

# AMADOR LAFCO

## LOCAL AGENCY FORMATION COMMISSION

810 COURT STREET ♦ JACKSON, CA 95642 ♦ (209) 223-6380



### MINUTES December 18, 2014

This meeting was available via live audio streaming and was digitally recorded.

#### 1. Call to Order, Pledge of Allegiance & Roll Call

The December 18, 2014, meeting of the Amador County Local Agency Formation Commission (LAFCO), held at the County Administration Center, 810 Court Street, Jackson, California, was called to order by Chairman Novelli at 5:15 p.m.

#### 2. Roll Call

##### Members Present:

Theodore Novelli, Chairman  
Jim Vinciguerra, Vice Chairman  
Tim Knox, City Member  
Louis Boitano, County Member  
Patrick Crew, City Member  
Brian Oneto, County Alternate

##### Members Absent:

Byron Damiani, Public Alternate  
Tim Murphy, City Alternate

##### Staff Present:

Roseanne Chamberlain, Executive Officer  
Nancy Mees, Clerk to the Commission

##### Staff Absent:

None.

#### 3. Approval of Agenda for December 18, 2014

**Motion:** It was moved by Commissioner Crew, seconded by Commissioner Vinciguerra, and carried unanimously to approve the agenda.

#### 4. Approval of the Minutes of September 18, 2014

**Motion:** It was moved by Commissioner Boitano, seconded by Commissioner Knox, and carried unanimously to approve the Minutes for September 18, 2014.

#### 5. Approval of Claims for December 18, 2014

**Motion:** It was moved by Commissioner Boitano, seconded by Commissioner Crew, and carried unanimously to approve the Approval of Claims – Meeting Final.

#### 6. Public Forum – Public Comment

David Bellerive, new Amador Fire Protection District Chief, introduced himself to the Commission. Nancy Mees, new Clerk to the LAFCO Commission and on-call staff contractor, was also introduced.

7. **AFFIRM THE SPHERE OF INFLUENCE FOR THE DRYTOWN COUNTY WATER DISTRICT; LAFCO RESOLUTION #2014-19 (Public Hearing; see below)**
8. **AFFIRM THE SPHERE OF INFLUENCE FOR THE PINE GROVE CSD; LAFCO RESOLUTION #2014-20 (Public Hearing; see below)**
9. **AFFIRM THE SPHERE OF INFLUENCE FOR RIVER PINES PUD; LAFCO RESOLUTION #2014-21 (Public Hearing; see below)**
10. **AFFIRM THE SPHERE OF INFLUENCE FOR THE VOLCANO COMMUNITY SERVICES DISTRICT; LAFCO RESOLUTION #2014-22 (Public Hearing; see below)**
11. **AFFIRM THE SPHERE OF INFLUENCE FOR THE WILLOW SPRINGS WATER DISTRICT; LAFCO RESOLUTION #2014-23 (Public Hearing; see below)**
12. **AFFIRM THE SPHERE OF INFLUENCE FOR THE RANCH HOUSE ESTATES CSD; LAFCO RESOLUTION #2014-24 (Public Hearing; see below)**
13. **AFFIRM THE SPHERE OF INFLUENCE FOR COUNTY SERVICE AREAS #1 AND #7; LAFCO RESOLUTION #2014-25 AND #2014-26(Public Hearing; see below)**

Ms. Chamberlain stated that the Government Code requires the Commission to adopt and update as needed the spheres of influence of each district and city every five years. The 2014 Municipal Services Review (MSR) reviewed and determined that these eight districts and service areas are appropriate to reaffirm without change. The LAFCO Executive Officer has also found that this project is exempt from the provisions of the California Environmental Quality Act (CEQA), Section 15061(b)(3) of the Public Resources Code.

Ms. Chamberlain also referenced an email correspondence from Volcano Cemetery regarding their concern that this Resolution would require them to provide space for new burials. Ms. Chamberlain provided her response to them explaining that the Resolution would allow them to provide burials in the future if they wished, but did not mandate that they must do so.

The Public Hearing was opened for questions or comments by Commissioner Novelli. Warren Vicini from Willow Springs Water District informed the Commission that the District, although still in existence, has not been active for many years. However, they plan to reactivate in the near future.

**Motion:** It was moved by Commissioner Boitano, seconded by Commissioner Vinciguerra, and carried unanimously to close the Public Hearing.

**Motion:** Commissioner Boitano made a motion to adopt all the resolutions in one motion and find that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3); and to direct staff to prepare a Notice of Exemption pursuant to the California Code regulations, for Resolutions 2014 through 2014-20; seconded by Commissioner Knox; and carried unanimously to approve.

**14. Appointment of Legal Counsel**

Ms. Chamberlain stated that LAFCO has been without legal counsel since April 2014, and that it is important that LAFCO have counsel.

There was discussion among the Commission members and Ms. Chamberlain regarding whether legal counsel could

attend meetings by telephone as a means of decreasing costs. The Commission also asked whether County Counsel could also serve as LAFCO counsel. Ms. Chamberlain answered in the affirmative to both questions, adding that the number of meetings at which counsel would have to be physically present would depend on the experience of the attorney. Lump-sum amount payment versus as-needed payment options were also discussed. Ms. Chamberlain suggested that any contract should provide clearly defined payment-for-service requirements as well as clarity on when there might be any conflict of interest issues.

The Commission advised Ms. Chamberlain that they would first speak with Amador County Counsel as to their willingness to provide counsel to LAFCO by contract, and would then let Ms. Chamberlain know whether she should proceed with recruitment of legal counsel. There was consensus for this course.

**15. Expiring Term of LAFCO Public Member (2011-2015) and City Commissioners' Terms of Office**

Ms. Chamberlain reminded the Commission that several Commission seats were due to expire in January. She reviewed the rotation of seats that would occur for the City Commissioners. A letter was received from Ms. Debbie Dunn requesting that the public seat be filled using open recruitment.

Mr. Jon Colburn came to the podium and stated that he was present on behalf of a group which recommended that Mr. Vinciguerra be reappointed to another term.

The Commission discussed the issues involved in open recruitment versus reappointing Mr. Vinciguerra, including the cost of running an open recruitment; the advantage of retaining a knowledgeable and experienced member, especially since possibly two inexperienced city members may be joining the Commission in January; the lack of public interest in attending LAFCO meetings; and the fact that there have been no complaints against Mr. Vinciguerra's performance or ability. There was no further comment from the public.

**Motion:** Commissioner Crew moved that Commissioner Vinciguerra be appointed to another term as Public Member for LAFCO. It was seconded by Commissioner Boitano, and carried unanimously to approve the reappointment. Commissioner Vinciguerra abstained.

**16. Other Business, Reports**

- a. Correspondence – No items other than the two letters mentioned in Agenda Items 10 and 15 were received.
- b. Commissioner Announcements – Commissioner Vinciguerra is having an open house at his place of business on December 24 from 2:00 till closing.
- c. Executive Officer's Report – Ms. Chamberlain said she had received a copy of the County Draft EIR and would be reviewing it. She will prepare draft comments for the January meeting for the Commission to review as the deadline for comments is January 31. Ms. Chamberlain also informed the Commission that Amador LAFCO had not directly presented an ethics workshop as we teamed up with Calaveras County on the workshop they held. In late 2015 or early 2016 Amador will likely provide a workshop in this county.
- d. Report on CALAFCO Conference of October 2014 (Chamberlain & Damiani) – Ms. Chamberlain reported that the conference provided a great deal of helpful information on water supply and groundwater issues, as well as having the usual sessions on the mechanics of LAFCO operation. Commissioner Novelli was elected to the CALAFCO Board, but will not be able to continue in that office as he will no longer be a supervisor.
- e. Budget Report – Was reviewed by the Commissioners.

**Commented [NM1]:** I don't know if these are the kinds of items you include in announcements, so delete if it isn't.

**Commented [NM2]:** Didn't know if you wanted to include this last statement in the minutes or not.

**17. ADJOURNMENT**

The next regular meeting is scheduled for January 15, 2015.

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LOCAL AGENCY FORMATION COMMISSION

ATTEST: \_\_\_\_\_  
Nancy Mees  
Clerk to the Commission