

****AGENDA****

AMADOR LOCAL AGENCY FORMATION COMMISSION

**6:00 P.M. – THURSDAY OCTOBER 17, 2019
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 FOR OCTOBER 17, 2019**
- 4. APPROVAL OF THE MINUTES OF AUGUST 15, 2019**
- 5. APPROVAL OF CLAIMS TO OCTOBER 17, 2019**
- 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. BOWERS BOUNDARY LINE ADJUSTMENT (BLA) REORGANIZATION TO CITY OF SUTTER CREEK, LAFCO PROJECT #298, RESOLUTION #2019-14; EXEMPT FROM NOTICE AND PUBLIC HEARING**

Annexation of .86 acres (portion of APN 044-420-007) to the City of Sutter Creek with concurrent detachment from CSAs 5 & 6, AFPD, AC Resource Conservation District. The reorganization is consistent with parcel line change to allow for the road and utilities extension between Valley View Way and Independence Drive. CEQA: Lead Agency City of Sutter Creek, Categorical Exemption, Section 15332 (In-Fill Development Projects) and Section 15301(b) Existing Facilities, Public Utilities.

- 8. FINAL MUNICIPAL SERVICE REVIEW FOR FIDDLETOWN COMMUNITY SERVICE DISTRICT; LAFCO PROJECT # 318; RESOLUTION #2019-18; (public hearing)**

Adopt the resolution for the Fiddletown CSD final MSR, including determinations for the district. CEQA: Exempt, Public Resources Code Sections 21102 and 21150, descriptive and planning study for possible future action for which funding has not been committed.

9. AFFIRM A COTERMINOUS SPHERE OF INFLUENCE FOR FIDDLETOWN COMMUNITY SERVICE DISTRICT, LAFCO PROJECT #319; RESOLUTION #2019-19 (public hearing)

Commission will review and update/affirm the Fiddletown Community Services District Coterminous Sphere of Influence Resolution #2019-19. CEQA exempt Section 15061(b)(3) of the Public Resources Code, no change anticipated in services or service demand and no possibility that the project could have a negative effect on the environment.

10. REPORT OF CONDUCTING AUTHORITY PROCEEDINGS FOR PINE GROVE COMMUNITY SERVICES DISTRICT - SERVICE AREA ANNEXATION, LAFCO PROJECT #324; RESOLUTION 2019-15CA

11. OTHER BUSINESS, REPORTS

- a. Correspondence
- b. Commissioner Announcements
- c. Executive Officer's Report
- d. Budget Reports (provided in binder at the dais)
- e. Legislation Update (no written materials)

ADJOURNMENT

Note: The next regular LAFCO meeting is scheduled for November 21, 2019.



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 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:
OCTOBER 18, 2019**

AMADOR LAFCO



LOCAL AGENCY FORMATION COMMISSION

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

MINUTES

August 15, 2019

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

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

The August 15, 2019, 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 6:04 p.m.

2. **Roll Call**

Members Present:

Pat Crew, Chairman
Jim Vinciguerra, Vice Chairman
Brian Oneto, County Member
Dominic Atlan, City Member

Staff Present:

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

3. **Approval of Agenda for August 15, 2019**

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

4. **Approval of the Minutes of June 20, 2019**

Motion: It was moved by Commissioner Vinciguerra, seconded by Commissioner Atlan, and carried unanimously to approve the Minutes for June 20, 2019, as submitted.

5. **Approval of Claims to August 15, 2019**

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

6. **Public Forum – Public Comment**

There was no public comment.

7. **Pine Grove Community Service District – Service Area Annexation; Resolution #2019-15, LAFCO Project #324 (public hearing)**

Chairman Crew opened the Public Hearing.

Executive Officer Chamberlain reported that a technical map with legal description is being prepared. She added that the Conditions of Approval for this annexation are fairly generic as the purpose of the annexation is to clean up the District boundaries to correct a service area mismatch. She then reviewed the items set forth in the Executive Officer's Memo, reiterating that infrastructure is already in place in the areas to be annexed, those parcels have already been receiving service and no new services are planned.

Ms. Chamberlain further stated that, upon the Commission approving this resolution, a Conducting Authority proceeding will be held, although she doubts there will be any protests. She added that, by Amador LAFCO policy, the Executive Officer is granted authority to conduct the hearing, and she will report back to the Commission the results of the hearing.

There was no public comment.

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 Oneto, seconded by Commissioner Atlan, and carried unanimously to approve Resolution #2019-15 as presented, with direction to staff to complete the necessary filings and transmittals and to hold the Conducting Authority proceedings.

8. **Adoption/Amendment of the Sphere of Influence for Sunset Heights Community Service District; Resolution #2019-16; LAFCO Project #316 (public hearing)**

Chairman Crew opened the public hearing.

Clerk to the Commission Mees reviewed the items discussed in the Executive Officer's Memo, explaining that this is a reduction in sphere to more accurately reflect the historic boundaries of the sphere based on parcels being served, and that the parcels being removed from the Sphere have never received, nor do they intend to request, service from the District.

There was no public comment.

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

Motion: It was moved by Commissioner Atlan, seconded by Commissioner Vinciguerra, and carried unanimously to approve Resolution #2019-16 as presented, and to give staff direction to file a Notice of Exemption.

9. **Final Municipal Service Review (MSR) 2019 Update, Pine Acres Community Service District; Resolution #2019-17; LAFCO Project #314 (public hearing)**

Chairman Crew opened the public hearing.

Clerk Mees reported that this is the final version of the Draft MSR presented at the June meeting,

and that no comments had been received on the Public Review Draft. She then reviewed the items in the Executive Officer's Memo, and reported that she and Cindy Engle have been working on maps for this District to obtain an accurate picture of what areas are being served and which parcels are being assessed for which fee assessments. With these maps, LAFCO staff can now work with the District to help them correct any assessment errors, develop policies to allow for additions/changes to their road zones, and define what their Sphere of Influence should be.

There was no public comment.

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 Atlan, seconded by Commissioner Oneto, and carried unanimously to adopt Resolution #2019-17 as presented, and to give staff direction to file a Notice of Exemption.

10. **Public Review Draft Municipal Service Review (MSR) 2019 Update, Fiddletown Community Service District; LAFCO Project #318 (public hearing)**

Chairman Crew opened the public hearing.

Executive Officer Chamberlain explained that the Commission's acceptance of this Public Review Draft would allow staff to circulate it for comment. She reported that she has a meeting scheduled with Jane O'Riordan to get the District's final edits, adding that quite a bit of the information set forth in the 2014 MSR had been incorrect.

Executive Officer Chamberlain then reviewed the information in her Memo, adding that no changes in the boundary have been discovered. She also reported that the District has no General Manager, but that, since Ms. O'Riordan has basically been functioning as one, Ms. Chamberlain is recommending that the District appoint Ms. O'Riordan as their General Manager.

Ms. Chamberlain reported that the District has no bylaws or policies relating to wastewater, and that the ones it has for water are antiquated. The District has assigned one of its members to work on these, however.

The Commissioners commented on the fact that the District has not done any of the required trainings, and that these can be easily obtained. Ms. Chamberlain responded that all Special Districts are notified by LAFCO staff whenever a training opportunity is going to be presented, but that many of the small districts are deficient in the area of required trainings.

There was no public comment.

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

Motion: It was moved by Commissioner Oneto, seconded by Commissioner Atlan, and carried unanimously to circulate the Draft MSR for Fiddletown CSD for comment.

11. **Adoption/Amendment of the Sphere of Influence for Ridgewood Acres Community Service District; Resolution #2019-03; LAFCO Project #307 (public hearing continued from January 17, 2019)**

Chairman Crew stated that the public hearing has remained open.

Executive Officer Chamberlain reported that Ridgewood Acres CSD has been struggling to maintain itself as a District, and therefore the District Board has been able to obtain the approval of a majority of the residents to dissolving the District and replacing it with a Road Maintenance Agreement. Finding a zero Sphere of Influence is a precursor necessary to dissolving the District. Ms. Chamberlain added that the Road Maintenance Agreement will streamline the process of road maintenance for the 32 parcels in the District, and the Dissolution itself may be ready for the next Commission meeting.

Lastly, Ms. Chamberlain pointed out that Item 7 in the Exhibit A Determinations was a duplicate of Item 4, and would therefore be deleted.

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

Motion: It was moved by Commissioner Oneto, seconded by Commissioner Vinciguerra, and carried unanimously to adopt Resolution #2019-03 as amended, and to give staff direction to file a Notice of Exemption.

12. **Fee Waiver Request Due to Financial Hardship: LAFCO Fees for the Future Dissolution of Ridgewood Acres CSD**

Executive Officer Chamberlain explained that Ridgewood Acres CSD has limited annual revenue, and will be paying to have the new Road Agreement written by an attorney. This, along with the maintenance that will need to be performed, put the District in a financial hardship to pay the estimated \$800 in LAFCO fees for their dissolution. She reviewed the financial and time benefits to LAFCO and the County in having the District dissolved.

Chairman Crew asked if Amador LAFCO had ever waived fees before. Ms. Chamberlain responded that this had been done for Fiddletown CSD, but that only a 50% fee reduction had been granted and it was because the reason for the costs having to be incurred was due to LAFCO errors that had occurred in the distant past. Chairman Crew then suggested that the fees also be split in the current situation. Ms. Chamberlain reiterated that dissolution of the District would result in future cost savings to both LAFCO and the County, and that fees could actually be closer to \$500. By consensus the Commission felt that the District should pay 50% of whatever the final LAFCO fees are.

Motion: It was moved by Commissioner Atlan, seconded by Commissioner Vinciguerra, and carried unanimously to charge Ridgewood Acres CSD 50% of whatever the final LAFCO fees are for dissolution of the District.

13. **Call for Nominations to the CALAFCO Board of Directors**

Executive Officer Chamberlain asked if any of the Commission members were interested in being on the CALAFCO Board of Directors. The consensus of the Commission was that there was no one they would nominate.

Ms. Chamberlain then stated that the Commission also had to choose a voting delegate for the Annual CALAFCO Conference in October. She added that the standing policy has been that, if the Chair was attending, he would be the voting delegate, and if not, then the Vice Chair, and then the EO would fill that position. By consensus, the Commission agreed to follow that policy this year, and Chairman Crew stated that he would try his best to be there. Commissioner Vinciguerra stated he would also be attending. Chairman Crew added that he would not need a hotel room if he attended.

14. Other Business, Reports

- a. Correspondence – Executive Officer Chamberlain reported that correspondence regarding CALAFCO’s proposed rate increase for membership had been distributed at the dais. Commissioner Oneto stated that he believed the proposed fee structures were terribly unfair to small counties, but a very good bargain for the larger counties. The Commission felt the per capita portion of the dues structure highly favored larger counties, and that it was the smaller counties who most needed the services CALAFCO provides as they are the counties that can least afford to do such work themselves. In effect, this new fee structure is pricing the smaller counties out of being able to afford membership in CALAFCO. By consensus, the Commission directed the voting delegate to strongly argue against the new fee structure.
- b. Commissioner Announcements – none.
- c. Executive Officers Report – Executive Officer Chamberlain reported that in September she is doing a presentation to the incoming Grand Jury on how MSRs and LAFCO can be resources for them. She also requested that if any of the Commissioners knew anyone on the Volcano CSD Board, LAFCO staff has been unable to get a response from them regarding their MSR update. She finished by reporting that the MSRs for Amador Water Agency and Amador Fire Protection District are up next on the work plan.
- d. Budget Reports – in the pass-around binder.
- e. Legislation Update– Ms. Chamberlain reported that as the Legislature is currently on break, there is no update.

15. Adjournment

Executive Officer Chamberlain reported that the September meeting may be cancelled due to lack of agenda items. Currently, however, the next regular LAFCO meeting is scheduled for September 19, 2019. Chairman Crew adjourned the meeting at 6:53 p.m.

Pat Crew, Presiding Officer
LOCAL AGENCY FORMATION COMMISSION

ATTEST: _____
Nancy Mees, Clerk to the Commission

APPROVAL OF CLAIMS - PACKET DRAFT

AGENDA OF October 17, 2019

APPROVAL OF CLAIMS October 17, 2019

Agenda Item 5

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>INV.DATE</u>	<u>AMOUNT</u>
R Chamberlain 8/13/2019-10/15/2019	Consulting Services Labor	10/17/2019 estimate	\$ 8,000.00
	Expense Total, (mileage, PO Box, Conf)	10/17/2019 estimate	\$ 830.00
N Mees 8/14/2019-10/15/2019	Clerical & Admin Labor	10/17/2019 estimate	\$ 850.00
LAFCO Board	Meeting Stipends (Maximum of 5 @ \$50.00)		\$ 250.00
Amador Ledger	Public Notice for 9/19/19 CA hearing	08/30/2019	\$ 82.08
Alliant Insurance	Liability insurance	09/15/2019	\$ 3,157.00
CALAFCO	Annual Conference Registration for 3	9/18/2019**	\$ 1,610.00
	TOTAL		\$ 14,779.08

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

CHAIR:

Presiding Officer

ATTEST:

Nancy Mees
CLERK TO THE COMMISSION

AGENDA ITEM # 7

TO: ALL COMMISSIONERS, ALTERNATES
FROM: ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER
SUBJECT: EXECUTIVE OFFICER'S REPORT AND RECOMMENDATION
BOWERS BOUNDARY LINE ADJUSTMENT (BLA) REORGANIZATION TO CITY OF SUTTER CREEK, LAFCO PROJECT #298, RESOLUTION #2019-14
DATE: MEETING OF OCTOBER 17, 2019

DESCRIPTION OF PROJECT

This proposal for reorganization includes a portion of APN 008-140-041, owned by the Bowers Family Trust. Application is made by petition of the landowners, Elgin Robert Bowers and Deborah L. Bowers Family Trust. The proposal is consistent with a parcel line change (boundary line adjustment, BLA) to facilitate the road and utilities extension between Valley View Way and Independence Drive. The area to be annexed will become part of adjacent APN 044-020-095 which is already within the city of Sutter Creek. The petition has been signed by 100% of the landowners of the affected territory. The project is exempt from the requirements for notice and public hearing.

The reorganization includes annexation to the city of Sutter Creek and Sutter Creek Fire Protection District with concurrent detachment from CSAs 5 & 6, Amador Fire Protection District, and Amador Co Resource Conservation District.

REQUEST TO CONTINUE

On October 2, 2019, Tacy Rouen, Amador County Auditor requested that the AB-8 resolutions planned for adoption on October 7 and 8 by the Board of Supervisors and City Council, respectively, be continued. She also requested the LAFCO meeting on this project also be continued. I confirmed that the action on this reorganization could be continued and I advised the applicant of the request. All applicant requirements for the reorganization have been timely completed.

Revenue and Taxation Code provides that the County Assessor compile property values for the area proposed for reorganization and transmit those values to the Auditor within specified time limits after LAFCO gives notice of the project to all affected agencies. The Auditor is required to then notify affected the agencies, including the county, of the existing property tax apportionment and allocation. Negotiations between the city and county for any possible reallocation of the property tax share may theoretically commence once the Auditor releases that information. In reality, the city manager and CAO typically discuss and come to agreement earlier, with adoption of resolutions by the Board and Council confirming the agreement.

In this case, it appears that no change in assessment will result from the annexation. No property tax, tax allocation or service costs will occur.

The area being annexed will be added to an existing parcel within the city of Sutter Creek and consists of utility easement and Right of Way, which are not taxable improvements. The tax values and allocations are not relevant to the proposal.

Legal counsel reviewed the matter and suggests the commission has two options:

1. The reorganization can be continued.
2. Alternatively, the commission may review and approve the project at this meeting as originally planned, subject to a “condition subsequent” in the resolution providing that the property tax resolutions by the City and the County must be adopted prior to the effective date of the reorganization (date of recording the boundary change).

If the commission continues the reorganization, it is expected to be the only item on the November agenda. If the Commission approves the reorganization, subject to the “condition subsequent”, the Executive Officer will be authorized to record and complete the reorganization only when the anticipated City and County property tax resolutions are approved. The expense of having an otherwise unnecessary LAFCO meeting may thus be avoided.

LOCATION & PURPOSE

The area proposed for reorganization is located at Valley View and Independence Drive. The area is adjacent and contiguous to the western boundary of the City of Sutter Creek. Descriptive maps are attached.

The proposal would annex a .86 acre portion of one parcel into the city consistent with a BLA and will ensure the city line follows the new parcel lines. The entire reorganization area will be used for road and utility right of way. Underlying County Land Use and Zoning is R1A-A/T 5 acre minimum. City land use and zoning/pre-zoning is R4-Multi-Family, RH High density.

CEQA

Staff has reviewed the proposal and found the reorganization to be exempt as reviewed by the City of Sutter Creek. The Lead Agency was the City of Sutter Creek, which filed Notices of Exemption for its approvals within city boundaries and also for the extension of infrastructure (road, water and sewer) in the road and utility right of way proposed for annexation. The LAFCO action for the reorganization is part of the overall project which was found by the city to be exempt as a Categorical Exemption, Section 15332 (In-Fill Development Projects) and Section 15301(b) Existing Facilities, Public Utilities. The LAFCO Notice of Exemption for the reorganization 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. The condensed review is presented below for the

commission's consideration.

<i>FACTOR TO CONSIDER</i>	<i>POLICY/STATUTE CONSISTENCY</i>	<i>COMMENT</i>
<i>1. NEED FOR SERVICES, FUTURE NEEDS</i>	Consistent	Water, wastewater and roadways consistent with City entitlements on incorporated properties nearby
<i>2. ABILITY TO SERVE, TIMING, CONDITIONS</i>	Consistent	No new service will result from the BLA reorganization, Infrastructure improvements for areas within City
<i>3. WATER SUPPLY</i>	Consistent	No service connections within the reorganization area
<i>4. SERVICE ALTERNATIVES</i>	Consistent	None feasible
<i>5. SERVICE IMPACTS</i>	Consistent	No negative impacts noted
<i>6. COORDINATION OF APPLICATIONS</i>	Consistent	N/A; no other changes needed
<i>7. COST/ADEQUACY OF SERVICES, FACILITIES</i>	Consistent	Infrastructure improvements enabled by reorganization
<i>8. EFFECT IN AREA AND ADJACENT AREAS</i>	Consistent	No changes anticipated; no significant effects noted
<i>9. ALTERNATIVES, COST & ADEQUACY</i>	Consistent	None feasible
<i>10. SUFFICIENCY OF REVENUES, A.V.</i>	Consistent	No property tax shift for Right of Way, exempt property
<i>11. "BEST INTEREST"</i>	Consistent	Appears to be the most logical service option
<i>12. BOUNDARIES: LOGICAL, CONTIGUOUS</i>	Consistent	Will allow city limits to follow parcel line; is contiguous to city
<i>13. TOPOGRAPHY</i>	Consistent	No significant topographic features
<i>14. SPHERES OF INFLUENCE</i>	Consistent	Within City Sphere
<i>15. EFFECT ON ADJACENT AREAS, COMMUNITIES</i>	Consistent	No change anticipated; no significant untoward effects from reorganization
<i>16. COMMENTS FROM LANDOWNER OR OWNERS</i>	Consistent	100% landowner consent; none received
<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</i>	Consistent	No change or effect

<i>REGIONAL HOUSING</i>		anticipated
<i>20. LAND USE, ZONING DESIGNATIONS</i>	Consistent	Underlying County Land Use is R1A/A-T, City Land Use is R4-Multi-Family, RH, High Density
<i>21. POPULATION</i>	Consistent	No direct change
<i>22. CONSISTENCY WITH GENERAL PLANS, SPECIFIC PLANS, ZONING</i>	Consistent	Reorganization consists of Road and Utility Right of Way only
<i>23. AGRICULTURE LANDS AND OPEN SPACE LANDS</i>	Consistent	No change; no current agricultural uses; no anticipated 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 “uninhabited” per Government Code §54046. Application for this reorganization is made subject to Government Code §56650 et. seq., by petition of landowner. All landowners (100%) have consented to the reorganization.
2. The proposal provides a more logical city boundary, consistent with approved parcel line changes. The boundaries are definite and certain and conform to lines of ownership and parcel lines consistent with (BLA#201X-XX).
3. The boundaries are definite and certain and will conform to lines of ownership and parcel lines consistent with the boundary line adjustment. The reorganization will ensure the city limits conform to lines of ownership.
4. 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.
5. 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 enhance the City of Sutter Creek’s ability to achieve its fair share of the regional housing needs.
6. The annexation is found to be exempt as a Categorical Exemption, Section 15332 (In-Fill Development Projects) and Section 15301(b) Existing Facilities, Public Utilities.

RECOMMENDATIONS

Staff recommends that the Commission take the following actions:

1. Adopt Resolution #2019-14, making determinations, adding conditions and approving the Bowers Boundary Line Adjustment (BLA) Reorganization to the City of Sutter Creek, LAFCO Project #298.
2. Direct the Executive Officer to prepare and file the Notice of Exemption for the reorganization.
3. Waive the Conducting Authority proceedings in compliance with Resolution #2019-14, and Government Code Section 57000 et. seq.
4. Direct the executive officer to complete the necessary filings and transmittals as required by statute and policy when the anticipated City and County property tax resolutions have been approved.

Attachments:

Resolution 2019-14

Exhibit A – Descriptive Maps (final map and legal description to follow approval)

Exhibit B – Conditions of Approval

Notice of Exemption

AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

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

LAFCO RESOLUTION NO. 2019-14

RESOLUTION MAKING DETERMINATIONS, ADDING CONDITIONS AND APPROVING THE BOWERS BLA REORGANIZATION TO THE CITY OF SUTTER CREEK

LAFCO PROJECT #298

WHEREAS, a petition 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 City of Sutter Creek, as the lead agency, found the reorganization to be exempt from the requirements of CEQA, pursuant to of the Public Resources Code, Categorical Exemption, Section 15332 (In-Fill Development Projects) and Section 15301(b) Existing Facilities, Public Utilities, 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 §54046. Application for this reorganization is made subject to Government Code §56650 et. seq. by petition of landowner. All landowners (100%) have consented to the reorganization.
2. The proposal provides a more logical city boundary, consistent with approved parcel line changes (BLA#201X-XX). The boundaries are definite and certain and conform to lines of ownership and parcel lines consistent with the BLA. The reorganization will ensure city and district boundaries conform to lines of property ownership.
3. The detachment will have no effect on the services otherwise provided in the area and

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will not result in negative impacts to the cost and adequacy of service and is in the best interests of the affected area.

4. 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 enhance the City of Sutter Creek's ability to achieve its fair share of the regional housing needs.
5. The reorganization is exempt as a Categorical Exemption, Section 15332 (In-Fill Development Projects) and Section 15301(b) Existing Facilities, Public Utilities.

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 15332 (In-Fill Development Projects) and Section 15301(b) Existing Facilities, Public Utilities of the Public Resources Code, and there is no possibility that the reorganization could have an effect on the environment.
2. The Bowers BLA Reorganization to the City of Sutter Creek (LAFCO Project #298), is approved, subject to conditions listed below and attached as "Exhibit B" to this resolution.
3. Said territory is reorganized, as set forth and described in the attached map and legal description marked "Exhibit A" and by this reference incorporated herein.
4. Said territory includes approximately .86 +/- acres and is found to be uninhabited, and the territory is assigned the following short form designation:

Bowers (BLA) Reorganization to the City of Sutter Creek;
LAFCO Project #294

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

Annexation to the City of Sutter Creek
Annexation to the Sutter Creek Fire Protection District
Detachment from Amador Fire Protection District
Detachment from Amador Resource Conservation District
Detachment from County Service Area 5 and County Service Area 6

6. All subsequent proceedings in connection with this reorganization 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.
7. The Conducting Authority proceedings are waived.

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8. 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.
9. The Executive Officer is hereby directed to record the boundary change only after all property tax resolutions pertaining to this reorganization have been adopted by the City Council of Sutter Creek and the County Board of Supervisors. 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 17th day of October, 2019, by the following vote:

AYES:

NOES:

ABSENT:

Presiding Officer
Patrick Crew, 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 Condition

L.A.F.C.O. PROJECT #298

**BOWERS TRUST B.L.A. REORGANIZATION
TO THE CITY OF SUTTER CREEK**

BEING A PORTION OF THE NW AND NE 1/4 SECTION 18, T. 6 N., R. 11 E., M. D. M.
COUNTY OF AMADOR, STATE OF CALIFORNIA



Scale: 1" = 100'

August, 2019

SURVEYOR'S STATEMENT

THIS EXHIBIT WAS PREPARED ON 2/19/2019 AND IS FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DERIVED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR SALE OF THE LAND DESCRIBED.

DATE: _____

CAROL TOMA P.L.S. 3570
M.Y. LICENSE EXPIRES 6-30-2020



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.

DATE: _____

GEORGE E. ALLEN L.S. 4951
INTERIM AMADOR COUNTY SURVEYOR
M.Y. LICENSE EXPIRES 12-31-2019

**APPROVED BY LOCAL AGENCY
FORMATION COMMISSION**

AMADOR COUNTY, CALIFORNIA

DATE: _____

ATTEST:
EXECUTIVE OFFICER _____

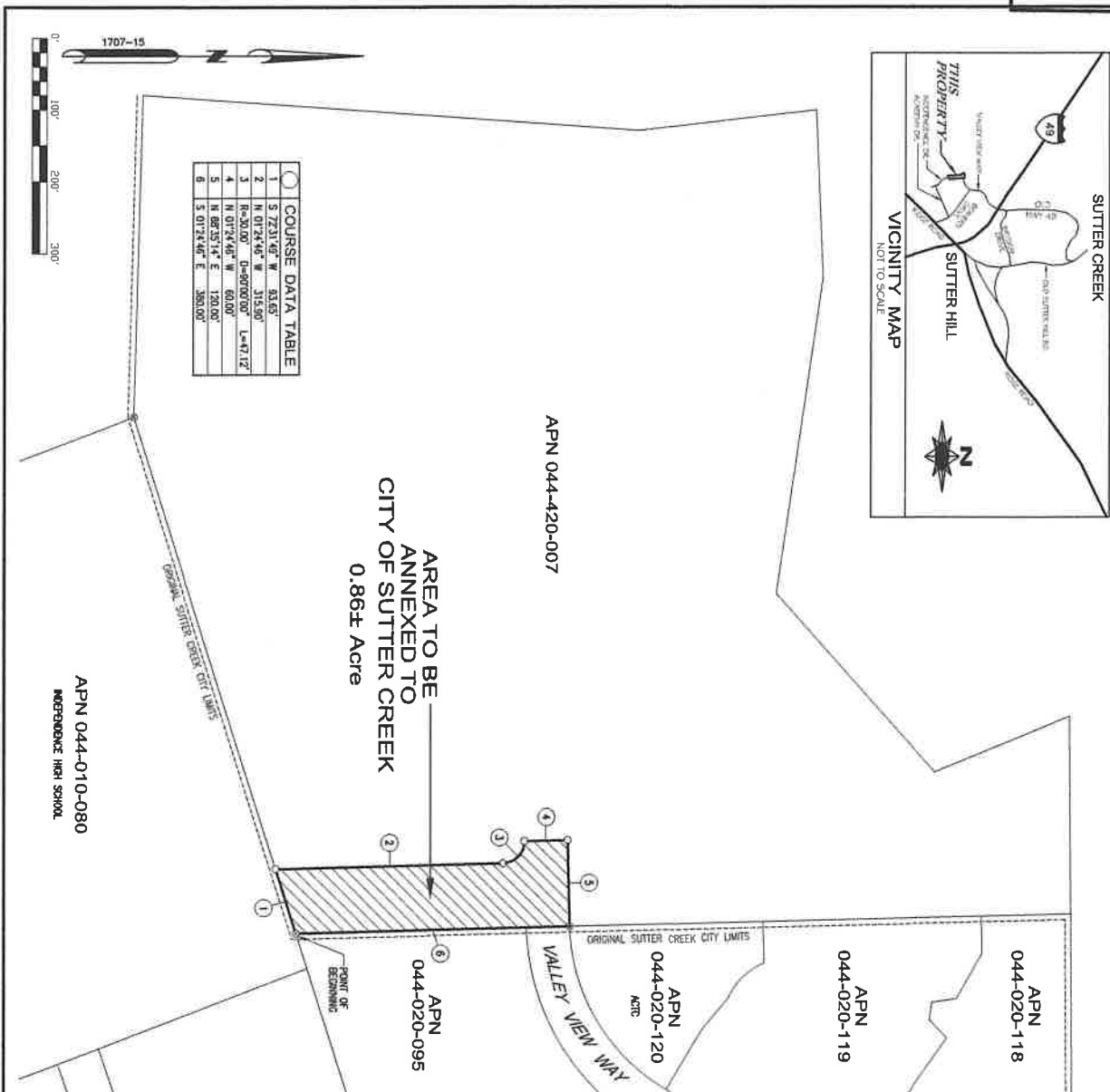
NOTES and LEGEND

- DENOTES 5/8" REBAR WITH 2" ALUMINUM CAP STAMPED LS 3488 PER 42-M-97 AND/OR 52-M-100
- DENOTES 5/8" STEEL ROD TAGGED LS 3570 PER 42-M-97
- DENOTES A CALCULATED POINT ONLY, NOTHING FOUND OR SET

NOTE: THIS MAP WAS PREPARED FROM RECORD DATA ONLY AND DOES NOT REPRESENT A FIELD SURVEY.

REFERENCES

- 42-M-97
- 52-M-100



AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

EXHIBIT B TO LAFCO RESOLUTION NO. 2019-14 CONDITIONS OF APPROVAL

BOWERS BLA REORGANIZATION TO THE CITY OF SUTTER CREEK LAFCO PROJECT #298

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 be subject to the jurisdiction of the City of Sutter Creek and Sutter Creek Fire Protection District.
 - b) Shall be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the City and District, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the City and District;
 - c) Shall be subject to the collection of taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;
 - d) Shall be subject to the rules, regulations, ordinances of the City and 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 reorganization shall be recorded concurrently or following the final recording of the associated Boundary Line Adjustment.

4. 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.

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

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

County of Amador

Project Title: Bowers BLA Reorganization to City of Sutter Creek, LAFCO Project #298

Applicant: Landowner, Bowers Family Trust

Project Location - Specific: Valley View Way and Independence Drive

Project Location - City: Sutter Creek **Project Location - County:** Amador

Description of Project: Annexation of .86 acres (portion of APN 044-420-007) to the City of Sutter Creek with concurrent detachment from CSA 5 & 6, AFPD, AC Resource Conservation District. The reorganization is consistent with parcel line change to allow for the road and utilities extension between Valley View Way and Independence Drive.

Name of Public Agency Approving Project: Amador LAFCO

Name of Person or Agency Carrying out Project: Amador LAFCO

Exempt Status: (check one)

Categorical Exemption. State type and selection number: 15332 & 15301(b)

Statutory Exemptions. State code number:

Reasons why project is exempt: : Lead Agency City of Sutter Creek, Categorical Exemption, Section 15332 (In-Fill Development Projects) and Section 15301(b) Existing Facilities, Public Utilities.

Lead Agency Contact Person: Roseanne Chamberlain Executive Officer (209) 418-9377

If filed by applicant: NA

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Signature: _____

Date: 10/17/19 Title: Executive Officer

Signed by Lead Agency

Signed by Applicant

Date received for filing at OPR: _____

FILED BY LAFCO AS RESPONSIBLE AGENCY

POSTED ON:

Agenda Item #8

**FINAL MUNICIPAL SERVICE REVIEW FOR FIDDLETOWN COMMUNITY
SERVICE DISTRICT; LAFCO PROJECT #318; RESOLUTION #2019-18 (public
hearing)**

Adopt the resolution for the Fiddletown CSD final MSR including determinations for the district. CEQA: Exempt, Public Resources Code Sections 21102 and 21150, descriptive and planning study for possible future action for which funding has not been committed.

AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

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

RESOLUTION MAKING DETERMINATIONS AND FINDINGS RELATED TO THE 2019 UPDATE OF THE FIDDLETOWN COMMUNITY SERVICE DISTRICT MUNICIPAL SERVICES REVIEW

LAFCO RESOLUTION NO. 2019-18

WHEREAS, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act, commencing with §56000, et seq. of the Government Code, specifically in accordance with §56430, requiring a review of municipal services provided in the county; and

WHEREAS, LAFCO initiated and conducted a service review of all municipal services in all areas of Amador County in 2008, and prepared a comprehensive update and review of agencies and services in 2014, and has now completed a review and update of the services of Fiddletown Community Service District (FCSD); and

WHEREAS, the Commission held a noticed public hearing of the district municipal services review on August 15, 2019, and October 17, 2019, and received and heard testimony and comment related to the report, its findings and determinations;

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

1. The Fiddletown Community Service District Municipal Service Review of 2019 is found to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21102 and 21150 in that it is a descriptive and planning study for possible future action for which funding has not been committed.
2. The Fiddletown Community Service District Municipal Service Review is found to be adequate and complete pursuant to the requirements of Government Code Section 56430. Determinations regarding municipal services are approved as set forth and described in the attached "Exhibit A" and by this reference incorporated herein.
3. 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 17th day of October, 2019, by the following vote:

AYES:

NOES:

ABSENT:

Patrick Crew, Chairman

ATTEST:

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

SUMMARY OF DETERMINATIONS & FINDINGS

Growth and population projections

- ❖ Demand for services remains relatively constant for both water and wastewater services.
- ❖ Potential new connections for wastewater services are limited because the sewer system cannot be expanded. Demand for water services is also expected to remain relatively constant in the near future, as there are no planned or proposed developments within or adjacent to the District's boundary.

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.
- ❖ The County General Plan Housing Element further confirms that Fiddletown is not a disadvantaged community based on median household income. The community does not meet the criteria for disadvantaged unincorporated communities as defined by LAFCO policies.

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

- ❖ The existing water and wastewater facilities have the capacity to provide service to the current connections and to those parcels where the district has binding commitments to serve in the future. The water system can accommodate limited future growth and development within the boundaries. The wastewater system is not expandable and is not intended to serve additional connections. Any significant growth that requires wastewater services would necessitate a new sewer system.
- ❖ The District must appoint a general manager, as required by law.
- ❖ Internal tracking, monitoring and data collection for operations and system performance should be improved beyond the minimum requirements of outside regulators.
- ❖ The District should pro-actively begin long-term planning for all aspects of system management. Relying on the availability of grants and loans from other government agencies for capital and facility needs is not a substitute for responsible internal management for the sustainability of the water and wastewater systems.

- ❖ The wastewater treatment system is a passive system, however effective monitoring is necessary for the long term viability and safety of the system.
- ❖ The District is reactive to incidents such as obvious leaks and emergencies rather than proactive in managing the water distribution and wastewater collection systems. Assessment of both systems for leaks and trouble spots should be added to the District's long-term plans and maintenance efforts. A routine work plan for monitoring and maintaining the two systems is needed.
- ❖ Plans for long-term management of the system should be developed by the district, reviewed and/or updated annually.

Financial ability of agencies to provide services

- ❖ The District financials were recently audited and should be audited annually, as required by Government Code §53890. Recommendations of the audit need to be implemented by the Board, especially the requirement to adopt an annual budget. The District's Management Discussion and Analysis has not been done and would beneficially complete the audit.
- ❖ Financing is adequate to provide for short-term operations and limited administration such as billing and insurance.
- ❖ While it may be painful to raise rates paid by customers, the district cannot rely entirely on future grants and loans as its primary funding source for capital improvements or long-term maintenance needs. Ratepayers should be aware of the real costs of service, including both short-term and long-term costs such as regulatory costs, capital improvements and repairs, and facilities maintenance and replacement.
- ❖ Reserves levels should be established by district policy and a reserve fund maintained in a separate account. Banking balances held in local banks should not exceed the FDIC insurance limits. The district should consider investing in the Local Agency Investment Fund (LAIF), or another similar fund tailored to the needs of local government agencies. LAIF or similar investments could provide higher yields, liquidity, and security for the reserve funds.
- ❖ Plans for long-term management of the system, including financing plans, should be developed and adopted by the district, then reviewed and/or updated annually, concurrent with budget adoption and known short-term system needs.
- ❖ Options for implementation and potential funding sources should be explored and brought to the board for adding the water filtration component of the new water system, which was deferred due to limited grant funding.
- ❖ District wastewater rates may warrant an update to reflect deferred system monitoring, along with any additional maintenance responsibilities that come to light once monitoring is initiated and also as the system ages. Long-term cost-effectiveness of the system will become compromised without active

inspection and a reliable maintenance program, ultimately resulting in unanticipated costs to the taxpayers and ratepayers.

Status of, and opportunities for, shared facilities

- ❖ No facility sharing opportunities were identified. Fiddletown is an isolated community with a stand-alone system.

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

- ❖ The District cooperated with LAFCO and the MSR process. Reliance on volunteers with limited time greatly constrains the public transparency and accountability of the District to its citizens.
- ❖ Accountability to local voters has been constrained by a lack of information and lack of contested elections. The District should coordinate with County Elections staff to maintain accurate terms of office for directors and notify the public when terms will be expiring or when a vacancy occurs. An open process will allow constituents to be aware of district opportunities and would be more democratic than current word-of-mouth recruitment efforts.
- ❖ Board members have not completed training for Ethics, Brown Act, Conflict of Interest, etc., and records of these requirements are not available at the District as required by state law. Understanding and implementing these requirements will reduce potential financial risk as well as improving access to District processes.
- ❖ Compiling existing adopted policies/bylaws and organizing the separate regulatory actions of the District would be useful to the administration of the district. Updates or new policies/bylaws could be identified and adopted, such as wastewater bylaws.
- ❖ Position descriptions and defined responsibilities for each staff and board member, coupled with regular performance evaluations would ensure better accountability internally and also to the public.
- ❖ Establishing an effective website, as required by SB 929 will improve citizen access to information about the district and will allow access to public documents, such as financial information.
- ❖ One government restructuring option is transferring water and wastewater infrastructure and services to Amador Water Agency.

FIDDLETOWN COMMUNITY SERVICES DISTRICT

Fiddletown Community Services District (FCSD) provides retail water delivery, wastewater collection, and wastewater treatment and disposal.

AGENCY OVERVIEW

Background

Fiddletown Community Services District was formed on September 10, 1969, as an independent special district.¹ FCSD was formed to supply water for any beneficial uses, in the same manner as a municipal water district, including the powers to acquire, control, distribute, store, treat, purify, recycle, recapture, and salvage any water, including sewage and storm waters. Other powers include undertaking a water conservation program and selling and delivering water.²

The principal act that governs the District is the Community Services District Law.³ CSDs in general may potentially provide a wide array of services, including water supply, wastewater, solid waste, police and fire protection, street lighting and landscaping, airport, recreation and parks, mosquito abatement, library services; street maintenance and drainage services, ambulance service, utility undergrounding, transportation, graffiti abatement, flood protection, weed abatement, and hydroelectric power, among various other services. CSDs are required to gain LAFCO approval to provide those services permitted by the principal act but not performed by the end of 2005 (i.e., latent powers).⁴

LAFCO authorized FCSD to add sewer service to its active powers in September 2004,⁵ pending a district-wide vote of registered voters as required by CSD law at the time when adding additional services. The law changed on January 1, 2006, allowing LAFCO to add additional services to CSDs without a district vote.⁶ LAFCO reauthorized sewer service for FCSD in March 2006 pursuant to the updated law.⁷

Boundary

FCSD is located in northwestern Amador County and is entirely within the County. The District is in the general vicinity of the unincorporated community of Fiddletown, approximately six miles east of Plymouth. The District has a boundary area of approximately

¹ LAFCO Resolution 69-15. Formation date is from Board of Equalization records.

² Water Code §§71610-11.

³ Government Code §§61000-61226.5.

⁴ Government Code §61106.

⁵ LAFCO Resolution 04-03.

⁶ LAFCO Resolution 06-03.

⁷ LAFCO Resolution 06-03.

50 acres. The District extends approximately 0.82 miles along Fiddletown Road, encompassing parcels on either side from just west of Quartz Mountain Road to 0.25 miles east of American Flat Road. The bounds also include parcels along Jibboom Street between its intersection with Fiddletown Road and American Flat Road's intersection with Fiddletown Road. In addition, the bounds include approximately seven parcels on either side of American Flat Road south of Fiddletown Road.

LAFCO records indicate that 6.9 acres were annexed to FCSD's SOI and bounds in 1971 (Resolution 71-37). A property was also detached from the District in the same year (Resolution 71-38). An annexation of unknown size was approved by LAFCO in 1998 (Resolution 98-258). Annexation of 11 parcels receiving wastewater services was approved in both 2004 and 2006, but the District failed to prepare a map and legal description to enable recording, and thus the LAFCO approval in each case never led to completion of the boundary change (Resolution 04-03 and Resolution 06-03 respectively). These parcels remained outside the boundaries until 2009. Working closely with the District, LAFCO approved and completed a sphere amendment and subsequent annexation (Project #257) to allow all properties receiving sewer service to be added to the boundaries. In addition, the county completed the final transfers of the wastewater system to the District. LAFCO staff, based on recorded legal descriptions, has recently verified the district boundaries. The verified boundaries are consistent with earlier maps.

Sphere of Influence

The District's SOI was originally adopted in 1976 as coterminous with district boundaries at the time. In 2008, LAFCO updated FCSD's SOI to include the entirety of the wastewater service area.⁸ As a result of LAFCO Project #257, the boundaries, the district's service area, and the sphere of influence are now coterminous, consistent with the District's intention to serve within its boundaries without extending service to additional areas.

Accountability and Governance

A five-member Board of Directors governs FCSD. Board members are to be elected at large. In practice, however, the Board of Supervisors appoints board members, as the positions are generally uncontested. There were no contested seats in recent elections. Terms of office and vacancies on the board are not advertised within the district. Board members are recruited by word of mouth.

The District does not hold regularly scheduled board meetings. State law requires a minimum of four quarterly meetings. Based on agendas for the last two years, the district has held a sufficient number of meetings. Agenda and meeting announcements are posted at the US post office and at the community center. The District also distributes a newsletter twice per year and puts informational inserts in bills. The District plans a website that will be completed in 2019, and is considering web hosting from Amador County. The District reports no Brown Act violations in recent history and no inquiries by the Grand Jury.

Board members have not completed training for Ethics, Brown Act, Conflict of Interest, etc., and records of these requirements are not retained by the District.

⁸ LAFCO Resolution 2008-10.

With regard to customer service, the District reported that complaints may be submitted by a call to the FCSD office, by email or directly to a board member. No complaints were received in 2018-19. Complaints in the past most often related to water quality (color or taste) or needed repairs. The District was cooperative with the MSR process. The planned website will enhance transparency.

Figure 1: FCSD Governing Body

Fiddletown Community Services District			
Governing Body			
	Name	Position	Term Ends
<i>Members</i>	Bill Easton	Director	12/31/21
	Jason Simpkins	Director	12/31/19
	Herb Boxhorn	Director	12/31/21
	Margie Strauss	Director	12/31/19
	Dale Bradley	Director	12/31/19
<i>Manner of Selection</i>	Elected at large or appointed by Board of Supervisors		
<i>Length of Term</i>	Two or four year terms		
<i>Meetings</i>	District office, as needed		
<i>Agenda Distribution</i>	Posted in town		
<i>Minutes Distribution</i>	Available at District office		
Contact			
<i>Contact</i>	Jane O’Riordan, Secretary		
<i>Mailing Address</i>	P.O. Box 35 Fiddletown, CA 95629		
<i>Phone</i>	(209) 245-3117		
<i>Email/Website</i>	Pending		

Management

The principal act calls for community service districts to appoint a general manager to implement board policies.⁹ FCSD did not have a general manager position as of June 2019. However, District staff includes a secretary (20 hours per month) who manages the functions of the District, but does not hold the title of General Manager. A water operator works four to five hours per month. It is not clear whether these workers are independent contractors or employees. A local contractor is hired for any major repair work. The District reported that there is no policy on employee evaluations and there are no employee policies.

Fiddletown CSD has water bylaws that need to be updated, and provided an undated copy. On September 5, 2018, the District adopted a policy to allow drinking water wells within district boundaries with certain restrictions and requiring continued monthly service fees to the District. The District notes that it received draft bylaws for wastewater services from the county, but has not taken any action to adopt or formalize these. No conflict of interest code has been adopted, and board members have not completed ethics training or sexual harassment training, which is required. Conflict of interest forms (FPPC Form 700)

⁹ Government Codes §61050. Per §61040(e), the general manager may not be a member of the board.

have been filed annually with county elections department. It is not known if copies are also available at the District office.

The District reports that performance of the agency is not tracked, aside from employee hours logged, water sampling and extensive lab analysis. The analyses are conducted by an outside company and are forwarded to Amador County.

The District's planning efforts are minimal. The District does not have a master plan for its water or wastewater systems nor long-range system improvement plans. The District prepares a capital improvement plan on a project-specific basis only when a new project is undertaken.

The District does not adopt an annual budget, but does contract for financial audits. The District completed a two-year audit in 2018 for fiscal years 2017 and 2018. A copy of this audit by Cathy Castillo was provided to LAFCO. The audit notes the requirement to adopt a budget and also notes that District management had omitted the management discussion and analysis of supplemental information from the audit as required by Governmental Accounting Standards Board.

The District files annual salary and compensation forms to the California State Controller's Office in addition to the annual State Controller's Report.

Management practices include risk management. The District spent \$3,380.00 on insurance in FY 19, including liability insurance through Special Districts Risk Management Authority (SDRMA), disability and worker's compensation through the state fund.

Service Demand and Growth

Fiddletown is designated as a Town Center in the County General Plan. Zoning allows for public services, commercial and residential. The community is surrounded by Ag Transition designations. Existing land uses in the District's boundary are residential, limited commercial and vacant.

Economic activity in the District's boundary area is limited. Employers include a post office, a candy business, horse stables, Fiddletown Termite Control and a few small home-based businesses. Other uses in the community include the community center, library, the AFPD fire station, and an Amador County Recreation Authority-maintained county park.

There are 68 water connections within the District's bounds and 13 parcels with rights to connect based on the list provided by the District. There are 47 wastewater connections and 13 parcels with rights to connect to the wastewater system based on the list provided by the District. All connections are reported by the district as residential. The estimated population within district bounds is approximately 100 full-time residents.¹⁰ The District's population density is 1,280 per square mile, compared to the countywide density of 64.

The District reported that service demand has been constant in recent years, consistent with limited growth in the area. In FY 19 there were two new sewer hook-ups. Certain parcels within the district own a "right" or reservation to hook-up to the sewer system,

¹⁰ Data provided by the Environmental Protection Agency SDWIS.

planned within the original design of the sewer system. There have been no new water connections in the last five years.

The District replaced the ageing water storage tank in 2017 with two new stainless steel tanks, doubling the water storage capacity to 60,000 gallons.

The District is not a land use authority, and does not hold primary responsibility for implementing growth strategies.

Disadvantaged Unincorporated Communities

LAFCO is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. A disadvantaged unincorporated community is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.¹¹

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged communities median household income definition.¹² DWR identified nine disadvantaged communities within Amador County, three of which are cities and are therefore not considered unincorporated.¹³ None of the identified disadvantaged communities are within or adjacent to FCSD.

The County General Plan Housing Element further confirms that Fiddletown is not a disadvantaged community based on median household income. The community does not meet the criteria for disadvantaged unincorporated communities as defined by LAFCO policies.

Financing

The District reported that existing financing sources are sufficient to deliver adequate services, but indicated that additional financing would be needed to finance capital improvement needs.

The District does not adopt an annual budget. It now maintains separate accounts for water and wastewater accounting, including reserves held within each fund. All operations expenses are funded out of the water fund only. However, twice each year, the district transfers the cost allocation change in sewer fund balance to the Sewer Fund account and the accounts are justified for cost accounting between the two funds. The District does not have an adopted policy on its target level for financial reserves, but appears to hold approximately \$200,000 above approximate annual operating expenses as derived from 2018 audit tables. A separate account for reserves would be desirable to improve accounting clarity. The District does not have a formal capitalization policy. Capital assets include the well, filtration system, tanks, land improvements and transmission systems.

¹¹ Government Code §56033.5.

¹² Based on census data, the median household income in the State of California in 2010 was \$57,708, 80 percent of which is \$46,166.

¹³ DWR maps and GIS files are derived from the US Census Bureau's American Community Survey (ACS) and are compiled for the five-year period 2006-2010.

Total revenue in FY 19 was \$71,193.¹⁴ Primary revenue sources were water rates/fees (approx. 60%) and wastewater rates/fees (approx. 40%). The District does not receive a share of property tax and does not have assessments or special taxes. Accounts are held as cash in a local bank and bank balances exceed the insurance levels of the Federal Depository Insurance Corporation (FDIC). The monthly sewer rate is \$25, established in 2002. The base water rate is \$60 for up to 10,000 gallons, with surcharges for excess usage. Meters are only read in the summer as individual usage does not exceed 10,000 gallons during wet weather months. The district has an adopted rate schedule.

Total expenditures for the year were \$86,456 as shown on the FY 2018 Profit and Loss Statement. Costs were primarily composed of water-related administrative costs (26 percent), repairs and maintenance (22 percent), loan repayment (18 percent), utilities (14 percent), sewer-related administrative costs (11 percent), supplies (6 percent), insurance (2 percent) and bank charges (1 percent).

Long-term debt includes two loans. FCSD financed the new water well in FY 07, relying on a loan from Amador County/USDA. Loan repayments have repaid about half of the \$50,000 loan from the county, with monthly payments of \$277 over 20 years at 3.00% interest. The District carries an outstanding loan from United States Department of Agriculture (USDA) used to finance new water tanks. The balance remaining is \$272,124, with repayment of \$11,466 annually over 40 years at 2.75% interest.

¹⁴ Fiddletown Community Services District, *Profit and Loss*, FY 18.

WATER SERVICES

This section describes the nature, extent and location of the water services provided, as well as key infrastructure and water sources. The tables provide further information and indicators of the agency's water service supplies, demand, financing, service adequacy, and facilities.

Nature and Extent

FCSD supplies treated groundwater for domestic water service to residential connections. The District owns, operates, and maintains a domestic water well and distribution system directly, with part-time district staff.

The District does not produce or use recycled water, and does not practice conjunctive use. The District recently approved regulations to allow private wells on properties within the district, subject to certain restrictions, and may have other adopted regulatory policies.

Location

FCSD provides water service within its bounds to 68 connections, with a majority of connections concentrated in the western portion of the District. The District's water services are available to all of its boundary area, with some undeveloped and/or unserved parcels listed by the district within its boundary. Thirteen parcels have rights to connect for water service based on District listings.

Infrastructure

Key water service infrastructure includes a well, two storage tanks and 1.25 miles of distribution pipeline.

The District relies entirely on groundwater for water service. All water is pumped from a single well, treated with chlorine, and stored in the two storage tanks. The well and tanks are on separate parcels approximately ¼ mile apart.

In 2006, the Environmental Health Department (EHD) informed the District of the need to replace or reconstruct the existing well due to consistent coliform contamination during wet weather.¹⁵ A new well, installed at the end of 2006, is in excellent condition. The County loaned \$50,000 to the District for the system. The well has a pumping capacity of 120 gpm. The back-up generator for the pump can provide approximately 24 hours of power during a power outage, according to the District.

In 2017 a long-term project was completed with a USDA loan, providing replacement of the District's old tank with two new storage tanks, increasing the storage capacity to 60,000 gallons. This project was funded by a USDA Rural Development Grant and Loan combination of \$500,000. The water rates were increased gradually over two years to fund the loan repayment to the USDA. The increased water storage helps with maintenance, reliability, fire protection and available water during emergencies or power outages.

¹⁵ Correspondence to FCSD from Lance Salisbury, Environmental Scientist, Environmental Health Department, 6/28/06.

In the event of emergencies, FCSD would rely on the short-term stored water reserves, which would last approximately two days based on the District's average daily use. Fiddletown operates a stand-alone system; there are no interties with other water systems outside of the District to serve as backup during emergencies. During the last drought period, before 2017, the District formed a backup plan for emergencies. If the well went dry, this plan involved trucking water in from outside sources. Fortunately, the plan was never activated, as the well remained viable throughout the drought.

The distribution system was originally installed in the 1970s. The composition and materials in the system are unknown. The District reported that the infrastructure needs of the system have not been identified, and now that the tank replacement is complete, the District would like to perform a thorough assessment of the distribution system to identify specific needs.

Historically, the District has had problems with total coliform bacteria, lead and copper, natural radioactivity, nitrates and nitrites, as well as others, as reported by County Environmental Health Department. The new well and tank infrastructure has resolved these issues. However, the District had to scale back the improvements and omit the filtration system to keep the project within the confines of the funding availability.

On June 14, 2016, Fiddletown Community Services District submitted an application to Amador County Environmental Health and received a waiver of the secondary standards for iron manganese, color, and turbidity. The application was submitted following a survey of residents and in accordance with Section 64449.2 of Title 22 of California Code of Regulations. A nine-year waiver was approved by the Environmental Health Department on June 15, 2016. The District hopes to eventually install the filtration system that will allow it to meet these standards, but has not identified a funding plan to do so.

During EHD's most recent inspection, no monitoring violations were identified.

Refer to the following tables for specifics on the District's water system. Areas noted as "NP" indicate information which the District did not provide during this MSR update process.

Figure 2: FCSD Water Service Profile

FCSD				
Water Service Configuration & Infrastructure*				
Water Service	Provider(s)	Water Service	Provider(s)	
Retail Water	Direct	Groundwater Recharge	None	
Wholesale Water	None	Groundwater Extraction	Direct	
Water Treatment	Direct	Recycled Water	None	
Service Area Description				
Retail Water	FCSD is located in northwestern Amador County, approximately six miles east of Plymouth. The District's service area extends along Fiddletown Road, encompassing parcels on either side from just west of Quartz Mountain Road to just east of American Float Road. The bounds also include parcels along Jibboom Street and American Flat Road.			
Wholesale Water	NA			
Recycled Water	NA			
Boundary Area	0.08 sq. miles	Population (2012)	100 estimate	
System Overview				
Average Daily Demand	16,387 gallons	Peak Day Demand ²	28,741 gallons	
Supply	18 af is the average annual well production			
Major Facilities				
Facility Name	Type	Capacity	Condition	Yr Built
Two Storage tanks	Storage	60,000 gallons total	Good	2017
Well #1	Well with pump	120 gpm	Excellent	2006
Other Infrastructure				
Reservoirs	0	Storage Capacity (mg)	0.06	
Pump Stations	1	Pressure Zones	1	
Production Wells	1	Pipe Miles	1.25	
Infrastructure Needs and Deficiencies				
Infrastructure needs include an additional back-up generator at the well, additional storage capacity and an overall assessment of the distribution system to identify needs and prioritize repairs.				
Facility-Sharing and Regional Collaboration				
Current Practices: The District does not practice facility sharing regarding water services with other agencies.				
Opportunities: None identified.				
Notes:				
(*) The data and information contained in this chart is from the 2008 MSR, the District did not provide any updates in 2013.				
(1) NA means Not Applicable, mg means millions of gallons, af means acre-feet.				
(2) Based on the average daily water usage in the peak month July 2019.				

continued