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File No: 199/3.8

October 1, 2023

VIA E-MAIL

The Honorable Marge Mohler and Commission Members
Brendon Freeman, Executive Officer
Napa County Local Agency Formation Commission
1754 Second Street, Suite C
Napa, CA 94559

Re: Request for Continuance; Local Agency Formation Commission of Napa County Regular Meeting, October 2, 2023; Agenda Item No. 7.a; Proposed Green Island Road No. 3; Annexation to the American Canyon Fire Protection District

Dear LAFCO Commissioners and Mr. Freeman,

On behalf of the American Canyon Fire Protection District (“District”), this communication supplements our office’s September 27, 2023 request for a continuance of the above-referenced matter.

On September 29, 2023, our office spoke with Thomas Zeleny, Chief Deputy County Counsel. Mr. Zeleny (cc’d on this communication) confirmed that the County also supports a continuance of this matter.

Additionally, there appears to be statutory provisions that render consideration of this matter at the October 2, 2023 meeting premature. Under Revenue and Taxation Code section 99(b)(4), the District and Napa County have 60 days from the date of the Auditor Controller’s response (given on September 7, 2023) to complete their negotiations, which can be extended to 90 days. Accordingly, the 60-day mark would be November 7, 2023, and the 90-day mark would be December 7, 2023.

Stated differently, the District and Napa County are still within their authorized negotiation period, so consideration of this matter on October 2 would be premature.

For this reason, and because both the District and Napa County support a continuance,

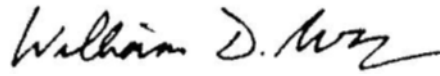
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good cause exists to continue this matter to a later date, which is respectfully requested.

If you have questions, please contact our office.

Very truly yours,

A handwritten signature in black ink, appearing to read "William D. Ross". The signature is fluid and cursive, with a long horizontal stroke at the end.

William D. Ross
District Counsel

WDR:DPS

cc: Geoff Belyea, District Chief
Thomas Zeleny, Chief Deputy County Counsel