need for public facilities and services in the area.**

The present land use of the subject territory is rural, primarily for hay crop production requiring minimal public services. The subject territory does not presently contain any public facilities or on-site infrastructure. At the level of development contemplated in the Specific Plan, the area will need a full range of municipal services, including police protection, fire protection, and public water and sewer infrastructure, which are identified in the Specific Plan.

**C. The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.**

The District currently provides fire protection and emergency response services to all portions of the City as well as to surrounding unincorporated lands located within the District's boundary. These services are provided either directly or through mutual aid agreements with the Napa County Fire Department and the City of Vallejo. Through mutual aid agreements, the District also provides some emergency response service to the subject territory. However, build out within the affected territory and subject territory of the land uses projected under the Specific Plan will require a second District fire station to be constructed in the Specific Plan area.

**D. The existence of any social or economic communities of interest in the area.**

The subject territory, currently in open space use, has limited social and economic ties to the District which would be strengthened by inclusion of the area within the District's sphere of influence and its subsequent annexation to the District. Such inclusion would also clarify and simplify the current responsibilities for emergency fire response to the subject territory.

**7. APPROVAL OF DISTRICT SPHERE AMENDMENT: Based upon the foregoing findings and determinations, the District Sphere Amendment is APPROVED.**

8. **AMENDMENT DESIGNATIONS:**

- A. **City Sphere Amendment.** For future reference the City Sphere Amendment is assigned the following distinctive designation:

American Canyon Road/Flosden Road Area  
Sphere of Influence Amendment  
City of American Canyon

- B. **District Sphere Amendment.** For future reference the District Sphere Amendment is assigned the following distinctive designation:

American Canyon Road/Flosden Road Area  
Sphere of Influence Amendment  
American Canyon Fire Protection District

9. **SPHERE MAP AMENDMENTS:**

- A. The map identified as "LAFCOM Sphere of Influence - City of American Canyon" dated May 15, 1991 used for identifying the geographic boundaries of the Sphere of Influence for the City is hereby amended to include the subject territory as shown on the map, attached hereto and incorporated by reference herein.
- B. The 1" = 400' scale map identified as "LAFCOM Sphere of Influence - City of American Canyon", dated May 15, 1991, maintained in the LAFCO Office for the purpose of identifying the specific location of any portion of the boundary line of the City sphere of influence is hereby amended to include the subject territory as shown on the attached Map.
- C. The map identified as "LAFCOM Sphere of Influence - American Canyon Fire Protection District", dated July 14, 1982, as amended, which is used for identifying the geographic boundaries of the Sphere of Influence for the District is hereby amended to include the territory as shown on the Map attached hereto and incorporated by reference herein.

D. The 1" = 800' scale map identified as the "LAFCOM Sphere of Influence - American Canyon Fire Protection District", dated July 14, 1982, maintained in the LAFCO Office for the purpose of identifying the specific location of any portion of the boundary line of the District sphere of influence is hereby amended to include the territory shown on the attached Map.

10. **CONSISTENCY**: The Commission finds that the American Canyon Road/Flosden Road Annexation is consistent with the sphere of influence established for the affected City, as amended herein, and with the Commission's adopted policy determinations.

11. **APPROVAL OF ANNEXATION**: Based upon the foregoing, the American Canyon Road/Flosden Road Annexation is APPROVED.

12. **ANNEXATION DESIGNATION**: The American Canyon Road/Flosden Road Annexation is assigned the following distinctive short-term designation:

**AMERICAN CANYON ROAD/FLOSDEN ROAD ANNEXATION -  
CITY OF AMERICAN CANYON**

13. **AFFECTED TERRITORY DESCRIPTION**: The affected territory is shown on the attached maps, which are incorporated by reference herein, and is more precisely described in the attached Exhibit "A".

14. **TERRITORY UNINHABITED**: The affected territory so described is uninhabited as defined in California Government Code Section 56046.

15. **TERMS AND CONDITIONS OF ANNEXATION**: The American Canyon Road/Flosden Road Annexation shall be subject to the terms and conditions specified in the attached Exhibit "B".

16. **ASSESSMENT ROLL**; The regular County assessment roll is utilized by the City.

17. **BONDED INDEBTEDNESS**; The affected territory will not be taxed for existing general bonded indebtedness of the City.

18. **CONDUCTING AUTHORITY**: The City of American Canyon is designated as the conducting Authority for further proceedings and is directed to initiate proceedings in accordance with this resolution and Section 57000 of the California Government Code.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED**  
by the Local Agency Formation Commission of the County of Napa, State of California, at a  
special meeting on the 5th day of March, 1998 by the following vote:

AYES: Commissioners: RIPPEY, DOHRING, KAY and  
BUSENBARK

NOES: Commissioners: FERRIOLE

ABSENT: Commissioners: NONE

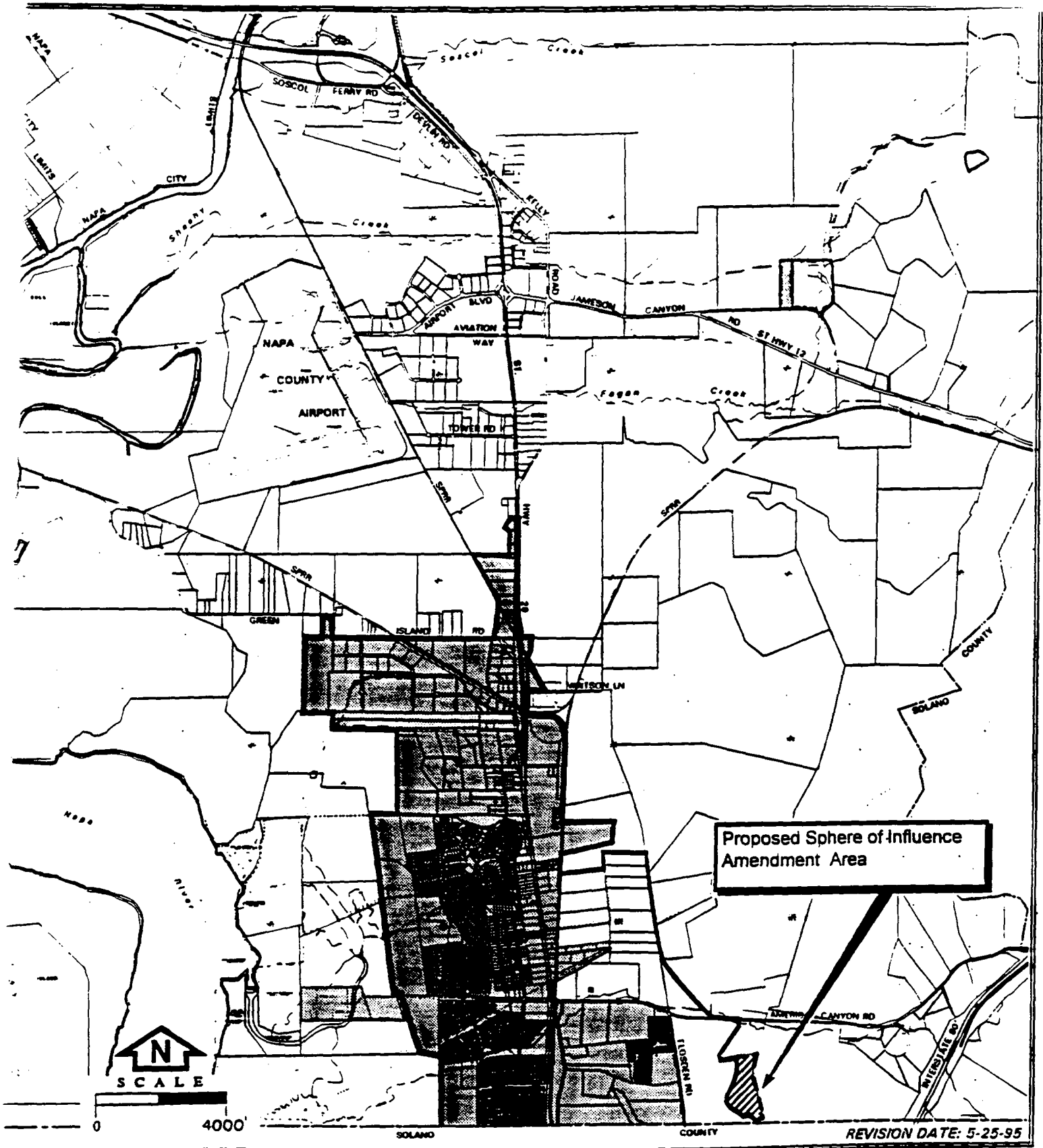
ATTEST:  
Mary Jean McLaughlin  
Clerk of the Commission

By Michelle Price  
Deputy

APPROVED AS TO FORM: Legal Counsel  
to the Commission

By Jay F. Ho

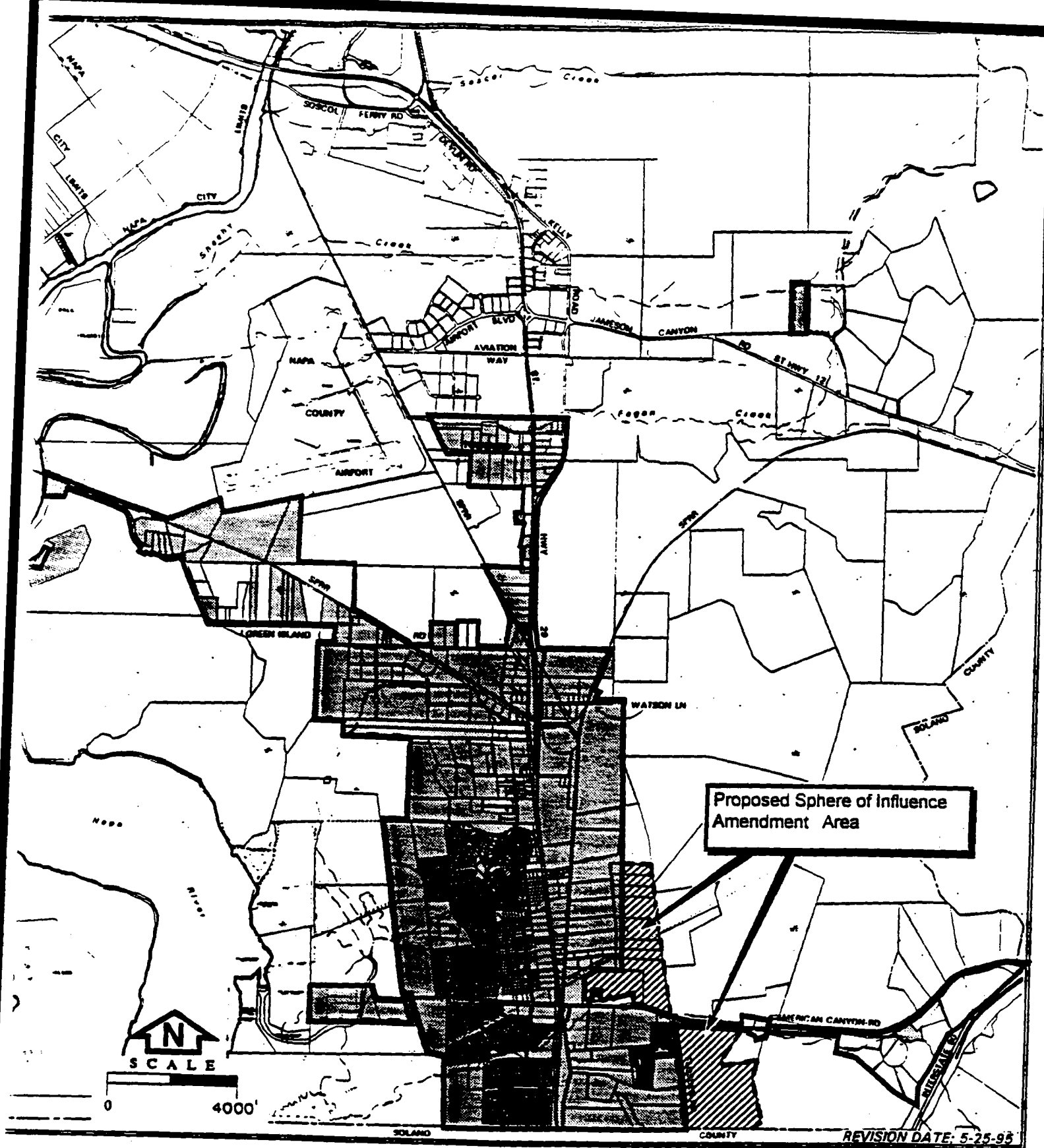
h:\ccoun\docs\lafco\acreco3f.doc



**LAFCOM**  
**SPHERE OF INFLUENCE**  
**CITY OF AMERICAN CANYON**  
**MAY 1991**

CITY OF AMERICAN CANYON BOUNDARY
  LAFCOM ADOPTED SPHERE OF INFLUENCE





Proposed Sphere of influence  
Amendment Area



SCALE  
0 4000'

REVISION DATE: 5-25-95

**LAFCOM**  
**SPHERE OF INFLUENCE**  
**AMERICAN CANYON FIRE PROTECTION DISTRICT**  
**JULY 1982**

———— ADOPTED SPHERE OF INFLUENCE BOUNDARY

 CURRENT DISTRICT

**EXHIBIT "A**

**BOUNDARY DESCRIPTION**

**AMERICAN CANYON ROAD / FLOSDEN ROAD**

**ANNEXATION TO -**

**CITY OF AMERICAN CANYON**

All that real property situated in the County of Napa, State of California, described as follows:

**AREA #1:**

Beginning at the most southeast point of the existing American Canyon City limit line described as the true point of beginning of area #1 recorded as instrument no. 1991-034305 on December 6, 1991, Napa County Records; thence proceeding northerly along the existing American Canyon City limit line 3470 feet to a point on the north right of way line of American Canyon Road; thence westerly along the existing American Canyon City limit line and said right of way line 100 feet more less to the true point of commencement; thence leaving the existing American Canyon City limit line and said north right of way line proceeding N 10° 53' W, 1700.80 feet ±; thence N 80° 04' W, 1486.98 feet ±; thence N 00° 11' 30" W, 85.90 feet ±; to the existing American Canyon City limit line; thence southerly following the existing American Canyon City limit line to the true point of commencement.

**AREA #2:**

Beginning at the most southeast point of the existing American Canyon City limit line described as the true point of beginning of area #1 recorded as instrument no. 1991-034305 on December 6, 1991, Napa County Records, said point being the true point of commencement, thence leaving the existing American Canyon City limit line proceeding easterly along the Napa - Solano County line 1787.55 feet; thence N 60° 47' 44" E, 624.67 feet; thence N 09° 51' 51" W, 489.72 feet; thence N 12° 36' 23" W, 863.33 feet; thence N 13° 10' 21" E, 541.44 feet; thence S 72° 50' 47" W, 1108.04 feet; thence N 12° 16' 43" W, 206.25 feet; thence N 28° 02' 11" E, 638.05 feet; thence N 27° 28' 15" E, 478.28 feet; thence N 03° 45' 48" W, 270 feet ± extending to the north right of way line of American Canyon Road; thence westerly along the north right of way line of American Canyon Road 2340 feet ± to the existing American Canyon City limit line; thence southerly following the existing American Canyon City limit line to the true point of commencement.

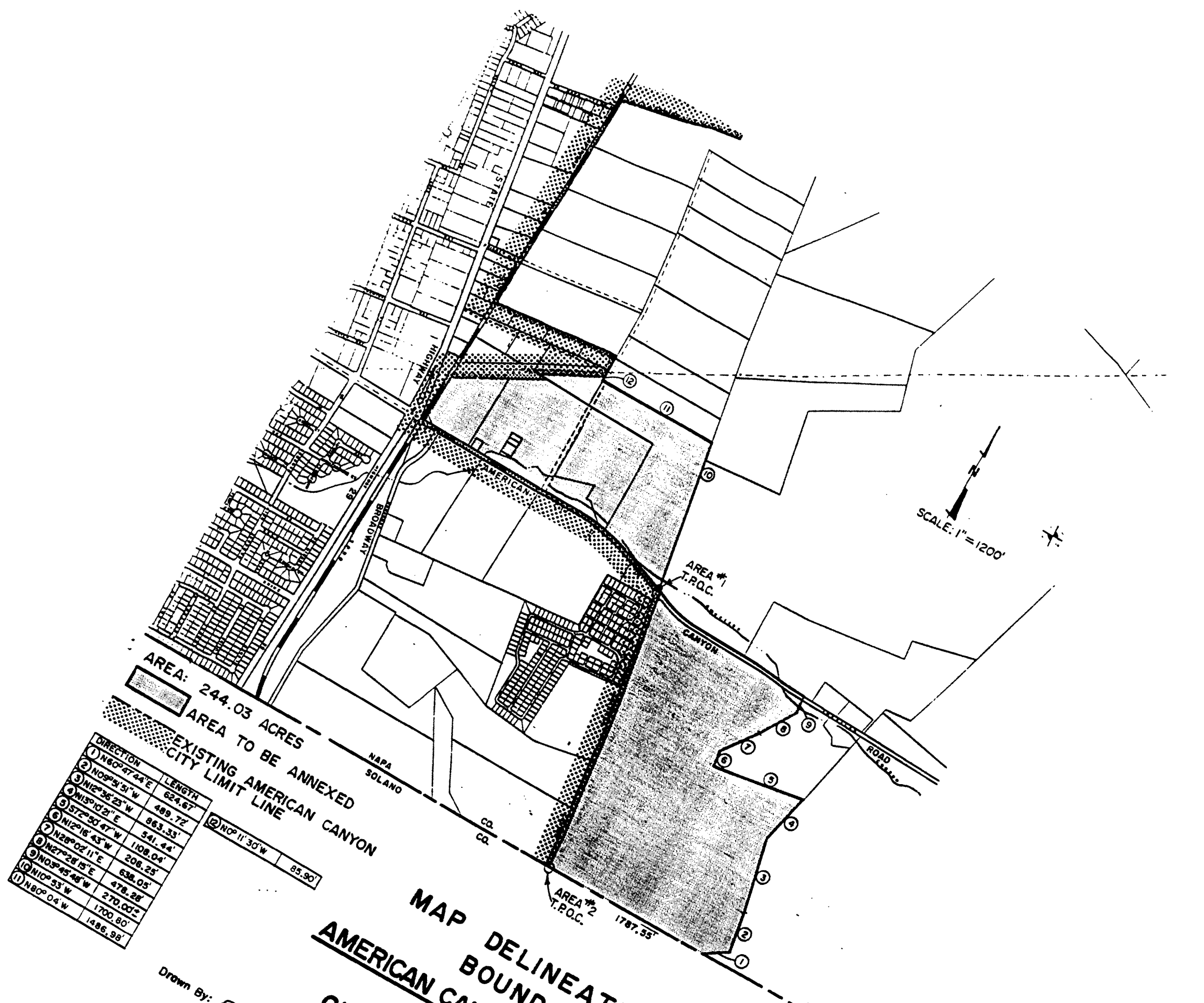
## **EXHIBIT B**

### **TERMS AND CONDITIONS AMERICAN CANYON ROAD/FLOSDEN ROAD ANNEXATION CITY OF AMERICAN CANYON**

Upon and after the effective date of the Annexation, the Affected Territory, all inhabitants within such Territory, and all persons entitled to vote by reason of residing or owning land within the Territory, shall:

1. Be subject to the jurisdiction of the City of American Canyon, hereafter referred to as "the City";
2. Shall have the same rights and duties as if the Affected Territory has been a part of the City upon its original formation;
3. Shall be liable for the payment of principal, interest, and any other amounts which shall become due on account of any outstanding or then authorized but therefore issued bonds, including revenue bonds, or other contracts or obligations of the City;
4. Shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and
5. Shall be subject to all of the rates, rules, regulations and ordinances of the City, as now or hereafter amended.

City of American Canyon #2. '97.ExB



AREA: 244.03 ACRES  
 AREA TO BE ANNEXED  
 EXISTING AMERICAN CANYON  
 CITY LIMIT LINE

DIRECTION	LENGTH
① N80°27'44" E	624.67'
② N09°51'31" W	489.72'
③ N12°36'23" W	863.33'
④ N13°10'21" E	541.44'
⑤ S72°50'47" W	1108.04'
⑥ N12°16'43" W	208.25'
⑦ N28°02'11" E	638.05'
⑧ N27°28'15" E	478.28'
⑨ N03°45'48" W	270.00'
⑩ N10°53' W	1700.80'
⑪ N80°04' W	1486.98'

② N0°11'30" W 85.90'

AREA #2 T.P.O.C. 1787.55'

MAP DELINEATING THE  
 BOUNDARY OF THE  
 AMERICAN CANYON RD./ FLOSDEN RD.  
 TO  
 CITY OF AMERICAN CANYON

Drawn By: R.L.S.

Date: 2-21-98



**NAPA COUNTY** LOCAL AGENCY FORMATION COMMISSION

1195 THIRD STREET, ROOM 310 • NAPA, CALIFORNIA 94559-3082  
VOICE 707/253-4805 FAX 707/253-4176

CHARLES WILSON  
Executive Officer

MEMORANDUM

TO: Trish Hornisher, Graphics Specialist  
Napa County Planning Department

FROM: Charles Wilson, Executive Officer *cu*

SUBJECT: LAFCO Resolution Amending A City and District Sphere of  
Influence Boundary Line

DATE: March 10, 1998

---

In accordance with Section 56853 of the California Government Code, I am forwarding a certified copy of LAFCO Resolution No.98-2 Amending a City Sphere of Influence Boundary Line for the City of American Canyon, and a District Sphere of Influence for the American Canyon Fire Protection District as follows:

1. American Canyon Road/Flosden Road Area Sphere of Influence Amendment – City of American Canyon
2. American Canyon Road/Flosden Road Area Sphere of Influence Amendment – American Canyon Fire Protection District

CC: Mark Joseph, City Manager/City Clerk, City of American Canyon  
Keith Caldwell, Chief, American Canyon Fire Protection District

Enclosures

"A"Am.Can.MRstrSL.doc