AGENDA

AMADOR LOCAL AGENCY FORMATION COMMISSION

6:00 P.M. – THURSDAY DECEMBER 15, 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 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 OCTOBER 20, 2016
- 5. APPROVAL OF CLAIMS TO DECEMBER 15, 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. RESOLUTIONS OF APPRECIATION FOR PAT CREW (RESOLUTION #2016-11) AND LOUIS BOITANO (RESOLUTION #2016-12)
- 8. BINGHAM-HODGE (BLA) DETACHMENT FROM JACKSON VALLEY IRRIGATION DISTRICT, LAFCO PROJECT # 294; RESOLUTION #2016-13 (Notice and Public Hearing waived pursuant to §56662)

Proposed detachment of approximately 7.34 acres including portions of APN 033-420-100 and 003-320-001, consistent with approved boundary line adjustment (BLA 2016-007) CEQA: Exempt Section 15061(b)(3), no change in service or service responsibility and no possibility that the action will have a significant effect on the environment.

9. DISADVANTAGED UNINCORPORATED COMMUNITIES

10. OTHER BUSINESS, REPORTS

- a. Report of CALAFCO Conference Commissioners and Legal Counsel
- b. Correspondence
- b. Commissioner Announcements
- c. Executive Officer's Report
- d. Budget Reports (in the review binder at the dais)
- e. Legislation Report

11. ADJOURNMENT

Note: The next regular LAFCO meeting is scheduled for January 19, 2016 and may be cancelled by the Commission.

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: DECEMBER 16, 2016

AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

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



MINUTES

October 20, 2016



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

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

The October 20, 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 6:00 p.m.

2. Roll Call

Members Present:

Louis Boitano, Chairman Jim Vinciguerra, Vice-Chairman Patrick Crew, City Member Brian Oneto, County Member Dominic Atlan, City Alternate

Staff Present:

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

3. Approval of Agenda for October 20, 2016

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

4. Approval of the Minutes of July 21, 2016

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

5. Approval of Claims to October 20, 2016

Motion: It was moved by Commissioner Oneto, 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. Amendment of the Ranch House Estates Community Service District (CSD) Sphere of



Influence, LAFCO Project 291; Resolution #2016-09 (Public Hearing).

Executive Officer Chamberlain reviewed the history of the Ranch House Estates CSD and the Homestead portion of that District. She reported that it had been a challenging district, but since 2014 has revived through a new board of directors and general manager. Due to the facts that the Homestead development has never paid CSD assessments and that all its roads are maintained by the county, Ranch House Estates is requesting that it be detached from the CSD. There are county resolutions verifying its acceptance of the maintenance of the roads in the Homestead portion.

The County Planning Department requested that the five parcels east of Highway 88 be left in the Ranch House Estates CSD. It was noted that when these parcels are developed, the owners will most likely be using the roads in Ranch House on the same basis as other district residents, and could not have direct driveways to Highway 88. Ranch House CSD has agreed to allow those parcels to remain part of the District.

Commissioner Atlan asked a question regarding how the parcels are assessed, and Executive Officer Chamberlain responded that the County Assessor has a table of assessments and that each parcel is currently assessed \$25, although that cost may have to increase in the future. Commissioner Crew asked if all the parcels are served by the same water agency. Ms. Chamberlain said that Ranch House Estates CSD had never provided water service, and that all the parcels, including Homestead, have always been served by the Amador Water Agency. Therefore, this detachment will not affect water service.

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

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

Motion: It was moved by Commissioner Crew, seconded by Commissioner Vinciguerra, and carried unanimously to adopt Resolution 2016-09, directing staff to hold a public hearing (conducting authority) and to prepare all documents necessary.

8. <u>Homestead Detachment from Ranch House Estates CSD, LAFCO Project 293; Resolution</u> #2016-10 (Public Hearing).

Executive Officer Chamberlain stated that all the pertinent information was in the documents in the meeting materials. There was brief discussion of the detachment.

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

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

Motion: It was moved by Commissioner Oneto, seconded by Commissioner Atlan, and unanimously carried to adopt Resolution 2016-10, accepting all determinations, and directing staff to prepare all necessary documents.

9. Report and Presentation of City Boundary Verification and GIS Mapping

Executive Officer Chamberlain introduced Cindy Engel of ACTC and thanked her for her work in researching and creating all the city boundary maps. She also thanked ACTC for allowing Cindy



the time to do so. Ms. Engel gave a history of the lack of consistency in city boundary maps being used by LAFCO, the cities, the county, and the Board of Equalization, thus necessitating this mapping project. The goal is to create one set of accurate maps that can then be used by all agencies, and to put the maps online for easy access. The next project will be to use the same process to verify the boundaries of the various districts.

Ms. Chamberlain and Ms. Engel presented a Power Point presentation to show the work done, the now accurately mapped city boundaries, and the areas that are still problems. Ms. Chamberlain reported that all city annexations had been researched, missing documents searched for and found, and written boundary descriptions mapped out and verified. The remaining discrepancies that could not be accounted for will be dealt with in the future, either by GIS corrections, Board of Equalization corrections, or additional annexations, depending on the cause of the discrepancy. Needed correctory annexations will be tacked on to future annexations that take place in that city.

10. Other Business, Reports

- a. Correspondence none.
- b. Commissioner Announcements the annual CALAFCO conference will be next week in Santa Barbara.
- c. Executive Officer's Report in writing in the meeting materials.
- d. Budget Reports in binder, provided at the dais.
- e. Legislation and Project Status Report Executive Officer Chamberlain reported that there is no pending legislation that will have much effect on Amador County.

11. Adjournment

The next regular LAFCO meeting is scheduled for November 17, 2016, although Executive Officer Chamberlain stated that it may be cancelled due to lack of agenda items being ready in time.

Chairman Boitano adjourned the meeting at 7:01 p.m.

Louis Boitano, Chairman	
LOCAL AGENCY FORMATION COMMISSION	

ATTEST:	
Nancy Mees, Clerk to the Commission	

APPROVAL OF CLAIMS - PACKET DRAFT

AGENDA OF December 15, 2016

APPROVAL OF CLAIMS TO

December 15, 2016

Agenda Item 5

VENDOR	DESCRIPTION	INV.DATE	AIV	IOUNT
N Mees 10/20/16-10/30/16	Clerical & Admin** State Conf. mileage & expenses**	10/30/2016 10/30/2016	\$	955.00 435.24
R Chamberlain 10/18/16-11/16/16	Consulting Services Labor** Expense Total, includes mileage*	11/16/2016 11/16/2016	\$	3,649.50 2,973.22
Jim Vinciguerra	State Conf. mileage & expenses**	11/22/2016	\$	525.24
Louis Boitano	State Conf. expenses**	11/22/2016	\$	47.07
N Mees 11/1/16-12/14/16	Clerical & Admin	12/15/2016 estimate	\$	295.00
R Chamberlain 11/17/16-12/13/16	Consulting Services Labor Expense Total, includes mileage	12/15/2016 estimate 12/15/2016 estimate		3,800.00 325.00
W Chamberlain	Legal Consulting Services	12/15/2016 estimate	\$	297.00
Amador County Planning Dept.	Copy charges		\$	175.05
LAFCO Board	Meeting Stipends (Maximum of 5 (@ \$50.00)	\$	250.00
TATA	,			
TOTAL	<u>.</u>		\$	13,727.32

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

CHAIR:	
	Louis Boitano, Chairman
ATTEST:	
	Nancy Mees
	CLERK TO THE COMMISSION

AMADOR LAFCO LOCAL AGENCY FORMATION COMMISSION

RESOLUTION OF APPRECIATION FOR PAT CREW AMADOR LAFCO COMMISSIONER AND CITIES REPRESENTATIVE

LAFCO RESOLUTION NO. 2016-11

WHEREAS, Pat Crew was appointed by Amador County by the Mayor's Selection Committee to serve as cities alternate on LAFCO in 2009 and became the cities' representative in 2011 and served on the commission for a total of seven years; and

WHEREAS, Commissioner Crew actively participated in all aspects of LAFCO work, ensuring completion of the 2014 Municipal Services Reviews, adoption of spheres of influence for cities and numerous special districts; and

WHEREAS, Commissioner Crew facilitated the analysis and information for the Municipal Services Review for the City Jackson and oversaw the update of Jackson's Sphere of Influence; and

WHEREAS, Commissioner Crew assisted in development of policies for spheres of influence, attended the state CALAFCO conferences, actively participated in LAFCO meetings and was always on time; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, the Amador Local Agency Formation Commission does hereby adopt this resolution of appreciation for Commissioner Pat Crew and thanks him for his efforts on behalf of Amador LAFCO and the citizens of Amador County.

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of the County of Amador on the 15th day of December, 2016, by unanimous vote of the Commission.

Louis Boitano, Chairman Presiding Officer of LAFCO

ATTEST:	
Roseanne Chamberlain	Executive Officer

AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

RESOLUTION OF APPRECIATION FOR LOUIS BOITANO CHAIRMAN, COMMISSIONER & COUNTY REPRESENTATIVE 1995-2016 LAFCO RESOLUTION NO. 2016-12

WHEREAS, Louis Boitano was appointed by Amador County to serve on LAFCO in 1995 as a County Representative and has served in that capacity for 21 years; and

WHERAS, Commissioner Boitano was elected LAFCO Chairman early in his tenure on LAFCO and was re-elected chairman many times because of his reputation as a fair, thorough and compassionate presiding officer who ensured that all LAFCO meetings were efficient and, most importantly, brief; and

WHEREAS, Commissioner Boitano was dedicated to LAFCO work, ensuring completion of both the 2008 and 2014 Municipal Services Reviews, adoption of spheres of influence for cities and numerous special districts and for development of important policies that will continue his legacy at Amador LAFCO in the years to come; and

WHEREAS, Commissioner Boitano oversaw significant changes in implementation of the Cortese-Knox-Hertzberg Act of 2000, guided the Commission through the Grand Jury Report of 2005 and facilitated the transition from county staffing to independent LAFCO staffing in 2006; and

WHEREAS, Commissioner Boitano actively promoted Amador County throughout his tenure, entering and serving excellent Amador County wines at CALAFCO wine tasting competitions and winning "Best of Show", "Best Red Wine" and other awards every year entered; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, the Amador Local Agency Formation Commission does hereby adopt this resolution of appreciation for Commissioner Louis Boitano and thanks him for his extraordinary efforts on behalf of Amador LAFCO and the citizens of Amador County.

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of the County of Amador on the 15th day of December 2016, by unanimous vote of the Commission.

	Presiding Officer)
ATTEST:		

ROSEANNE CHAMBERLAIN, Executive Officer

AGENDA ITEM # 8

TO:

ALL COMMISSIONERS, ALTERNATES

FROM:

ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER

SUBJECT:

EXECUTIVE OFFICER'S REPORT AND RECOMMENDATION

BINGHAM-HODGE (BLA) DETACHMENT FROM JVID; LAFCO PROJECT #294

DATE:

MEETING OF DECEMBER 15, 2016

DESCRIPTION OF PROJECT

This proposal for detachment will adjust the boundaries of Jackson Valley Irrigation District (JVID) consistent with an approved boundary line adjustment (BLA 2016-007). The proposal consists of a district detachment of approximately 7.34 acres. Land being removed from APN 003-420-100 within JVID is being joined to APN 003-320-001 outside of JVID boundaries. All landowners have consented to the boundary change and the proposal consists only of a detachment. The project is exempt from the requirements for notice and public hearing. JVID has provided written consent to the detachment (Board minutes of Sept.14, 2016).

LOCATION

The detachment area is located at 3805 Curran Rd., Ione, and near the end of Hoko Court. Descriptive maps, including a figure showing the boundary line adjustment, are attached.

PURPOSE

The proposal would detach an area within JVID subject to BLA 2016-007, which allows the area to combine with a parcel that is outside of JVID. The proposal will prevent a split parcel straddling the JVID boundary.

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).

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. The condensed review is presented below for the commission's consideration.

FACTOR TO CONSIDER	POLICY/STATUTE CONSISTENCY	COMMENT
1. NEED FOR SERVICES, FUTURE NEEDS	Consistent	Unchanged
2. ABILITY TO SERVE, TIMING, CONDITIONS	Consistent	No change in services
3. WATER SUPPLY	Consistent	No change in services
4. SERVICE ALTERNATIVES	Consistent	No need for alternative service
5. SERVICE IMPACTS	Consistent	No change in service
6. COORDINATION OF APPLICATIONS	Consistent	N/A; district detachment only
7. COST/ADEQUACY OF SERVICES, FACILITIES	Consistent	No change in service
8. EFFECT IN AREA AND ADJACENT AREAS	Consistent	No change in service; no significant effects noted
9. ALTERNATIVES, COST & ADEQUACY	Consistent	No change in service, service levels, costs
10. SUFFICIENCY OF REVENUES, A.V.	Consistent	No change, assessments remain unchanged
11. "BEST INTEREST"	Consistent	Prevents illogical boundary
12. BOUNDARIES: LOGICAL, CONTIGUOUS	Consistent	Follows new parcel lines and BLA lines
13. TOPOGRAPHY	Consistent	No topographic features noted
14. SPHERES OF INFLUENCE	Consistent	Concurrent minor SOI amendment
15 .EFFECT ON ADJACENT AREAS, COMMUNITIES	Consistent	No change anticipated; no significant untoward effects
16. COMMENTS FROM LANDOWNER OR OWNERS	Consistent	No landowner comments
17. EFFECT ON OTHER COMMUNITY SERVICES	Consistent	None; no change anticipated
18. OTHER AGENCY COMMENTS, OBJECTIONS	Consistent	All comments non-substantive
19. FAIR SHARE OF REGIONAL HOUSING	Consistent	No change or effect anticipated
20. LAND USE, ZONING DESIGNATIONS	Consistent	APN 003-420-100 is A-T, A; APN 003-320-001 is SP, SR1
21. POPULATION	Consistent	No change anticipated
22. CONSISTENCY WITH GENERAL PLANS, SPECIFIC PLANS, ZONING	Consistent	No changes anticipated
23. AGRICULTURE LANDS AND OPEN SPACE LANDS	Consistent	No change; no effect on agriculture
24. ENVIRONMENTAL JUSTICE	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 "uninhabited" per Government Code §56046.
- 2. Application for this detachment is made subject to Government Code §56650 et. seq. by petition of the landowners.
- 3. The territory proposed for detachment is appropriate for a minor amendment of the sphere of influence of the Jackson Valley Irrigation District to conform the sphere of influence to parcel lines and the sphere is amended concurrently with this detachment.
- 4. The proposal provides a more logical district boundary, consistent with parcel line changes approved by the county (BLA#2016-007). The detachment will provide a logical and orderly boundary for the district. The boundaries are definite and certain and conform to lines of ownership and parcel lines consistent with county BLA#2016-007.
- 5. The detachment will have no effect on the services otherwise provided in the area and will not result in negative impacts to the cost and adequacy of service and is in the best interests of the affected area.
- 6. The detachment will not have an adverse effect on agriculture and open space lands, will not have an adverse effect on environmental justice, and will not affect the county's ability to achieve its fair share of the regional housing needs.
- 7. The detachment is found to be exempt under 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.

RECOMMENDATIONS

Staff recommends that the Commission take the following actions:

- Adopt Resolution #2016-13, making determinations, adding conditions and approving the Bingham-Hodge (BLA) Detachment from Jackson Valley Irrigation District; LAFCO Project #294.
- 2. Direct the Executive Officer to prepare a Notice of Exemption pursuant to Section 15061(b)(3) of the Public Resources Code.
- 3. Waive the Conducting Authority Proceedings as provided by Government Code §56663.
- 4. Direct the executive officer to complete the necessary filings and transmittals as required by statute and policy.

Attachments:

Resolution 2016-13; Exhibit A – Descriptive Maps (final map to follow approval); Exhibit B – Conditions; Notice of Exemption

AMADOR LAFCO



LOCAL AGENCY FORMATION COMMISSION

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

LAFCO RESOLUTION NO. 2016-13 RESOLUTION MAKING DETERMINATIONS, ADDING CONDITIONS AND APPROVING THE BINGHAM-HODGE (BLA) DETACHMENT FROM JACKSON VALLEY IRRIGATION DISTRICT LAFCO PROJECT #294

WHEREAS, a resolution making application for the proposed reorganization of certain territory in the County of Amador was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act, commencing with Section §56000, et seq. of the Government Code by the; and

WHEREAS, the Executive Officer has examined the petition and certified that it is complete and has accepted the proposal for filing; and

WHEREAS, the Executive Officer, pursuant to Government Code §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, the detachment is found by LAFCO to be exempt from the requirements of CEQA under Section 15061(b)(3) of the Public Resources Code, and there is no change in services or service demand and no possibility that the reorganization could have a negative effect on the environment; and

WHEREAS, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to comments and objections, the Executive Officer's report and recommendation, the environmental document and findings, plans for providing service, spheres of influence and applicable general and specific plans;

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

1. The subject territory is "uninhabited" per Government Code §56046.

2. Application for this detachment is made subject to Government Code §56650 et. seq. by petition of the landowners.

3. The territory proposed for detachment is appropriate for a minor amendment of the sphere of influence of the Jackson Valley Irrigation District to conform the sphere of influence to parcel lines and the sphere is amended concurrently with this detachment.

4. The proposal provides a more logical district boundary, consistent with parcel line changes approved by the county (BLA#2016-007). The detachment will provide a logical and orderly boundary for the district. The boundaries are definite and certain and conform to lines of ownership and parcel lines consistent with county BLA#2016-007.

5. The detachment will have no effect on the services otherwise provided in the area and will not result in negative impacts to the cost and adequacy of service and is in the best interests of the affected area.



6. The detachment will not have an adverse effect on agriculture and open space lands, will not have an adverse effect on environmental justice, and will not affect the county's ability to achieve its fair share of the regional housing needs.

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

- 1. The Commission finds the project to be exempt from the requirements of CEQA under Section 15061(b)(3) of the Public Resources Code, in that there is no change in services or service demand and there is no possibility that the reorganization could have an effect on the environment.
- 2. The sphere of influence of the Jackson Valley Irrigation District is amended to remove approximately 7.34 acres, consistent with the detachment.
- 3. The Bingham-Hodge (BLA) Detachment from Jackson Valley Irrigation District (LAFCO Project #294), is approved, subject to conditions listed below and attached as "Exhibit B" to this resolution.
- 4. Said territory is detached, as set forth and described in the attached map and legal description marked "Exhibit A" and by this reference incorporated herein.
- 5. Said territory includes approximately 7.34 +/- acres and is found to be uninhabited, and the territory is assigned the following short form designation:

Bingham-Hodge (BLA) Detachment from Jackson Valley Irrigation District LAFCO Project #294

6. The following changes of organization or reorganization are approved:

Detachment from Jackson Valley Irrigation District

- 7. All subsequent proceedings in connection with this detachment shall be conducted only in compliance with the approved boundaries and conditions set forth in the attachments and any terms and conditions specified in this resolution.
- 8. The Conducting Authority proceedings are waived.
- 9. 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.
- 10. The effective date 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 15th day of December 2016, by the following vote:

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NOES:

ABSENT:

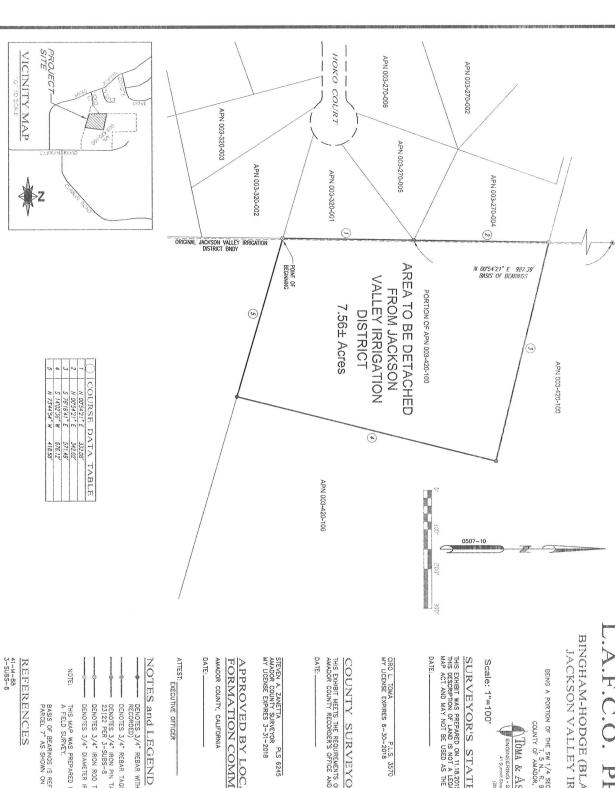
Presiding Officer Louis Boitano, Chairman Amador LAFCO

ATTEST:

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

Attachments: Exhibit A – Map and Legal Description

Exhibit B – Terms and Conditions



PROJECT #294

BINGHAM-HODGE (BLA) DETACHMENT FROM JACKSON VALLEY IRRIGATION DISTRICT

BEING A PORTION OF THE SW 1/4 SECTION 23 AND THE SE 1/4 SECTION 22 COUNTY OF AMADOR, STATE OF CALIFORNIA



November, 2009

SURVEYOR'S STATEMENT

THIS EXHIBIT WAS PREPARED ON 11.18.2015 AND IS FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR SALE OF THE LAND DESCRIBED.



COUNTY SURVEYOR'S STATEMENT

THIS EXHIBIT MEETS THE REQUIREMENTS OF THE STATE BOARD OF EQUALIZATION, THE AMADOR COUNTY RECORDER'S OFFICE AND CONFORMS TO THE LINES OF ASSESSMENT.

FORMATION COMMISSION APPROVED BY LOCAL AGENCY

DENOTES 3/4" REBAR WITH PLASTIC CAP PER BLA 2016-007 (NOT YET RECORDED)

DENOTES 3/4" REBAR TAGGED LS 5032 PER 41-M-88
DENOTES 3/4" IRON PIN TAGGED RCE 18631 AT S 1/16 CORNER SECTION 23/22 PER 3-SUBS-8

DENOTES 3/4" IRON ROD TAGGED LS 5032 PER 41-M-88
DENOTES 3/4" DIAMETER IRON PIN TAGGED LS 3482 PER 3-SUBS-8

THIS MAP WAS PREPARED FROM RECORD DATA ONLY AND DOES NOT REPRESENT A FIELD SURVEY. BASIS OF BEARINGS IS REFERRED TO A PORTION OF THE WEST LINE OF "ADJUSTED PARCEL 7" AS SHOWN ON 41-M-88, THE BEARING OF WHICH IS N 00"54"21" E.

SHEET 1 OF 1 SHEET

Exhibit A

EXHIBIT B TO LAFCO RESOLUTION NO. 2016-13 CONDITIONS OF APPROVAL

BINGHAM-HODGE (BLA) DETACHMENT FROM JVID; LAFCO PROJECT #294

- 1. Upon and after the effective date of said Detachment, the affected territory, all inhabitants within such territory, and all persons entitled to vote by reasons of residing or owning land within the territory:
 - a) Shall no longer be subject to the jurisdiction of Jackson Valley Irrigation District.
 - b) Shall not be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the District, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the District;
 - c) Shall not be subject to the collection of taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;
 - d) Shall not be subject to the rules, regulations, ordinances of the District as now existing or hereafter amended.
- 2. The applicant shall complete map and legal description requirements for final recording and filing, including documents required by the State Board of Equalization, within 180 days of the adoption of this resolution.
- 3. The Certificate of Completion shall be issued and recorded subsequent to final payment by the applicant of all LAFCO fees, costs and charges associated with the project and necessary to complete the required filings and transmittals.



SURVEYING DEPARTMENT

COUNTY ADMINISTRATION CENTER

810 Court Street Jackson, CA 95642-2132 Telephone: (209) 223-6371

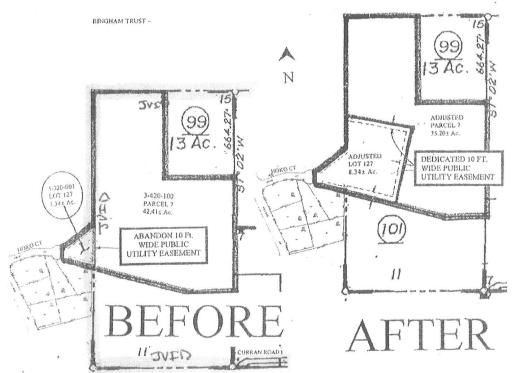
AMADOR COUNTY NOTICE OF PROPOSED VACATION (BOUNDARY LINE ADJUSTMENT)

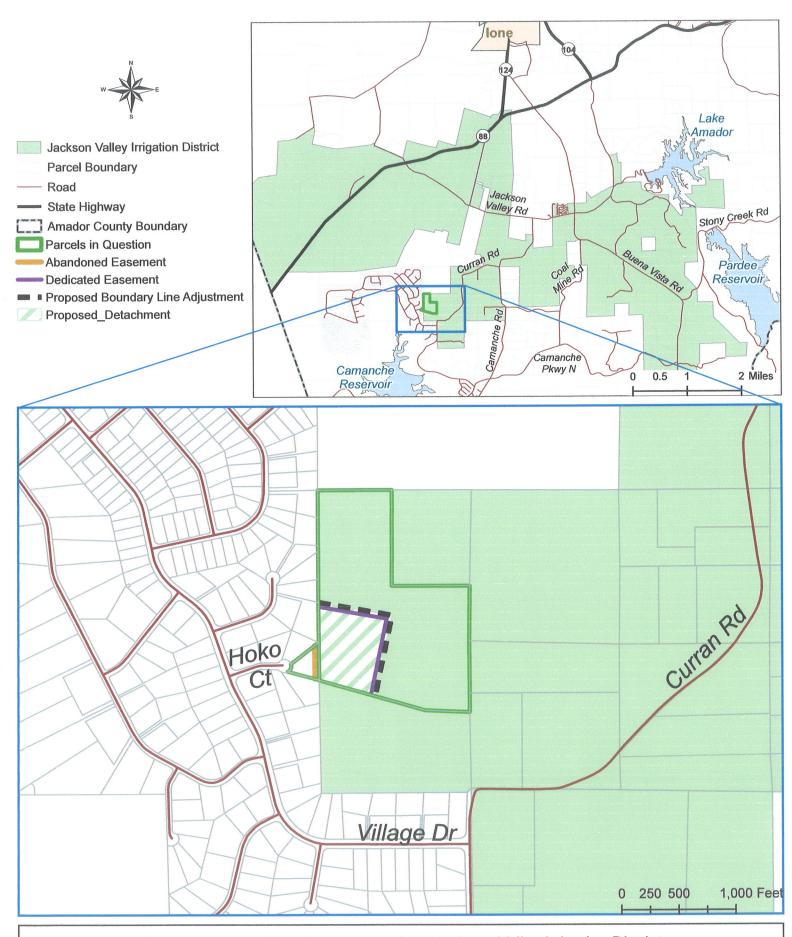
The County Surveyor hereby gives Notice of his proposed vacation of a ten-foot (10') wide public utility easement for Darlene M. Bingham, Trustee of the Darlene M. Bingham Trust, dated December 10, 1999. The public utility easement is described with the easterly line being coincident with the easterly line of Lot 127 as said lot is shown and delineated on "Lake Camanche Village Subdivision Unit No. 1", recorded in Book 3 of Subdivision Maps, at pages 8 through 23, Records of Amador County, California. The property is located at the easterly end of Hoko Court, in the Lake Camanche Village area. Assessor's Parcel No.'s 003-420-100 and 003-320-001.

The intent of the County Surveyor to vacate said public utility easement as set forth in County Ordinance No. 1445, Chapter 17.89 of the Amador County Code.

A Public Hearing to consider said vacation will be held at the Surveying Department, located at the County Administration Building, 810 Court Street, Jackson, California on Wednesday, August 24, 2016, at 9:00 o'clock a.m., at which time any and all interested persons may come and be heard thereon.

If you have any questions, or desire further information, please contact the Surveying Department at (209) 223-6371.





Bingham-Hodge (BLA) Detachment from Jackson Valley Irrigation District LAFCO Project #294

The Amador County Transportation Commission assumes no responsibility arising from the use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND, expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Do not make any business decisions based on this data before validating your decision with the appropriate County office.

Map created December 5, 2016 for Amador LAFCO by: Amador County Transportation Commission, GIS staff 117 Valley View Way, Sutter Creek CA 95685 (209) 267-2282

AMADOR LAFCO LOCAL AGENCY FORMATION COMMISSION

Notice of	Exemption			
X_	Office of Planning and Res 1400 Tenth Street, Room Sacramento, CA 95814 County Clerk County of Amador		Public Agency: Amador LAFCO 810 Court Street Contact: 209-41 amador.lafco@g	
Project Titl	e: Bingham-Hodge (BLA) I	Detachment from JVID; L	AFCO project #294	
Project Loc	cation – Specific 3805 Cu	urran Rd., Ione, and near t	he end of Hoko Cou	<u>urt</u>
Project Loc	cation - City:N	AProject L	ocation - County	: Amador
Description	n of Project: District detac	hment of approximately 7	.34 acres.	
Name of P	ublic Agency Approving	Project: Amador LAFCO)	
Name of Pe	erson or Agency Carrying	g out Project: Amador	LAFCO	
·	atus: (check one) Ministerial Declared Emergency Categorical Exemption	Section 15061(b)(3) of the section 15061(b)(b)(3) of the section 15061(b)(b)(b)(b)(b)(b)(b)(b)(b)(b)(b)(b)(b)(he Public Resources	: Code
	Statutory Exemptions.	State code number:		
Reasons w	hy project is exempt : Mi	nor district boundary char	nge (detachment) wi	th concurrent sphere
amendment ((7.34 acres). No change in se	rvices or service demand	and no possibility th	at the project could have
a negative ef	fect on the environment.			
Signature:		Date: <u>12</u>	./15/16 Title: <u>E</u> x	kecutive Officer
	Signed by Lead Agency _ Signed by Applicant	Date received for fili	ng at OPR:	
		POST	ED ON:	

AGENDA ITEM # 9

TO:

ALL COMMISSIONERS, ALTERNATES

FROM:

ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER

SUBJECT:

DISADVANTAGED UNINCORPORATED COMMUNITIES

DATE:

MEETING OF DECEMBER 15, 2016

BACKGROUND:

Senate Bill 244 (Wolk), passed in 2011. The purpose of this bill is to begin addressing the complex legal, financial, and political barriers that contribute to regional inequity and infrastructure deficits within disadvantaged unincorporated communities (DUCs), especially in areas near cities. Throughout the state, but especially in the Central Valley, developed residential areas adjacent to cities do not have adequate water, wastewater and/or fire protection services. SB 244 requires all LAFCOs, cities, and counties to identify and include DUCs in their long-range planning efforts and changes of organization.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) requires LAFCOs to make certain determinations regarding DUCs when considering a change of organization, reorganization, sphere of influence (SOI) updates, and when conducting municipal service reviews (MSRs). For any updates to an SOI of a local agency (city or special district) that provides public facilities or services related to sewer, municipal and industrial water, or structural fire protection, the Commission shall consider and prepare written determinations regarding DUCs. State law also places restrictions on annexation proposals to cities that encourage inclusion of DUCs where the proposed annexation area is contiguous to a DUC.

SB 244 also requires cities to identify and plan for DUCs on or before the due date for the next adoption of its housing element. Pursuant to Section 65588, each city shall review and update the land use element of its general plan, based on available data, including, but not limited to, the data and analysis developed pursuant to Section 56430 [MSRs]. SB 244 statutory requirements assigned to cities are separate and independent from the requirements placed on LAFCOs.

DISCUSSION:

DUCs are defined by statute as inhabited territory (meaning 12 or more registered voters), or as determined by commission policy, that constitute all or a portion of a community with an annual median household income (MHI) that is less than 80 percent of the statewide annual MHI.

The statewide MHI data is obtained from the U.S. Census Bureau - American Communities Survey 2006-2010. California's MHI for this period was \$60,883. The qualifying MHI threshold for a DUC is 80% less than the MHI figure identified for the state, i.e. any area with a MHI less than \$48,706. It is likely that the income threshold would identify many areas with adequate services in Amador County as disadvantaged unincorporated communities.

Census data for census block tracts is useful to some LAFCOs elsewhere where population densities are high, but is problematic in Amador County where the populations are dispersed and large geographic areas may be included in one census area. How to apply SB 244 in Amador County has been unclear and confusing to the Executive Officer since the law was passed. Recent improvements in GIS mapping of cities will help LAFCO staff to identify potential DUCs near cities. Additional GIS progress on district boundaries will assist us in identifying areas within and adjacent to the boundaries of district service providers.

LAFCO has the power under state law to refine and clarify the definition of disadvantaged unincorporated communities by policy. Any policies must be consistent with CKH, but would help cities and LAFCO comply with the law in a reasonable way. For example, Fresno LAFCo's DUC Policy defines DUCs to have at least 15 dwelling units at a density not less than one unit per acre. Additionally, Fresno Commission policy includes "Legacy Communities" which are defined as a geographically isolated community that meets the DUC criteria, is at least 50 years old, and is beyond the adopted SOI of any City.

Another potential policy for Amador LAFCO would exempt areas in Amador County that have adequate water, wastewater, and fire services from being identified as a DUC. This is reasonable given that the purpose of SB 244 appears to be to encourage the development of adequate services for DUCs that may not have essential services as a result of the low income levels within those communities. Amador Fire Protection District (AFPD) serves the entire unincorporated area of Amador County. AFPD and the automatic/mutual aid agreements with other fire protection providers ensure a relatively consistent and high level of fire protection throughout the county.

The Fresno policies for DUCs are attached.

RECOMMENDATIONS:

- 1. Direct staff to develop draft policies for Commission review and consider elements of the policies similar to those adopted by Fresno LAFCO.
- 2. Set the adoption of DUC policies on the agenda for a future LAFCO meeting/public hearing.
- 3. Provide notice and solicit comment on the draft policies to all cities and districts that provide water and wastewater services prior to the LAFCO meeting.

ATTACHMENT: FRESNO LAFCO ADOPTED POLICIES FOR DISADVANTAGED COMMUNITIES

(SOURCED FROM FRESNO LAFCO WEBSITE - NOVEMBER 2016)

The Cortese-Knox-Hertzberg Local Government Reorganization Act (the "Act") requires LAFCo to make determinations regarding "disadvantaged unincorporated communities" ("DUCs") when considering a change of organization, reorganization, a sphere of influence amendment and municipal service review (an "MSR"). Generally, LAFCo will not approve annexations of territory that is greater than ten (10) acres if there exists a DUC, as further defined below, unless an application to annex the DUC has been filed with the Executive Officer, as specified herein.

A DISADVANTAGED UNICORPORATED COMMUNITY

For the purposes of this policy, a DUC means an inhabited territory with an annual median household income that is less than 80 percent of the statewide annual median household income and as defined in Government Code section 56046 and Water Code section 79505.5, all as amended. LAFCo has determined that, as of the date of the adoption of this policy, there may be a deficiency in census data to accurately assess median income in unincorporated communities. As a result, LAFCo or its designee shall consider various sources of information in order to make a determination that a DUC exists. Such information considered by LAFCo shall result from the following: (i) conducting reasonable demographic surveys and studies; (ii) (iii) conducting reasonable site investigation, and (iv) and considering other materials supplied by government agencies and other interested parties (collectively, the "Information Sources").

A DUC shall have at least 15 dwelling units at a density not less than one unit per acre.

Cities and special districts will be required to identify DUCs within and contiguous to their boundaries; however, LAFCo will verify all information and make independent attempts to identify DUCs using the Information Sources.

MUNICIPAL SERVICE REVIEWS

Any MSR conducted by LAFCo for a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, shall identify any DUCs within and contiguous to the sphere of influence of that city or special district and describe the present and probable needs and deficiencies for the provision of those public facilities and services within such DUC. In preparing the MSR, LAFCo and its consultants shall use all reasonably available Information Sources. and consider those characteristics LAFCo deems appropriate to determine if such area qualifies as a DUC.

SPHERE OF INFLUENCE UPDATES

For any updates to a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire

protection, the Commission shall consider and prepare written determinations regarding the present and probable needs and deficiencies for those public facilities and services for any DUC within or contiguous to the sphere of influence of the city or special district.

CHANGES OF ORGNANIZATION & REORGANIZATION FOR CITIES

Except as provided for in the Act, the Commission shall not approve an annexation to a city of any territory greater than 10 acres, where there exists a DUC with 12 or more registered voters that has been identified and evaluated in any MSR or Sphere of Influence Update for that city or has been subsequently identified by staff to be contiguous to the area of the proposed annexation unless an application to annex the DUC to the subject city has been filed with the LAFCo Executive Officer.

Pursuant to Government Code 56375(a)(8)(B), an application to annex a contiguous DUC shall not be required if either of the following facts are present: (i) a prior application for annexation of the same DUC has been made in the preceding five (5) years; or (ii) the Commission finds, based upon written evidence sufficient to the Commission, that a majority of the residents within the affected DUC are opposed to annexation. The Commission will give great weight to a census, prepared independently of any project applicant, of DUC residents to determine opposition the subject annexation.

"Written evidence" may in the form of annexation survey results from residents of the DUC. The Commission shall have a copy of any mailing list used to collect this survey. The survey must be completed no longer than eighteen (18) months before the filling of underlying annexation proposal. The following must be included as part of the survey:

- 1. (1) Survey Cover Letter;
- 2. (2) Survey;
- 3. (3) Map of proposed annexation area and DUC in relation to existing city boundaries;
- 4. (4) Information about city services (a review of the types of services, timing of when

the services would be provided and financing of the services), effects of city/zoning/land use and city elections.

If the underlying annexation is contiguous to a DUC that is served by a special district that provides urban services, the provisions listed in this sub-section are only applicable to annexations that are at least one-third the size of the neighboring special district.

All information sent to residents in DUCs should be in English and Spanish, and any other languages reasonably calculated by LAFCo to be understood by a majority of the residents of a household in the area.

CONTIGUOUS REQUIREMENTS TO TRIGGER A DUC ANNEXATION APPLICAITON

A DUC that is identified to be within 300 feet of the underlying annexation is sufficient to start the annexation proceedings for a DUC.

RESPONSIBILITY FOR ENVIRONMENTAL ASSESSMENT

The city or special district filing the application shall be responsible for all associated costs of processing the environmental documents.

RESPONSIBILITY FOR FIRE DISTRICT OR OTHER REQUIRED TRANSITION FEES

If provided by a transition agreement, the city or special district will be responsible for transition of funding in effect at the time of the annexation. If the annexation application is filed by a proponent in lieu of the city then the proponent must provide the LAFCo Executive Officer with sufficient evidence that this requirement has been satisfied prior to recordation.

NEED FOR SERVICES RELATED TO DUCS

In the event there is a disagreement relative to the need for services (ie. sewer, water, storm drainage), LAFCo staff will consult with Fresno County staff to ascertain levels of services that presently exist. LAFCo staff would also review any independent information submitted by interested parties. LAFCo may use its conditioning authority to make sure water and sewer fees are paid.

PAYMENT FOR DUC ANNEXATION

The processing costs for DUC annexation is the responsibility of the city or special district, or in the case of an annexation submitted by petition, the petitioner(s) of the triggering annexation. If the district has a financial hardship, a separate request may be considered by LAFCo for districts with budgets of less than \$500,000 or cities with budgets less than \$2,000,000.

DUC PROTEST PROCEEDINGS

The same procedure for a standard annexation shall be followed for a conducting authority hearing related to a DUC.

LEGACY COMMUNITY

A legacy community is a geographically isolated community that meets DUC criteria, is at least 50 years old, and is beyond the adopted sphere of influence of any city. When approving any new or updated sphere of influence for a city or special district, the city or special district shall be required to identify any legacy community that is within one mile of the existing or proposed sphere of influence. LAFCo will verify all information and make independent attempts to identify legacy communities. Such attempts may include site investigation and the review of maps, demographic studies, and other materials supplied by governmental agencies and other interested parties.

TO:

Amador LAFCO

December 7, 2016

FROM:

William Chamberlain, Legal Counsel

RE:

Report of Legal Counsel

During 2016, I am pleased to report that the need for my services to Amador LAFCO has been limited. I have advised the Executive Officer from time to time and provided legal and editorial review of documents she has provided the Commission, but the Commission's activities have not resulted in controversy that might have engendered litigation either by or against the Commission. I did attend the CALAFCO conference, however, reviewed a compendium of legal materials produced by the CALAFCO General Counsel, and participated in the one-hour discussion among LAFCO attorneys of legal issues that have resulted in litigation by or against other LAFCOs or that could produce litigation in the future. This memo summarizes those issues.

- 1. The Court of Appeal for the Fifth Appellate District ruled in favor of the Fresno County LAFCO in a case brought by the City of Selma in an effort to invalidate a LAFCO decision on the ground that the LAFCO had violated the requirement of Government Code section 56666 that when hearings are continued from the date of the original hearing notice, the continued hearing is to be conducted within 70 days of the original notice. The court concluded that the 70-day requirement is directory and not mandatory, meaning that the Legislature had not prescribed that the consequence of the violation of this requirement was invalidation of the LAFCO action.
- 2. The City of Coronado has filed litigation seeking to force the San Diego LAFCO to assert its jurisdiction under Government Code section 56133 to disapprove a contract between the City of Imperial Beach and the U.S. Navy to extend sewer services to a proposed Navy facility within the City of Coronado. The City of Coronado contends that this violates the rule that cities may not provide services within other cities without their approval as well as the approval of the LAFCO. San Diego LAFCO determined that the contract was within an exception to this rule because of the existence of a 1967 agreement between the City of Imperial Beach and the Navy.
- 3. The Inyo LAFCO, together with the Northern Inyo Healthcare District (NIH) has initiated litigation against the Southern Mono Healthcare District seeking to require the latter agency to apply for and obtain approval of the LAFCO for facilities opened in Bishop, CA, outside Mono County, that provide health care services to Bishop residents and allegedly harm the economic viability of NIH.
- 4. The San Luis Obispo County superior court has upheld the decision of the San Luis Obispo LAFCO to deny a 182-acre annexation for the City of Pismo Beach based on an inadequate showing of the availability of water for the anticipated development of the annexed territory.

May 2017 be as uneventful for us.

AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

P.O. BOX 22-1292 ♦ SACRAMENTO, CA 95822 810 COURT STREET ♦ JACKSON, CA 95642-95334 ♦ (209) 418-9377



October 6, 2016

Melissa Lavin, Executive Director Amador Vintners Association 9310 Pacific St, Plymouth, CA 95669

Dear Ms. Lavin:

Each year, the California Association of LAFCOs holds a statewide wine competition at our association's annual meeting. Amador LAFCO commissioners have been proud to enter fine wines donated by our local wineries through the Amador Vintner's Association. Amador county wines have consistently won best red wine or best of the show in this competition. We are looking forward to promoting local wines in the upcoming competition, to be held October 26, 2016.

We would like to request Amador Vintners Association to provide 10-12 bottles, if possible, for the CALAFCO competition this year. We would need to pick up the donated wine on or before Monday, October 24th. With luck, we also hope to bring home an award for Amador Vintners from the 2016 CALAFCO wine competition.

Louis Boitano, Amador County Supervisor

Chairman, Amador LAFCO

Jim Vinciguerra.

LAFCO Vice-Chairman

Brian Oneto, Amador County Supervisor County Commissioner, Amador LAFCO

AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

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November 15, 2016

Melissa Lavin, Executive Director Amador Vintners Association 9310 Pacific St, Plymouth, CA 95669

Dear Ms. Lavin:

Thank you for your help to secure donations of Amador County wines for the California Association of LAFCOs statewide wine competition. I am proud to report Amador County won second place for red wines at our association's annual meeting. Additionally, many tasters were interested in learning more about our wineries and they accepted the promotional materials and brochures you sent along.

I will coordinate by email to schedule the best day to bring the medal we won to your office. They didn't award certificates this year as they have done in the past, but I am happy we were honored and glad for the opportunity to encourage visitors to come to our county.

Sincerely,

Roseanne Chamberlain, Executive Officer

Note: Additional letters were sent to individual wineries



November 1, 2016

Amador LAFCo PO Box 22 - 1292 Sacramento, CA 95822

Dear Chair and Commission:

On behalf of the California Association of Local Agency Formation Commissions (CALAFCO), I would like to thank your commission for allowing some of your members and/or staff the opportunity to attend the CALAFCO 2016 annual conference in Santa Barbara.

We know that budgets and resources remain tight and understand that prioritizing expenditures can be difficult. Ensuring you and your staff have access to ongoing professional development and specialized educational opportunities, allows all of you the opportunity to better serve your commission and fulfill the mission of LAFCo. The sharing of information and resources among the LAFCo commissioners and staff statewide serves to strengthen the LAFCo network and creates opportunities for rich and value-added learning that is applied within each LAFCo.

Thank you again for your participation in the CALAFCO 2016 annual conference, I hope you found it a valuable experience. We truly appreciate your membership and value your involvement in CALAFCO.

Yours sincerely,

Pamela Miller
Executive Director



Senate Governance and Finance Committee

LEGISLATIVE UPDATE FROM SACRAMENTO 2016 CALAFCO ANNUAL CONFERENCE October 28, 2016

LAFCO-Related Bills

- SB 1266 (McGuire) requires joint powers agencies and joint powers authorities that provide municipal services to file copies of specified documents with local agency formation commissions. Signed Chapter 173, Statutes of 2016.
- SB 1318 (Wolk) would have required local agency formation commissions to identify
 disadvantaged un-incorporated communities that are within or adjacent to the sphere of
 influence of a city or special district, assess their needs for water and wastewater
 infrastructure, and adopt and implement a plan to address any water and wastewater
 service deficiencies. Died in the Assembly Local Government Committee.
- AB 2414 (Eduardo Garcia) establishes an annexation process to expand the Desert Healthcare District's boundaries that is exempt from some statutes that generally govern district annexations. Signed Chapter 416, Statutes of 2016.
- AB 2470 (Gonzalez) requires one of two water districts in San Diego County to provide water outside of the district's boundaries to the Sycuan Tribe upon request of the tribe. Signed Chapter 301, Statutes of 2016.
- AB 2471 (Quirk) would have required, notwithstanding the statutes that generally govern district dissolutions, that the Alameda County Local Agency Formation Commission must order the Eden Township Healthcare District's dissolution if the District meets specified criteria. *Died on the Senate Floor*.
- AB 2910 (Committee on Local Government) is the annual local agency formation commission omnibus bill, which contains several non-controversial changes to state laws affecting local government organization and reorganization. Signed Chapter 165, Statutes of 2016.

Land Use Planning & Development

• SB 1000 (Leyva) requires each city and county to incorporate an environmental justice element, or goal, policies, and objectives for environmental justice contained in other elements, into its general plan. Signed – Chapter 587, Statutes of 2016.