

AMADOR LAFCO



LOCAL AGENCY FORMATION COMMISSION

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

MINUTES

APPROVED

April 20, 2017

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

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

The April 20, 2017, 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 Crew at 6:00 p.m.

2. **Roll Call**

Members Present:

Pat Crew, Chairman
Brain Oneto, County Member
Dominic Atlan, City Member
Tim Murphy, City Member
Jim Vinciguerra, Public Member

Staff Present:

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

3. **Approval of Agenda for April 20, 2017**

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

4. **Approval of the Minutes of February 16, 2017**

Motion: It was moved by Commissioner Vinciguerra, seconded by Commissioner Oneto, and carried unanimously to approve the Minutes for February 16, 2017, as submitted.

5. **Approval of Claims to April 20, 2017**

Executive Director Chamberlain pointed out that the annual building rental on this month's Approval of Claims is less than last year's since the building cost continues decreasing over the years as depreciation increases.

Motion: It was moved by Commissioner Murphy, seconded by Commissioner Oneto, 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 Proposed Budget for Fiscal Year 2017-18 (Public Hearing)**

Referring to the two budget spreadsheets in the meeting packet, Executive Officer Chamberlain reported that the estimated Fund Balance transfer in is remaining the same as last year, \$56,000, to help offset the city and county cost shares. However, some costs have gone up, so the cost shares will be slightly higher than they were last year. She also stated that the work plan for the coming year includes completing district mapping, so the funding for GIS services has been increased since LAFCO will now have to start paying for those services. Ms. Chamberlain added that funds for the clerk have been increased as Ms. Mees continues to increase her skills and will, among other things, be working on updating and improving the website. In addition, procedures are being clarified so that more work can be shifted from the Executive Officer to the Clerk as that will also decrease LAFCO costs.

Annual CALAFCO conference costs have been allotted for two commissioners plus staff to attend this year. Ms. Chamberlain said she hoped that some of the newer commissioners will attend this year.

Overall, the goal with the Proposed Budget, as always, is to reduce costs as much as possible, while continuing to have a Reserve Fund. Another \$10,000 has been budgeted toward the Legal Reserve Fund again this year, bringing that fund up to slightly over \$70,000. Once approved, the Proposed Budget will be transmitted to the cities and county. They have already received a copy of the unapproved Proposed Budget, and no comments or questions have been received. Ms. Chamberlain suggested that the Final Budget hearing be set for the June meeting as there is currently no other business that would require a meeting in May. Cancelling any unnecessary meetings saves money.

Chairman Crew asked if there were any target amount for the Legal Defense Fund. Ms. Chamberlain replied that nothing had been set, and that the Commission could decide at a certain point to allocate extra funds elsewhere. For example, if there were another recession, they could choose to allocate more funds toward offsetting the cost shares.

Commissioner Atlan asked about how the cities and county are billed for their cost shares. Ms. Chamberlain responded that the process is set by statute. LAFCO transmits the Approved Budget to the county Auditor, who determines the specific amounts for each city and the county, and then sends them letters regarding their required payments. If any cost share is not received by September 1, the auditor is authorized to use a share of that city's revenue to pay the cost share. To date, this has never had to be done. Commissioner Atlan then asked how the shares are determined. Ms. Chamberlain said it is split 50 percent to the county and 50 percent to the cities. Then among the cities, it is divided based on the pro rata share of each city's revenue. Mr. Atlan asked if he could receive an email copy of the relevant statute.

Chairman Crew 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 Vinciguerra, seconded by Commissioner Oneto, and carried unanimously to approve the Proposed Budget as presented.

8. Legislation Report

Referring to the draft letter in support of AB 979 in the meeting packet, Executive Officer Chamberlain explained that the bill does not change how commissioners are appointed, but it does make it simpler for Special Districts to get seated on LAFCO Commissions. She added that this legislation will probably not affect Amador County because our Special Districts are not interested in being on the LAFCO Board, but that it is important to show our support for Special Districts.

Ms. Chamberlain then moved on to AB 464, which she feels is the most important bill currently pending. This legislation is in response to a court case, *The City of Patterson v. Turlock Irrigation District*, that makes it impossible to do an annexation for an area that is already receiving services. This bill corrects that problem by statutorily declaring that any pending or future annexation for a territory that is already receiving services through an Outside Service Agreement will not be in jeopardy. Ms. Chamberlain recommended that the Commission write a letter in support of AB 464.

Executive Officer Chamberlain next spoke about AB 1725, a noncontroversial cleanup bill. There are still some amendments pending, but once the wording of the bill is finalized, she recommends that the Commission also write a letter of support, as it does for most of the annual Omnibus bills.

SB 448 is a spot bill, but one that is also not yet in its final form. It deals with simplifying the process for dissolving inactive districts. In Amador County, the dissolution of CSA 3 will be coming up because it was a district formed for the purpose of repaying bond indebtedness, and those bonds are now paid off. LAFCO will be initiating this dissolution. Ms. Chamberlain recommends that the Commission also send a letter of support for SB 448 once it is in its final form.

Commissioner Oneto asked about the wording regarding authorization by a LAFCO Commission of a schedule of fees and service charges in AB 1725. Executive Officer Chamberlain said the wording is really a place holder, and that the final bill will have the exact wording. It is not authorizing anything new, just cleaning up language to make it consistent throughout.

Chairman Crew, referencing AB 464, pointed out that Amador LAFCO has, in the past, annexed areas that were already receiving services. Ms. Chamberlain replied that LAFCOs often allow outside services to start prior to an annexation being completed. The reason for AB 464 is that the Legislature wants to avoid counties using the Patterson case to deny annexations where services are already in place. The Patterson case determined that an annexation could only take place if it involved the placement of *new* services, thus disallowing those types of annexations to which Chairman Crew was referring. This legislation won't affect new OSAs or historic OSAs.

Executive Officer Chamberlain requested approval of the draft letter for AB 979, and direction to draft letters of support for AB 464, AB 1725, and SB 448, at the appropriate times, for the Chairman's signature.

Commissioner Oneto asked a question regarding district representation with respect to AB 979. Ms. Chamberlain said the current process for seating Special Districts is very difficult due to the large amount of coordination among districts that is required. Commissioner Atlan asked if one

district could request representation on a LAFCO Board, or if it must be all the districts. Ms. Chamberlain responded that it must be all, and an election has to be held. If approved, there is then a process for choosing who the two Special District Commissioners would be. Commissioner Atlan then asked if tax districts were included, and Ms. Chamberlain replied that only independent Special Districts can be on LAFCO Commissions.

Motion: It was moved by Commissioner Oneto, seconded by Commissioner Atlan, and carried unanimously to approve the letter regarding AB 979, and directing Executive Officer Chamberlain to draft a letter of support for AB 464 for the Chairman's signature.

9. Other Business, Reports

- a. Correspondence –Executive Officer Chamberlain had included one letter in the meeting packet that was addressed to the Amador Planning Department requesting clarification with respect to services not being provided by Pine Acres CSD to the tentative subdivision of Pine Acres North.
- b. Commissioner Announcements – none.
- c. Executive Officers Report – Ms. Chamberlain reported that she was continuing to work with River Pines PUD, and that there may or may not be a proceeding coming before the LAFCO Commission. River Pines is currently considering having Amador Water Agency take over their water system.
- d. Budget Report – in the review binder at the dais.
- e. Project Status Report – given under Executive Officer's Report.

11. Adjournment

The next regular LAFCO meeting is scheduled for June 15, 2017, with consensus of the Commission to cancel the May meeting.

Chairman Crew adjourned the meeting at 6:36 p.m.



Pat Crew, Presiding Officer
LOCAL AGENCY FORMATION COMMISSION

ATTEST: 
Nancy Mees, Clerk to the Commission