

****AGENDA****

AMADOR LOCAL AGENCY FORMATION COMMISSION

**6:00 P.M. – THURSDAY JULY 21, 2016
810 COURT STREET, JACKSON
BOARD OF SUPERVISORS CHAMBERS**

Please Note: All LAFCO meetings are recorded. Anyone who wishes to address the Commission must speak from the podium and should print their name on the Meeting Speaker list, which is located on the podium.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the LAFCO staff, at (209) 418-9377, by e-mail to amador.lafco@gmail.com. Requests must be made as early as possible, and at least two business days before the start of the meeting.

Meeting Materials are available for Public Review at the LAFCO desk, located at the County Planning Department, 810 Court Street, Jackson, and may also be posted on the Amador LAFCO website.

- 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF THE MINUTES OF MAY 19, 2016**
- 5. APPROVAL OF CLAIMS TO JULY 21, 2016**
- 6. PUBLIC FORUM –PUBLIC COMMENT**

Any person may address the Commission on any subject within the jurisdiction of LAFCO which is not on the agenda. No action may be taken at this meeting. There is a five (5) minute limit.

- 7. AMENDMENT OF THE RABB PARK COMMUNITY SERVICE DISTRICT (CSD) SPHERE OF INFLUENCE, LAFCO PROJECT 289; RESOLUTION #2016-07; (Public hearing)**

Adoption of a zero sphere of influence in anticipation of the dissolution of the district. CEQA: Exempt Section 15061(b)(3), no possibility that the action will have a significant effect on the environment.

- 8. DISSOLUTION OF RABB PARK CSD, LAFCO PROJECT # 290; RESOLUTION #2016-08; (Public hearing)**

Proposed dissolution of Rabb Park CSD with transfer of assets and services to Amador Water Agency as successor agency; CEQA: Categorically Exempt, Class 20, change of organization with no change in the area where previous powers were exercised.

9. OTHER BUSINESS, REPORTS

- a. Correspondence – CALAFCO Request for Board Nominations and Awards
- b. Commissioner Announcements
- c. Executive Officer's Report
- d. Budget Reports (in the review binder at the dais)
- e. Legislation and Project Status Report

10. ADJOURNMENT

Note: The next regular LAFCO meeting is scheduled for August 18, 2016.

Roseanne Chamberlain
Executive Officer

All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCO action in court you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. All written materials received by staff 48 hours before the hearing will be distributed to the Commission. If you wish to submit written material at the hearing, please supply 10 copies.

NOTE: State law requires that a participant in LAFCO proceedings who has a financial interest in the decision and who has made a campaign contribution of more than \$390 to any Commissioner in the past year must disclose the contribution. If you are affected, please notify commission staff before the hearing.

**PLEASE DO NOT REMOVE POSTING BEFORE:
July 22, 2016**

AMADOR LAFCO



LOCAL AGENCY FORMATION COMMISSION

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

MINUTES

May 19, 2016

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

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

The May 19, 2016, meeting of the Amador Local Agency Formation Commission (LAFCO), held at the County Administration Center, 810 Court Street, Jackson, California, was called to order by Chairman Boitano at 5:59 p.m.

2. **Roll Call**

Members Present:

Louis Boitano, Chairman
Jim Vinciguerra, Vice-Chairman
Patrick Crew, City Member
Tim Murphy, City Member
Brian Oneto, County Member

Staff Present:

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

3. **Approval of Agenda for May 19, 2016**

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

4. **Approval of the Minutes of April 21, 2016**

Motion: It was moved by Commissioner Vinciguerra, seconded by Commissioner Crew, and carried unanimously to approve the Minutes for January 21, 2016, as submitted. Commissioner Boitano abstained.

5. **Approval of Claims to May 19, 2016**

Motion: It was moved by Commissioner Murphy, seconded by Commissioner Vinciguerra, and carried unanimously to approve the Approval of Claims – Meeting Final, as submitted.

6. **Public Forum – Public Comment**

There were no comments.

7. **Adoption of the Final Budget for Fiscal Year 2016-17; LAFCO Resolution #2016-06 (Public Hearing).**

Executive Officer Chamberlain stated that the budget is the same as the Proposed Budget discussed and approved at the April 21, 2016, Commission meeting.

Chairman Boitano opened the public hearing. There were no comments.

Motion: It was moved by Commissioner Oneto, seconded by Commissioner Crew, and carried unanimously to close the public hearing.

Motion: It was moved by Commissioner Oneto, seconded by Commissioner Crew, and carried unanimously to adopt the Final Budget for Fiscal Year 2016-17, as submitted.

8. **Legislation Report.**

Executive Officer Chamberlain reviewed the information in the meeting packet, thanking Santa Cruz LAFCO for the summary they had prepared and which is in the packet. Ms. Chamberlain stated that none of the currently proposed legislation poses much of a problem for Amador LAFCO. Some other LAFCOs have more of an issue with some of the bills because they have not done as much pre-problem solving as has Amador LAFCO. Some of the bills may add a little more work for LAFCO, but again, because of work we have already done, it should not be too much.

Commissioner Boitano said he is glad that LAFCO is keeping an eye on AB2479 as it is an interesting issue. Executive Officer Chamberlain explained what that bill would do, and that there is a question as to whether LAFCO has authority to approve or disapprove annexations involving sovereign lands.

Commissioner Murphy asked whether there was anything Amador LAFCO needed to take a written position on, and Executive Officer Chamberlain said no.

9. **Other Business, Reports**

- a. Correspondence – none.
- b. Commissioner Announcements – none.
- c. Executive Officer's Report – Executive Officer Chamberlain stated that CALAFCO is requesting news items for its newsletter.
- d. Budget Reports – in binder, provided at the dais.
- e. Project Status Report – Executive Officer Chamberlain reported that Rabb Park CSD is thinking about dissolving itself and then annexing the community into the Amador Water Agency. She also stated that Ranch House Estates has a new board of directors and may do a detachment of an area that never has received service from them. Lastly, River Pines PUD is looking into annexing a portion of its service area that is in El Dorado County. Ms. Chamberlain has been in contact with El Dorado LAFCO to obtain their approval.

Ms. Chamberlain also referred the Commission to Item 9 in the packet concerning the work George Allen has been doing to help with the boundary research project. She stated that legal counsel had advised her to check with the Commission as to any possible contract boundaries the Commission might have with respect to her using an outside paid consultant in this work. The Commission stated that it was fine with her continuing as she has been with George Allen providing independent contractor work on the map research

10. Adjournment

The next regular LAFCO meeting is scheduled for June 16, 2016.

Chairman Boitano adjourned the meeting at 6:17 p.m.

Louis Boitano, Chairman
LOCAL AGENCY FORMATION COMMISSION

ATTEST: _____
Nancy Mees, Clerk to the Commission

APPROVAL OF CLAIMS - PACKET DRAFT

AGENDA OF July 21, 2016

APPROVAL OF CLAIMS TO

July 21, 2016

Agenda Item 5

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>INV.DATE</u>	<u>AMOUNT</u>
R Chamberlain 5/17/16-6/20/16	Consulting Services Labor**	6/20/2016	\$ 5,301.00
	Expense Total, includes ATT**	3/20/1902	\$ 810.35
N Mees 5/17/16-6/20/16	Clerical & Admin**	6/20/2016	\$ 347.00
William Chamberlain	Legal Consulting Services Labor**	6/20/2016	\$ 67.50
R Chamberlain 6/21/16-7/17/16	Consulting Services Labor		estimate \$ 4,250.00
	Expense Total, includes ATT		estimate \$ 350.00
Nancy Mees 4/21/16-5/17/16	Clerical & Admin		estimate \$ 470.00
Ledger Dispatch	Notice for July 21, 2016**		\$ 102.68
George Allen	Map researching**	6/14/2016	\$ 150.00
CALAFCO	Dues for 2016**		\$ 840.00
Amador County Services	Copying charges from Surveyors**		\$77.15
LAFCO Board	Meeting Stipends (Maximum of 5 @ \$50.00)		\$ 250.00
TOTAL			\$ 13,015.68

** Note: Denotes any invoices paid prior to Commission Approval, per Policy 2.3.7

CHAIR:

Louis Boitano, Chariman

ATTEST:

Nancy Mees
CLERK TO THE COMMISSION

AGENDA ITEMS # 7

TO: ALL COMMISSIONERS, ALTERNATES
FROM: ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER
SUBJECT: AMENDMENT OF THE RABB PARK COMMUNITY SERVICE DISTRICT (CSD) SPHERE OF INFLUENCE, LAFCO PROJECT 289; RESOLUTION #2016-07; (PUBLIC HEARING)
EXECUTIVE OFFICER'S REPORT AND RECOMMENDATION
DATE: MEETING OF JULY 21, 2016

DESCRIPTION & BACKGROUND

The Cortese-Knox-Hertzberg Act requires that proposed changes of organization must be consistent with the relevant spheres of influence. Rabb Park CSD and Amador Water Agency propose a zero sphere of influence for Rabb Park CSD, consistent with the proposed dissolution of the CSD described in LAFCO Project #290, contained elsewhere in this meeting agenda.

LAFCO's Municipal Services Review (MSR), completed in 2008 and updated in 2014 found that Rabb Park CSD faces a number of challenges to effectively provide service. The 2008 report noted many difficulties and concluded that consolidation of district services with AWA was desirable. LAFCO subsequently adopted a zero sphere of influence for the CSD. The 2014 MSR update found that the district had made improvements but the determinations still recommended that Rabb Park CSD and AWA continue to consider consolidation in order to allow for the highest levels of service at the lowest feasible cost. LAFCO recognized the improvements made by the CSD and adopted a coterminous sphere of influence for Rabb Park CSD in January 2015.

Amador Water Agency sells wholesale water to the CSD for distribution. The CSD notes that the underlying advantage of a county-wide operation for AWA is "economy of scale" related to expenses for maintenance, billing, insurance, repairs, and California State reporting requirements. AWA is able to spread their costs of operations over a much larger customer base, thus reducing their overall cost to each consumer.

In late December 2016, AWA also successfully implemented the Gravity Supply Line (GSL). This implementation provides a more reliable source of water for upcountry residents, and contributes to a more economical source of water to end-users by the elimination of PG&E electrical power cost previously needed to pump raw water from the North Fork of the Mokelumne River to the Buckhorn Treatment Facility just off Hwy 88.

These changes and a review of potential cost savings for CSD customers enhanced the benefits of dissolving the CSD and transferring service to Amador Water Agency under an agreement

specifying the terms and arrangements for the change of organization.

Please note that the analysis here is presented on an abbreviated basis and does not duplicate the contents of the two municipal services reviews which have been reviewed by the commission and are the basis of the determinations. The information contained in the 2008 and 2014 Municipal Services Reviews describe both AWA and Rabb Park CSD in detail and are made a part of the record of this action. The 2014 MSR update is attached.

CEQA

LAFCO is the lead agency for the project. The Executive Officer has reviewed the proposal and determined that it is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), Section 15061(b)(3) of the Public Resources Code, in that there is no change in services or service demand and no possibility that the project could have a negative effect on the environment (Notice of Exemption attached).

RECOMMENDATIONS

Staff recommends that the Commission take the following actions:

1. Hold the public hearing and adopt LAFCO Resolution #2016-07, making determinations and setting a zero sphere of influence for the Rabb Park CSD.
2. Find that the project is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) and direct staff to prepare a Notice of Exemption pursuant the California Code of Regulations.
3. Direct staff to complete the necessary filings and transmittals as required by law.

AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

RESOLUTION MAKING DETERMINATIONS AND ADOPTING A ZERO SPHERE OF INFLUENCE FOR THE RABB PARK COMMUNITY SERVICE DISTRICT

LAFCO RESOLUTION NUMBER 2016-07

WHEREAS, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act, commencing with §56000, et seq. of the Government Code, and specifically in accordance with §56425; and

WHEREAS, a comprehensive municipal services review has been completed and was found by LAFCO to be adequate and complete on May 22, 2014; and determinations made by LAFCO are consistent with adoption of a zero sphere of influence for Rabb Park Community Service District (CSD).

WHEREAS, the functions and classes of services provided by the Rabb Park CSD are retail domestic water distribution and supply as described in the Municipal Services Review; and

WHEREAS, Amador Water Agency (AWA) wholesales treated water to Rabb Park CSD, which provides such water for residential distribution and resale to its customers; and

WHEREAS, Rabb Park Community Services District and AWA desire a change of organization to transfer ownership and operation of the Rabb Park CSD water system to AWA for direct residential distribution and sale of treated water service and have adopted substantially similar requests proposing this change of organization; and

WHEREAS, at the times and in the form and manner required by law, the Executive Officer has given notice of the hearing by this Commission; and

WHEREAS, upon the date, time and place specified in said notice of hearing and in any order or orders containing such hearing, the Commission has received, heard, discussed and considered all oral and written testimony related to the Sphere of Influence, including but not limited to comments, objections, the Executive Officer's written and oral report and recommendation, the environmental document and determination, the municipal service reviews, plans for providing service, and previously adopted spheres of influence;

NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED AND ORDERED as follows:

1. The adoption of the Sphere of Influence for the Rabb Park Community Service District is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) in that there is no possibility that the action taken by the Commission may have a significant effect on the environment.

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LOCAL AGENCY FORMATION COMMISSION

2. The Sphere of Influence of the Rabb Park Community Service District is determined and amended to a zero sphere if influence in anticipation of a change of organization to dissolve the CSD and transfer assets and obligations of the district to Amador Water Agency. The Rabb Park Community Service District boundary and sphere of influence is shown on the attached figure "Exhibit A".
3. Determinations with respect to the Sphere of Influence for the Rabb Park Community Service District are set forth and described in the attached "Exhibit B" and are incorporated herein by this reference.
4. Determinations with respect to the Municipal Services Review for the Rabb Park Community Service District are set forth and described in the attached "Exhibit C" and are incorporated herein by this reference.
5. The Executive Officer is hereby directed to file a Notice of Exemption in compliance with the California Environmental Quality Act and local ordinances implementing the same.

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of the County of Amador at a regular meeting thereof, held on the 21st day of July, 2016 by the following vote:

AYES:

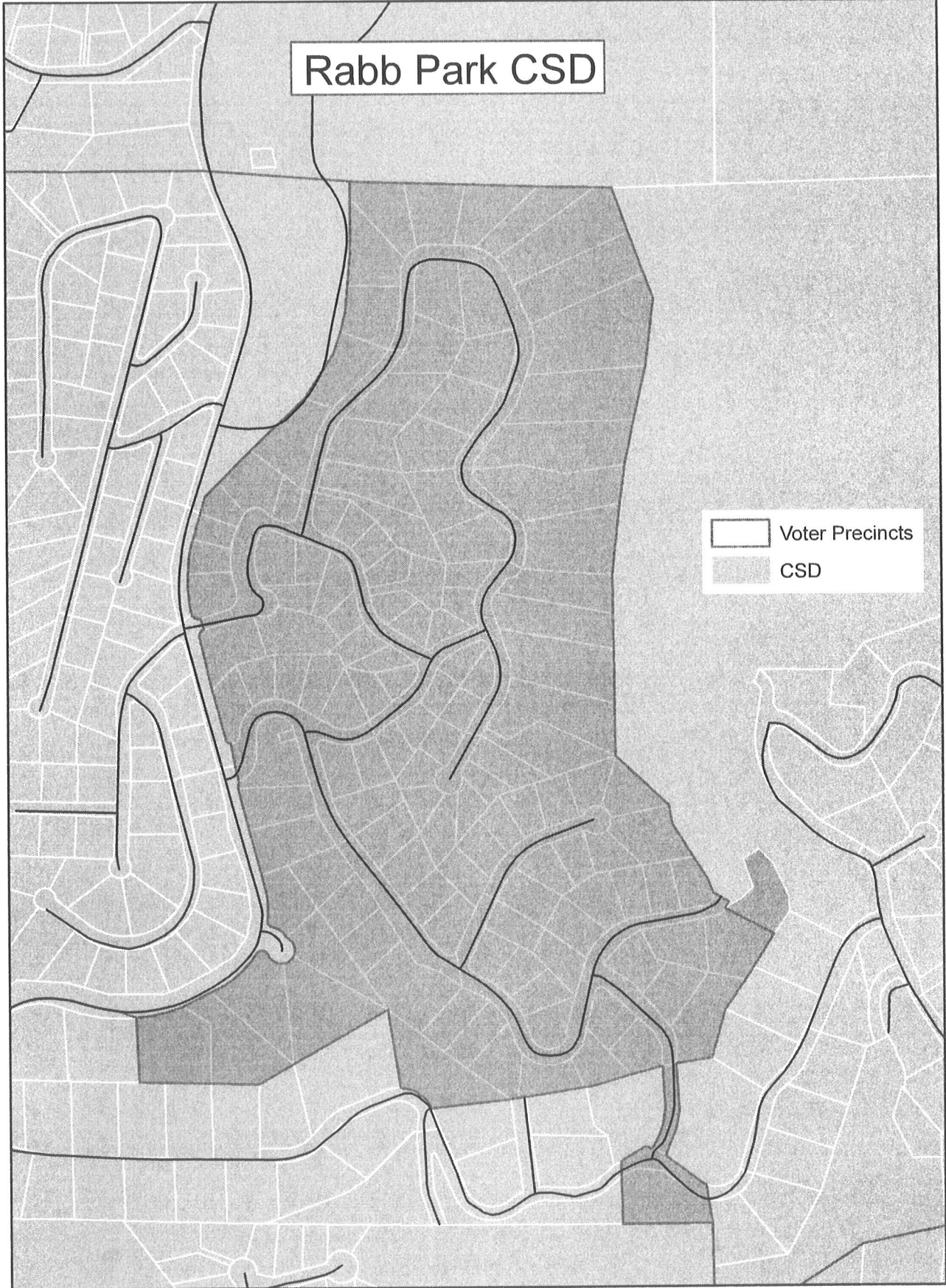
NOES:

ABSENT:

Presiding Officer
Louis Boitano, Chairman

ATTEST:

Nancy Mees, Clerk to the Commission
Amador Local Agency Formation Commission
Amador County, California



AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

Exhibit B TO LAFCO RESOLUTION NO. 2016-07

RESOLUTION MAKING DETERMINATIONS AND ADOPTING A ZERO SPHERE OF INFLUENCE FOR THE RABB PARK COMMUNITY SERVICE DISTRICT

1. No significant changes to the present and planned land uses in and around the Rabb Park Community Service District are anticipated within the planning horizon of this sphere of influence, including agricultural and open space lands.
2. No changes in the present and probable need for public facilities and services in and around the Rabb Park Community Service District are anticipated within the planning horizon of this sphere of influence. System improvements to serve current customers are planned.
3. The Commission recognizes that the present capacity of public facilities and the adequacy of public service provided by Rabb Park Community Service District has been adequate, however, these services are better provided by Amador Water Agency. Enhanced local water service, at a lower projected cost, will be available in the future to citizens of the district when those services are consolidated with and provided by Amador Water Agency.
4. The Commission recognizes that the Rabb Park Community is a community of social and economic interest. LAFCO notes the economic benefits of consolidating services with Amador Water Agency outweigh the advantages of retaining a small separate government agency for retail water distribution service to the community.

EXHIBIT C - SUMMARY OF DETERMINATIONS

Growth and population projections

- ❖ There has been significant growth in the District over the last several decades; however, no growth since the 2008 MSR, with a limited number of undeveloped lots remaining in the District.
- ❖ Future growth is expected to be limited, as there are no proposed or planned developments within or adjacent to the District. Growth is possible but limited to 30 undeveloped lots within the District.

The Location and Characteristics of Disadvantaged Unincorporated Communities Within or Contiguous to the Agency's SOI

- ❖ There are no disadvantaged unincorporated communities within or adjacent to the District's service area, based upon mapping information provided by the State of California Department of Water Resources. However, given the large size of the defined community in the census data used, it cannot be discounted that a smaller community that meets the required income definition and has 12 or more registered voters may exist within or adjacent to the District.

Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs and deficiencies

- ❖ Approximately one mile of distribution pipes are undersized, and need to be replaced to improve water pressure and fire flow.
- ❖ The District reported a continued need to replace the AWA-owned storage tank and expand storage capacity.
- ❖ As was recommended in 2008, the District should perform an evaluation of the entire distribution system to prioritize replacement.
- ❖ District planning efforts are inadequate, and do not meet recommended standards for technical, managerial and financial ability. Specifically, the District has not prepared a master plan or capital improvement plan.
- ❖ The District continues to heavily rely on volunteer board member participation to manage district operations. While this is currently an effective arrangement, the long term availability of able volunteers, which is often unpredictable, may affect the sustainability of service provision.
- ❖ The District lacks a general manager, as required by law, to implement board policies. It is recommended that the District identify a volunteer general manager in order to come into compliance with legal requirements.

- ❖ Amador Water Agency has the capability of assuming district services.

Financial ability of agencies to provide services

- ❖ Since the 2008 review, rates have been increased and are comparable to other Amador County water purveyors. The District should continue to evaluate rates and structuring inflation-triggered rate increases as needed.
- ❖ While the 2008 MSR identified rates as not adequate to cover necessary costs, over the last few years the District has been able to accumulate substantial reserves to cover some capital needs. However, the condition of the system is not fully known and the degree to which anticipated capital costs are covered is also unknown. A capital improvement plan is needed to assess these issues.

Status of, and opportunities for, shared facilities

- ❖ The District relies on AWA for water, treatment and transmission of treated water through AWA facilities.
- ❖ There is an opportunity for the District to share additional resources with AWA and improve efficiency through the reorganization or consolidation of the two agencies.

Accountability for community service needs, including governmental structure and operational efficiencies

- ❖ Accountability to local voters is constrained by a lack of contested elections. Improvements to accountability could be made by emphasizing public outreach activities and promoting interest in participation on the governing body.
- ❖ A RPCSD website or Facebook page would improve transparency and accountability to citizens and keep customers up to date on district happenings. This online presence may be a more efficient way of posting meeting notices, agendas and meeting minutes.
- ❖ The District has faced challenges in the past in providing adequate services. In 2008, the District was considering consolidation with AWA in order to enhance service levels; however, these discussions have not continued since that time. Consolidation of compatible agencies is appropriate and consistent with LAFCO's desire to provide the highest levels of service at the lowest feasible cost, and it is recommended that RPCSD and AWA continue to evaluate the feasibility of this option.

AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

Notice of Exemption

TO: _____ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
 County Clerk
County of Amador

FROM: Public Agency:
Amador LAFCO
810 Court Street, Jackson, 95642
Contact: 209-418-9377
amador.lafco@gmail.com

Project Title: Zero Sphere of Influence Amendment Rabb Park CSD;

Project Location – Specific East of Highway 88, North of the community of Buckhorn

Project Location - City: NA **Project Location - County:** Amador

Description of Project: Adoption of zero sphere of influence for Rabb Park CSD

Name of Public Agency Approving Project: Amador LAFCO

Name of Person or Agency Carrying out Project: Amador LAFCO

Exempt Status: (check one)

Ministerial

Declared Emergency

Categorical Exemption Section 15061(b)(3)

Statutory Exemptions. State code number:

Reasons why project is exempt: Section 15061(b)(3) of the Public Resources Code, in that there is no change in services or service demand and no possibility that the project could have a negative effect on the environment

Signature: _____ Date: 7/21/16 Title: Executive Officer

Signed by Lead Agency Date received for filing at OPR: _____
 Signed by Applicant

POSTED ON:

AGENDA ITEM # 8

TO: ALL COMMISSIONERS, ALTERNATES
FROM: ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER
SUBJECT: DISSOLUTION OF THE RABB PARK COMMUNITY SERVICE DISTRICT (LAFCO PROJECT #290)
EXECUTIVE OFFICER'S REPORT AND RECOMMENDATION
DATE: MEETING OF JULY 21, 2016

DESCRIPTION OF PROJECT & BACKGROUND:

This proposal for dissolution was initiated by resolution by the Rabb Park Community Service District (CSD) and by Amador Water Agency (AWA). The resolutions are substantially similar and propose to dissolve and extinguish the CSD. All assets and service responsibility would transfer to Amador Water Agency as successor agency.

Amador Water Agency currently sells wholesale water to the CSD for distribution. The CSD notes that the underlying advantage of a county-wide operation for AWA is "economy of scale" related to expenses for maintenance, billing, insurance, repairs, and California State reporting requirements. AWA is able to spread their costs of operations over a much larger customer base, thus reducing their overall cost to each consumer.

In late December 2016, AWA also successfully implemented the Gravity Supply Line (GSL). This implementation provides a more reliable source of water for upcountry residents, and contributes to a more economical source of water to end-users by the elimination of PG&E electrical power cost previously needed to pump raw water from the North Fork of the Mokelumne River to the Buckhorn Treatment Facility just off Hwy 88.

The CSD and AWA have reached agreement regarding the terms and conditions of the transfer of services. The agreement has not yet been adopted by AWA or Rabb Park CSD by the packet mailing deadline. The resolution provides that the agreement will be adopted and in place prior to recording the change of organization.

PURPOSE

The proposal will allow for more efficient service, directly through AWA, at lower projected cost than services provided through the district. A rate comparison sheet is attached. Both the district and AWA analyzed water costs and both found lower costs.

LOCATION & LAND USE

The proposal consists of the entire district, approximately 118 acres, northeast of the community

of Buckhorn, adjacent to Highway 88. Land uses include developed residential parcels, some vacant residential parcels and 4 vacant commercial (C1) parcels. Surrounding land uses include residential zoning (AE-10, R1A and R-S) and timberland (GF) to the east.

Mailed notice has been sent to all landowners and registered voters within the CSD and within 300' of the exterior boundaries of the CSD

CEQA

LAFCO is the lead agency for the project. The Executive Officer has reviewed the proposal and determined that it is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) because the project is a change of organization that will result in no changes in the areas where previous powers were exercised. There is no possibility that the action taken by the Commission may have a significant effect on the environment. (Class 20, Categorical Exemption). The Notice of Exemption is attached.

SUMMARY OF STATUTORY AND POLICY CONSIDERATIONS

Government Code §56668 and LAFCO Policies require that the review of a proposal shall consider the factors listed below:

<i>FACTOR TO CONSIDER</i>	<i>POLICY/STATUTE CONSISTENCY</i>	<i>COMMENT</i>
<i>1. NEED FOR SERVICES, FUTURE NEEDS</i>	Consistent	Services are in place, no change in service planned
<i>2. ABILITY TO SERVE, TIMING, CONDITIONS</i>	Consistent	Service already provided and appears adequate
<i>3. WATER SUPPLY</i>	Consistent	AWA supplies wholesale water; distribution and retail water would change to AWA
<i>4. SERVICE ALTERNATIVES</i>	Consistent	Continued district service seems less efficient; no changes to capacity or connections
<i>5. SERVICE IMPACTS</i>	Consistent	No negative impacts noted
<i>6. COORDINATION OF APPLICATIONS</i>	Consistent	N/A
<i>7. COST/ADEQUACY OF SERVICES, FACILITIES</i>	Consistent	Lower costs projected; tank repairs, meters, etc. per AWA-CSD agreement
<i>8. EFFECT IN AREA AND ADJACENT AREAS</i>	Consistent	No changes anticipated; no significant effects noted
<i>9. ALTERNATIVES, COST & ADEQUACY</i>	Consistent	No feasible alternatives, rates and charges likely to decrease
<i>10. SUFFICIENCY OF REVENUES, A.V.</i>	Consistent	Rates appear sufficient and may decrease; no property tax transfer or changes

<i>11. "BEST INTEREST"</i>	Consistent	Eliminates one layer of government; lower rates likely
<i>12. BOUNDARIES: LOGICAL, CONTIGUOUS</i>	Consistent	Follows parcels and existing boundaries, entire district.
<i>13. TOPOGRAPHY</i>	Consistent	No significant features
<i>14. SPHERES OF INFLUENCE</i>	Consistent	Zero SOI
<i>15. EFFECT ON ADJACENT AREAS, COMMUNITIES</i>	Consistent	No change anticipated; no significant untoward effects
<i>16. COMMENTS FROM LANDOWNER OR OWNERS</i>	Consistent	None
<i>17. EFFECT ON OTHER COMMUNITY SERVICES</i>	Consistent	None; no change anticipated
<i>18. OTHER AGENCY COMMENTS, OBJECTIONS</i>	Consistent	No substantive comments received to date
<i>19. FAIR SHARE OF REGIONAL HOUSING</i>	Consistent	No change anticipated, will not affect housing
<i>20. LAND USE, ZONING DESIGNATIONS</i>	Consistent	No change anticipated
<i>21. POPULATION</i>	Consistent	No change anticipated
<i>22. CONSISTENCY WITH GENERAL PLANS, SPECIFIC PLANS, ZONING</i>	Consistent	No development or change anticipated
<i>23. AGRICULTURE LANDS AND OPEN SPACE LANDS</i>	Consistent	No change; no effect on agriculture
<i>24. ENVIRONMENTAL JUSTICE</i>	Consistent	No effect noted; no change

DETERMINATIONS

The Commission should review the factors summarized above, then make its own determinations regarding the project. Staff recommends the following determinations based on project research, state law and local policies:

1. The subject territory is “inhabited” per Government Code §54046.
2. The dissolution is consistent with the sphere of influence of the Rabb Park CSD, as amended by LAFCO prior to this action.
3. Application for the dissolution is initiated by substantially similar resolutions of the Rabb Park CSD and by Amador Water Agency. The resolutions have been unanimously approved by the both boards of directors.
4. The dissolution will not result in negative impacts to the cost and adequacy of services otherwise provided in the area; conditions of approval and agreements associated with this project ensure that the dissolution will not have an adverse effect on the cost and adequacy of services.

5. Water service and related costs to individual customers are projected to decrease within the Rabb Park CSD area following the dissolution.
6. Amador Water Agency is determined to be the appropriate successor agency and is capable of providing more efficient water service to the area at the same level or at enhanced levels of service.
7. Amador Water Agency is designated as the successor agency, consistent with agreements in place between Rabb Park CSD and Amador Water Agency, and shall have all the powers and duties of the successor agency.
8. Funding mechanisms are in place and are adequate to ensure that there will be revenues sufficient for adequate services.
9. The dissolution will not have an adverse effect on agriculture and open space lands, will not have an adverse effect on environmental justice, and will have no effect on the cities or the county in achieving their respective fair shares of the regional housing needs.
10. The dissolution is in the best interests of the citizens within the affected area and adjacent areas.

RECOMMENDATIONS

Staff recommends that the Commission take the following actions:

1. Adopt Resolution #2016-08, making determinations and approving the dissolution of Rabb Park Community Service District (LAFCO Project #290) with conditions of approval.
2. Find that the action is a change of organization, which will result in no changes in the areas where previous powers were exercised and that there is no possibility that the action taken by the Commission may have a significant effect on the environment. Direct staff to prepare a Notice of Exemption pursuant to Title 14, Article 19, Class 20 of the California Code of Regulations.
3. Direct staff to initiate Conducting Authority proceedings in compliance with Resolution #2016-07, and Government Code Section 57000 et. seq.
4. Direct staff to complete the necessary filings and transmittals as required by law.

Attachments: Cost Projections & Comparison, AWA
Resolution #2016-08
Exhibit A, descriptive map
Exhibit B, Terms and Conditions
Notice of Exemption (CEQA)

AWA & Rabb PARK CSD Rate Comparison

	5 CCF	10 CCF	15 CCF
AWA W/ Stage II Surcharge	\$ 41.75	\$ 57.15	\$ 72.55
Rabb Park W/Surcharge	\$ 51.05	\$ 62.10	\$ 73.15
AWA W/ No Surcharge	\$ 37.85	\$ 49.35	\$ 60.85
Rabb Park W/No Surcharge	\$ 48.25	\$ 56.50	\$ 64.75
AWA Standby	\$70/year	\$5.83/month	
Rabb Park Standby	\$192/year	\$16/month	

Notes;

1 CCF= 748 gallons
rates as of May 1, 2016

AWA

\$2.30/ CCF W/O surcharge

\$3.08/CCF W/ surcharge

\$13.33/month service charge

\$13.02/month debt service charge

AWA rates are adjusted each year for inflation on July 1, but no more than 3%

Assessment standby fee billed annually on July 1

Rabb Park CSD

\$2.20/1000 gal or \$1.65/CCF W/O surcharge

\$2.95/1000 gal or \$2.21/CCF W/ surcharge

\$40/month service charge

Standby fee billed monthly

AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

810 COURT STREET ♦ JACKSON, CA 95642-95334 ♦ (209) 418-9377

RESOLUTION MAKING DETERMINATIONS AND APPROVING THE DISSOLUTION OF RABB PARK COMMUNITY SERVICE DISTRICT

LAFCO RESOLUTION NUMBER 2016-08

WHEREAS, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act, commencing with §56000, et seq. of the Government Code, and specifically in accordance with §56375; and

WHEREAS, Rabb Park Community Service District (CSD) was formed in 1973 to provide services to the Rabb Park area and the district initiated retail domestic water services; and

WHEREAS, Amador Water Agency is a county-wide water agency, organized pursuant to Stats. 1959, Ch. 2137, as amended, and is authorized to provide water service throughout Amador County; and

WHEREAS, the Amador Water Agency currently provides wholesale treated water to Rabb Park CSD, which provides such water for residential retail resale to its customers; and

WHEREAS, proceedings for dissolution were initiated by resolution of Amador Water Agency on June 9, 2016 and by a substantially similar resolution of Rabb Park CSD on June 16, 2016; and

WHEREAS, the proposed dissolution is consistent with the sphere of influence for the Rabb Park CSD as amended by LAFCO prior to this action; and

WHEREAS, the Executive Officer, pursuant to Government Code Section §56665 has reviewed this proposal and prepared a report including her recommendations, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, at the times and in the form and manner required by law, the Executive Officer has given notice of the hearing by this Commission upon the proposal; and

WHEREAS, upon the date, time and place specified in said notice of hearing and the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determination, spheres of influence and applicable plans; and

WHEREAS, the Commission does hereby make the following determinations regarding the proposal:

1. The subject territory is “inhabited” per Government Code §54046.
2. The dissolution is consistent with the sphere of influence of the Rabb Park CSD, as amended by LAFCO prior to this action.
3. Application for the dissolution is initiated by substantially similar resolutions of the Rabb Park CSD and by Amador Water Agency. The resolutions have been unanimously approved by both boards of directors.
4. The dissolution will not result in negative impacts to the cost and adequacy of services otherwise provided in the area; conditions of approval and agreements associated with this project ensure that the dissolution will not have an adverse effect on the cost and adequacy of services.
5. Water service and related costs to individual customers are projected to decrease within the Rabb Park CSD area following the dissolution.
6. Amador Water Agency is determined to be the appropriate successor agency and is capable of providing more efficient water service to the area at the same level or at enhanced levels of service.
7. Amador Water Agency is designated as the successor agency, consistent with agreements in place between Rabb Park CSD and Amador Water Agency, and shall have all the powers and duties of the successor agency.
8. Funding mechanisms are in place and are adequate to ensure that there will be revenues sufficient for adequate services.
9. The dissolution will not have an adverse effect on agriculture and open space lands, will not have an adverse effect on environmental justice, and will have no effect on the cities or the county in achieving their respective fair shares of the regional housing needs.
10. The dissolution is in the best interests of the citizens within the affected area and adjacent areas.

NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED AND ORDERED as follows:

1. The dissolution is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15320 in that the project is a change of organization which will result in no changes in the areas where previous powers were

exercised and there is no possibility that the action taken by the Commission may have a significant effect on the environment.

2. The dissolution of the Rabb Park Community Service District is approved as shown in the descriptive figure of the district attached as Exhibit A. The dissolution is subject to terms and conditions as specified in this resolution and in the attached Exhibit B.
3. The distinctive short-term designation assigned to the affected territory is:

**Dissolution of Rabb Park Community Service District,
LAFCO Project #290**

4. Amador Water Agency is designated as the successor agency, consistent with agreements in place between Rabb Park CSD and Amador Water Agency, and shall have all the powers and duties of the successor agency.
5. The Certificate of Completion for the Dissolution of Rabb Park CSD is subject to completion and approval of an agreement between Amador Water Agency and Rabb Park CSD specifying the terms and conditions of the transfer of assets and services acceptable to both agencies.
6. The change of organization shall not be completed or recorded until the agreement has been approved by both agencies and is acceptable to the Executive Officer.
7. The Executive Officer is hereby directed to prepare and file a Notice of Exemption in compliance with the California Environmental Quality Act and local ordinances implementing the same.
8. The Executive Officer is further directed to initiate conducting authority proceedings and schedule a public hearing as required pursuant to the provisions of Section 57002 for the protest proceedings.
9. The effective date of the dissolution shall be the date of recordation.

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of the County of Amador at a regular meeting thereof, held on the 21st day of July, 2016 by the following vote:

AYES:

NOES:

ABSENT:

Presiding Officer
Louis Boitano, Chairman

ATTEST:

Nancy Mees
Clerk to the Commission
Amador Local Agency Formation Commission
Amador County, California

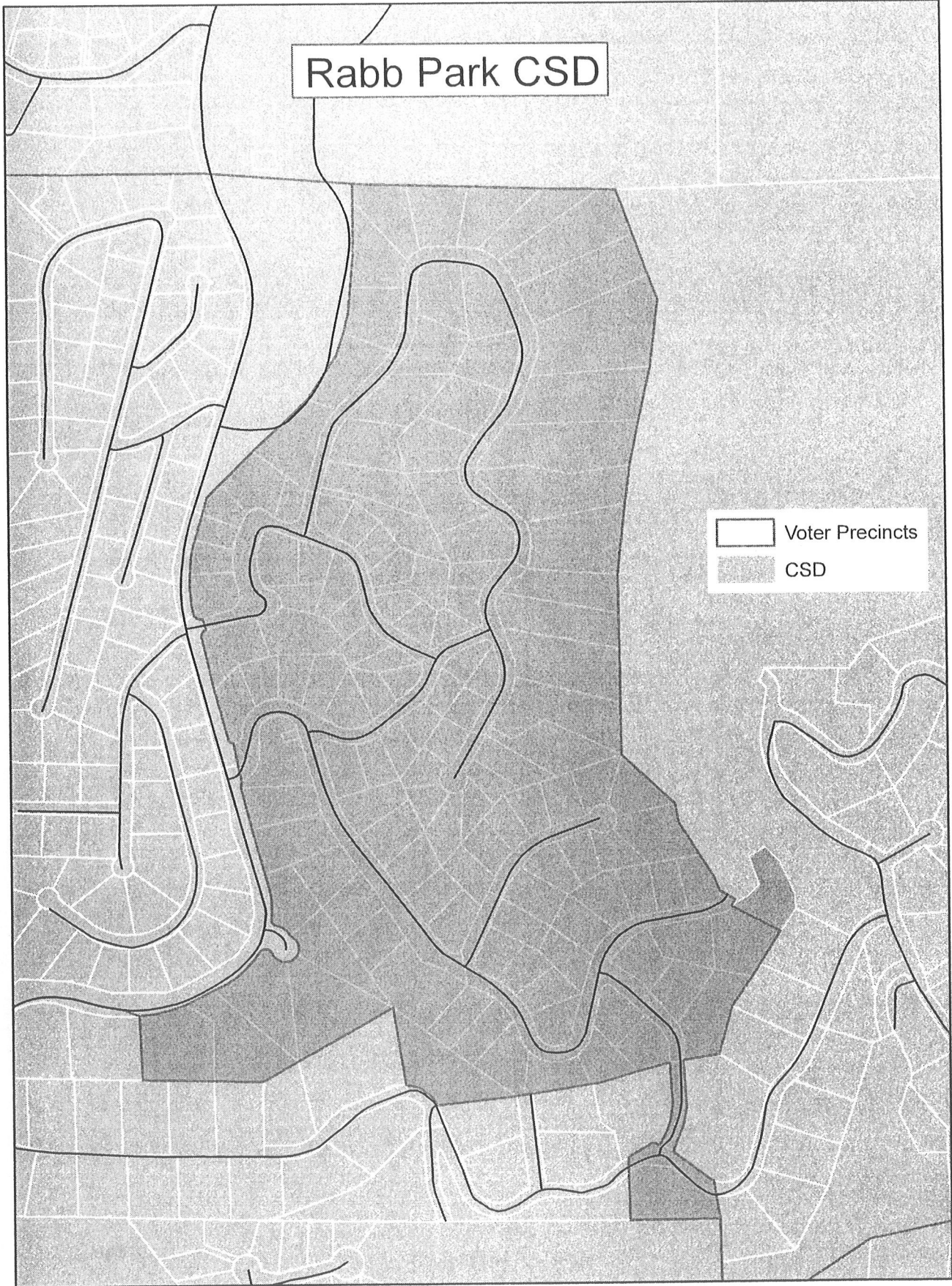


Exhibit B to LAFCO Resolution 2016-08

DISSOLUTION OF THE RABB PARK CSD; LAFCO PROJECT #290

Terms and Conditions of Approval

1. On and after the effective date of the dissolution of a district, the district shall be dissolved, disincorporated, and extinguished, its existence shall be terminated, and all of its corporate powers shall cease.
2. All remaining assets of Rabb Park CSD shall be distributed to Amador Water Agency consistent with agreements in place between Amador Water Agency and Rabb Park CSD.
3. Rabb Park CSD shall transfer reserve funds adequate for replacement of the storage tank and for improvements needed and any remaining reserve funds shall be distributed to Rabb Park CSD customers.
4. All water pipelines facilities, tank, fixtures, meters, fire hydrants, equipment and other facilities and tangible real property and assets related to the Rabb Park CSD's water distribution system shall be transferred to the Amador Water Agency, consistent with final agreement regarding transfer of system and assets.
5. Amador Water Agency shall be responsible for payment of expenses and shall complete any outstanding requirements for final recording and filing, including documents required by the State Board of Equalization, within 180 days of the adoption of this resolution.
6. The Certificate of Completion shall be issued and recorded subsequent to final payment of all LAFCO fees, costs and charges associated with the project and necessary to complete the required filings and transmittals.
7. The Certificate of Completion shall be issued and recorded subsequent to adoption by both Amador Water Agency and Rabb Park CSD of a final agreement regarding transfer of system and assets.
8. Upon and after the effective date of said dissolution, the affected territory, all inhabitants within such territory, and all persons entitled to vote by reasons of residing or owning land within the territory:
 - shall be subject to the jurisdiction of the Amador Water Agency;
 - shall be subject to all Amador Water Agency rules regulations, rates, charges, and Water Code as may be amended from time to time;
 - shall be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the districts continuing to serve within the affected territory, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the districts continuing to serve within the affected territory;

- shall be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;
- shall be subject to all of the rules, regulations, ordinances of any districts continuing to serve within the affected territory, as now existing or hereafter amended.

AMADOR LAFCO
LOCAL AGENCY FORMATION COMMISSION

Notice of Exemption

TO: _____ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
 X County Clerk
County of Amador

FROM: Public Agency:
Amador LAFCO
810 Court Street, Jackson, 95642
Contact: 209-418-9377
amador.lafco@gmail.com

Project Title: Dissolution of Rabb Park CSD, LAFCO Project # 290

Project Location – Specific East of Highway 88, North of the community of Buckhorn

Project Location - City: _____ NA **Project Location - County:** _____ Amador

Description of Project: Dissolve Rabb Park CSD & transfer all assets and service responsibilities to Amador Water Agency as the successor agency (local government change of organization).

Name of Public Agency Approving Project: Amador LAFCO

Name of Person or Agency Carrying out Project: Amador LAFCO

Exempt Status: (check one)

Ministerial

Declared Emergency

X **Categorical Exemption** Article 19, Class 20 of the California Code of Regulations.

Statutory Exemptions. State code number:

Reasons why project is exempt: Change of local government organization that will result in no changes in the areas where previous powers were exercised. There is no possibility that the action taken by the Commission may have a significant effect on the environment. (Class 20, Categorical Exemption).

Signature: _____ Date: 7/21/16 Title: Executive Officer

X Signed by Lead Agency Date received for filing at OPR: _____
 Signed by Applicant

POSTED ON: