

****AGENDA****

AMADOR LOCAL AGENCY FORMATION COMMISSION

6:00 P.M. – THURSDAY JULY 16, 2020

Please Note: All LAFCO meetings are recorded.

The Amador Local Agency Formation Commission will be conducting its meeting via Zoom teleconference. The public may participate from home via the following link on any computer, tablet or phone:

<https://us02web.zoom.us/j/84643166006?pwd=NVNtbnkQ1Wk43T2VmSmhsQm5tL0lSZz09>

You may also call in by telephone using the following number: 1-669-900-6833. The meeting ID # is 846 4316 6006 and the passcode is 793646.

The Chairman will, at certain times, invite the public to comment. Public comment will also be accepted by email at nmees.lafco@gmail.com. All emails must be received by 5:00 P.M. on November 19 and will be read aloud into the record, and shall be subject to the same rules as would otherwise govern speaker comments at the Commission meeting.

Meeting Materials are available for Public Review on the Amador LAFCO website at <https://www.amadorgov.org/government/lafco/lafco-meetings-minutes-agendas>.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA FOR NOVEMBER 19, 2020**
- 4. APPROVAL OF THE MINUTES OF JULY 16, 2020**
- 5. APPROVAL OF CLAIMS TO NOVEMBER 19, 2020**
- 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. WHITE REORGANIZATION TO CITY OF JACKSON; LAFCO PROJECT #330; RESOLUTION #2020-06**

Annexation of APN 020-032-005 & 020-032-006 (one legal parcel divided by city limits) totaling one .97 acres +/-; Concurrent detachment from Amador Resource Conservation District, AFPD and County Service Areas 5 & 6; CEQA Exempt Public Resources Code Section 15319, annexation of existing facilities

and lots for exempt facilities.

8. MUNICIPAL SERVICE REVIEW FOR WILLOW SPRINGS WATER DISTRICT; LAFCO PROJECT #333; RESOLUTION #2020-07

Willow Springs Water District MSR update; adoption of Resolution Making Determinations. 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. REAFFIRM EXISTING ZERO SPHERE OF INFLUENCE FOR WILLOW SPRINGS WATER DISTRICT; RESOLUTION #2020-08

Exempt, CEQA Section 15061(b)(3) no possibility that the action taken by the Commission may have a significant effect on the environment.

10. RESOLUTION TO INITIATE PROCEEDINGS FOR THE DISSOLUTION OF THE WILLOW SPRINGS WATER DISTRICT UNDER GC §56375; LAFCO PROJECT #334; RESOLUTION #2020-09

Dissolution initiated by LAFCO pursuant to §56375, consistent with a prior action of the commission pursuant to GC §56430 (MSR Determinations). Exempt, CEQA Section 15061(b)(3) no possibility that the action taken by the Commission may have a significant effect on the environment.

11. REPORT OF ELECTIONS TO THE CALAFCO BOARD

12. OTHER BUSINESS, REPORTS

- a. Correspondence: TAC letter to County Planning Department
- b. Commissioner Announcements
- c. Executive Officer's Report: oral report, no written materials
- d. Budget Reports: provided in the meeting packet
- e. Project Status Report: provided in meeting packet
- f. Legislation; Omnibus bill item re: Inactive Districts

13. ADJOURNMENT

Note: The next regular LAFCO meeting is planned for December 17, 2020. This meeting may be cancelled.



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.

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.

**PLEASE DO NOT REMOVE POSTING BEFORE:
November 20, 2020**

AMADOR LAFCO



LOCAL AGENCY FORMATION COMMISSION

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

DRAFT

MINUTES

July 16, 2020

This meeting was available via video conference and was digitally recorded.

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

The July 16, 2020, meeting of the Amador Local Agency Formation Commission (LAFCO), held via video conference, was called to order by Chairman Crew at 6:02 p.m.

2. **Roll Call**

Members Present:

Pat Crew, Chairman
Jim Vinciguerra, Vice Chairman
Dominic Atlan, City Member
David Groth, City Member

Staff Present:

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

3. **Approval of Agenda for July 16, 2020**

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

4. **Approval of the Minutes of May 21, 2020**

Motion: It was moved by Commissioner Vinciguerra, seconded by Commissioner Atlan, and carried unanimously to approve the Minutes for May 21, 2020, as submitted.

5. **Approval of Claims to July 16, 2020**

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

6. **Public Forum – Public Comment**

Chairman Crew requested that LAFCO return to the practice of mailing out hard packets for the meetings. Commissioner Vinciguerra added that at least the five regular commission members should receive them. Commissioner Atlan stated that he was fine receiving his packet electronically, as was Commissioner Groth, although he added that if they were to be mailed, he would like to receive a hard packet.

7. **White Annexation to Pine Grove CSD; LAFCO Project #329; Resolution #2020-04**

Annexation of .54 acres +/- for water service to an existing single family residence due to a failed well. CEQA exempt Public Resources Code Section 15319, annexation of existing facilities and lots for exempt facilities.

Executive Officer Chamberlain reported that the summary of required statutory and policy considerations were discussed in the packet, and that a resolution from Pine Grove CSD approving the extension of service was also in the packet. The temporary map in the packet shows that the parcel is adjacent to PGCSO's boundary. Ms. Chamberlain had reported on the need for an emergency connection at the last meeting. She added that the Whites are formally applying for annexation to the district.

Chairman Crew asked if there had been any complaints against this annexation, and Ms. Chamberlain said no. Commissioner Groth asked if the Whites were still using the temporary connection to their neighbors' home, and Ms. Chamberlain replied that PGCSO had been able to connect them to the district water system very quickly. She then stated that, in addition to being CEQA exempt, no notice or hearing is required for this annexation.

Motion: It was moved by Commissioner Groth, seconded by Commissioner Vinciguerra, and carried unanimously to approve Resolution #2020-04, with direction to staff to complete necessary documentation.

8. **Final Municipal Service Review for Amador Water Agency; LAFCO Project #326; Resolution #2020-05**

Executive Officer Chamberlain stated that the Proposed Final MSR with Findings and Determinations was in the packet. LAFCO had received some letters and documents regarding the MSR from the Foothill Conservancy, and these had been forwarded to the Commissioners immediately upon receipt.

Ms. Chamberlain explained that LAFCO had worked closely with AWA in completing this MSR, although it had taken somewhat longer due to reduced in-office staff at the Water Agency because of Covid. She gave special credit to Cris Thompson at AWA for her assistance in making sure that requested documents were forwarded and any questions answered.

Ms. Chamberlain then briefly reviewed the comments made by Foothill Conservancy, the most important being that they believed the wording in the Determinations that AWA *may* need additional water supply is more accurate than the wording in the body of the MSR, which stated the Water Agency *will* need additional water supply. There was also reference to a settlement AWA made with PG&E, and some errors in agency titles and acronyms. Ms. Chamberlain concluded by saying none of these comments substantively affected the MSR or its Determinations, and that technical edits to the document could be made after the Commission had adopted it by approving the Resolution.

Katherine Evatt, a member of the board of the Foothill Conservancy, spoke from the audience, stating the Conservancy agreed with Ms. Chamberlain's proposed edits, and added that another of their concerns was the increased need for wastewater capacity in Martell, and they wanted to determine whether that figure was what AWA had stated or if it might be a typographical error. Ms. Evatt said the goal of the Conservancy was to ensure that a public document as important as an MSR be as accurate as possible.

By consensus, the Commission agreed to the suggested changes and directed staff to contact AWA regarding the increased wastewater capacity number for Martell.

Motion: It was moved by Commissioner Atlan, seconded by Commissioner Groth, and carried unanimously to approve Resolution #2020-05, including the discussed edits.

9. Final Audit of LAFCO Financial Statements for Fiscal Year 2018-19

Executive Officer Chamberlain reported that the audit looked good, and that the accounting firm was diligent and had asked for a quantity of information. The auditor had one recommendation, which will be discussed in the next agenda item.

Chairman Crew asked whether LAFCO participates in the Local Agency Investment Fund (LAIF), and Ms. Chamberlain responded that it would be too expensive for Amador LAFCO to do so. She thought, however, that LAFCO may indirectly participate as the County probably has some of its investment pool in LAIF.

Motion: It was moved by Commissioner Groth, seconded by Commissioner Vinciguerra, and carried unanimously to receive the audit for filing.

10. Policy for Retaining LAFCO Funds in the County Investment Pool

Executive Officer Chamberlain reported that historically all LAFCO funds have been held by the Amador County Treasurer in the county investment pool, but that the Financial Audit suggested LAFCO have an adopted policy designating which investments may be used by Amador LAFCO.

There was some discussion as to how much interest LAFCO was receiving from the county. Clerk Mees stated that the most recent audit stated LAFCO had received approximately \$3,050 in interest, year-to-date. Chairman Crew said he would check with the County to see what percentage interest rate LAFCO is getting through the county investment pool.

Motion: It was moved by Commissioner Groth, seconded by Commissioner Vinciguerra, and carried unanimously to approve Policy 2.5 regarding investment of LAFCO cash assets in the county investment pool.

11. Extension of Time for LAFCO Projects #298 and #324 to Allow Completion of Mapping

Executive Officer Chamberlain explained that the maps for these projects were currently being prepared by Toma & Associates, and that one was recently submitted to the county for review. She then explained that the Government Code requires that any boundary change must have a Certificate of Completion filed within one year of the Commission's approval of the proposal. Ms. Chamberlain explained that these two projects were approved and completed, and all that remains to be done in order to file the Certificates of Completion are the final legal maps, and that an extension of time could be authorized by the Commission to prevent termination of the projects.

Chairman Crew asked if the Commission could set a specific time for the extensions, one year for example, and Ms. Chamberlain responded that it could.

Motion: It was moved by Commissioner Vinciguerra, seconded by Commissioner Groth, and carried unanimously to give Projects #298 and #324 one-year extensions to allow for completion

of mapping and filing of Certificates of Completion.

12. Call for Nominations to the CALAFCO Board and Designation of Voting Delegates

None of the Commissioners expressed an interest in being a CALFCO board member and no nominations were made.

13. Other Business, Reports

- a. Correspondence – Executive Officer Chamberlain stated that CALAFCO was requesting that all LAFCO Commissions be polled as to whether CALFCO should present webinar sessions in lieu of in-person sessions since the annual conference has been cancelled as a physical meeting. The Commissioners responded in the affirmative. CALAFCO then wished to know the suggested length for such sessions. The consensus of the Commission was that one hour would be a good length. Ms. Chamberlain said she would report this back to CALAFCO, and added that there was a one-hour workshop scheduled for August 21 on the Public Records Act and the Brown Act specifically geared to Commissioners, and that she would forward the information on it to the Commissioners.
- b. Commissioner Announcements – none.
- c. Executive Officers Report – Ms. Chamberlain stated that she would soon be meeting with the new county surveyor, John Pitto, and that the women water managers group is planning to meet next week. Both the Executive Officer and the Clerk can now remotely access the county Zoom platform for LAFCO Commission meetings. The Sutter Creek FPD MSR is still on hold as Ms. Chamberlain is waiting for the Grand Jury Report. In answer to a Commission question, she replied that there is no time limit on approving an MSR. The statuses of Pine Acres CSD and Ridgewood Acres CSD are still unknown, other than that Pine Acres is seeking more board members. Ms. Chamberlain has been trying to contact Supervisor Axe regarding Ridgewood Acres.
- d. Budget Reports – provided in the meeting packet. Chairman Crew said it is very helpful to him to see the monthly auditor reports and asked if they were accurate. Clerk Mees replied that she compares them each month to LAFCO’s records, and whenever there is a discrepancy, she works with the auditor’s office to determine and correct the problem.

11. Adjournment

The next regular LAFCO meeting is scheduled for August 20, 2020. Chairman Crew adjourned the meeting at 6:41 p.m.

Pat Crew, Presiding Officer
LOCAL AGENCY FORMATION COMMISSION

ATTEST: _____
Nancy Mees, Clerk to the Commission

APPROVAL OF CLAIMS - PACKET DRAFT

AGENDA OF November 19, 2020

APPROVAL OF CLAIMS November 19, 2020

Agenda Item 5

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>INV.DATE</u>	<u>AMOUNT</u>
R Chamberlain 6/25/2020-9/20/2020	Consulting Services Labor	9/20/2020**	\$ 4,171.50
	Expense Total, (mileage, PO Box, phone)	9/20/2020**	\$ 277.30
N Mees 7/15/2019-9/16/2020	Clerical & Admin Labor	9/16/2020**	\$ 543.00
	Expense Total		\$ -
Alliant Insurance Services	Annual Liability Insurance	9/10/2020**	\$ 3,345.58
IT Department	Share of Tech Matrix	8/5 & 10/28/20**	\$ 177.95
IT Department	IT Support Services	8/5 & 10/28/20**	\$ 203.50
R Chamberlain 9/21/2020-11/16/2020	Consulting Services Labor	11/16/2020 estimated	\$ 3,800.00
	Expense Total	11/16/2020 estimated	\$ 150.00
N Mees 9/17/2020-11/17/2020	Clerical & Admin Labor	11/17/2020 estimated	\$ 440.00
	Expense Total, (mileage, PO Box, phone)		
LAFCO Board	Meeting Stipends (Maximum of 5 @ \$50.00)		\$ 250.00
TOTAL			\$ 13,358.83

** 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 - WHITE, ANMAREE,
REORGANIZATION TO CITY OF JACKSON
LAFCO PROJECT #330; RESOLUTION #2020-06
DATE: MEETING OF NOVEMBER 19, 2020

DESCRIPTION OF PROJECT

This proposal for reorganization of APN 020-032-005 & 020-032-006 is one legal parcel of approximately .97 acres which is divided by city limits and assigned separate parcel numbers. The reorganization consists of annexation to the City of Jackson and detachment from Amador Fire Protection District, Amador Resource Conservation District and County Service Areas 5 and 6. The reorganization has the consent of 100% of the landowners of the affected territory. The project is exempt from the requirements for notice and public hearing pursuant to Government Code Section 56663.

The entire parcel is proposed to annex, including the portion that is already within city limits to ensure a definite and certain boundary.

LOCATION

The area proposed for reorganization is located at 1439 Jackson Gate Road. Descriptive maps of the property are attached.

PURPOSE

The proposal would annex one legal parcel into the city, while technically only adding a portion of that parcel as new land added into the city limits. The purpose is to reunite the two portions, allow for clear land use and zoning jurisdiction and eliminate redundant and/or duplicate (both city and county) government processes for the parcel.

BACKGROUND

This parcel was partially annexed into the city of Jackson in 1968 as part of LAFCO Project #9. Sewer service was required to be provided at that time to residences along Jackson Gate Road. For whatever reasons, only portions of parcels fronting the road were annexed, creating a difficult boundary and splitting many parcels. Numerous subsequent annexations have occurred to annex nearby properties and/or annex in remainder portions of the parcels created by LAFCO

Project #9. A descriptive figure showing annexation history in this area is attached. Current parcel lines overlaying the area show that at least four additional properties remain divided by the city limits. A follow-on project (LAFCO Project #331) is underway to annex islands within the city of Jackson, including city-owned property. This project (#331) will not eliminate all the split parcels in the vicinity of this annexation.

CEQA

Staff has reviewed the proposal and found the annexation to be exempt under Section 15319(b), annexation of existing facilities and lots for exempt facilities. The Notice of Exemption is attached.

SUMMARY OF STATUTORY AND POLICY CONSIDERATIONS

Government Code §56668 and LAFCO Policies require that the review of a proposal shall consider the factors listed below. The review is presented below for the commission’s consideration.

<i>FACTOR TO CONSIDER</i>	<i>POLICY/STATUTE CONSISTENCY</i>	<i>COMMENT & ANALYSIS</i>
<i>1. NEED FOR SERVICES, FUTURE NEEDS</i>	Consistent	No change in services; city serves portion of parcel already within city limits; no development anticipated
<i>2. ABILITY TO SERVE, TIMING, CONDITIONS</i>	Consistent	No change in services, no new service
<i>3. WATER SUPPLY</i>	Consistent	No change in water services
<i>4. SERVICE ALTERNATIVES</i>	Consistent	No change in services; city serves portion of parcel already within city limits; no development anticipated
<i>5. SERVICE IMPACTS</i>	Consistent	No negative impacts noted; No change in services
<i>6. COORDINATION OF APPLICATIONS</i>	Consistent	No other changes identified; includes detachments from county districts
<i>7. COST/ADEQUACY OF SERVICES, FACILITIES</i>	Consistent	No change in services, no new service
<i>8. EFFECT IN AREA AND ADJACENT AREAS</i>	Consistent	No changes anticipated; no significant effects noted
<i>9. ALTERNATIVES, COST & ADEQUACY</i>	Consistent	No feasible alternatives, No change in services, no new service
<i>10. SUFFICIENCY OF REVENUES, A.V.</i>	Consistent	City serves portion of parcel already within city limits; no change in assessed value

<i>11. "BEST INTEREST"</i>	Consistent	Reunites portion outside city limits into one single incorporated parcel
<i>12. BOUNDARIES: LOGICAL, CONTIGUOUS</i>	Consistent	Follows parcel lines; entire parcel proposed to annex to ensure definite and certain boundary
<i>13. TOPOGRAPHY</i>	Consistent	No significant or relevant topographic features
<i>14. SPHERES OF INFLUENCE</i>	Consistent	Within SOI
<i>15 .EFFECT ON ADJACENT AREAS, COMMUNITIES</i>	Consistent	No change anticipated; no significant untoward effects
<i>16. COMMENTS FROM LANDOWNER OR OWNERS</i>	Consistent	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 REGIONAL HOUSING</i>	Consistent	No change or effect anticipated
<i>20. LAND USE, ZONING DESIGNATIONS</i>	Consistent	County Portion: zoning R1A, Ag Transition, Moderate Fire Zone, Flood Zone AE ; City portion RD, residential duplex
<i>21. POPULATION</i>	Consistent	No change
<i>22. CONSISTENCY WITH GENERAL PLANS, SPECIFIC PLANS, ZONING</i>	Consistent	No change anticipated; city will extend zoning to annexing portion, RD residential duplex
<i>23. AGRICULTURE LANDS AND OPEN SPACE LANDS</i>	Consistent	No change; no effect on agriculture foreseen, surrounding county zoning is multi-family
<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 landowners. All landowners (100%) have consented to the reorganization.
2. The territory proposed for annexation is within the Sphere of Influence of the City of

Jackson, and is contiguous to the existing boundary.

3. The portion of the parcel proposed for annexation which is already within the City limits of Jackson (annexed under LAFCO Project #9), is appropriate to include in this annexation to ensure a definite and certain boundary.
4. The boundaries are definite and certain and conform to lines of ownership and parcel lines, by including the small portion of the parcel which is already within city boundaries.
5. The annexation will provide a logical and orderly boundary and will eliminate a split parcel.
6. The annexation will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area.
7. The annexation 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.

RECOMMENDATIONS

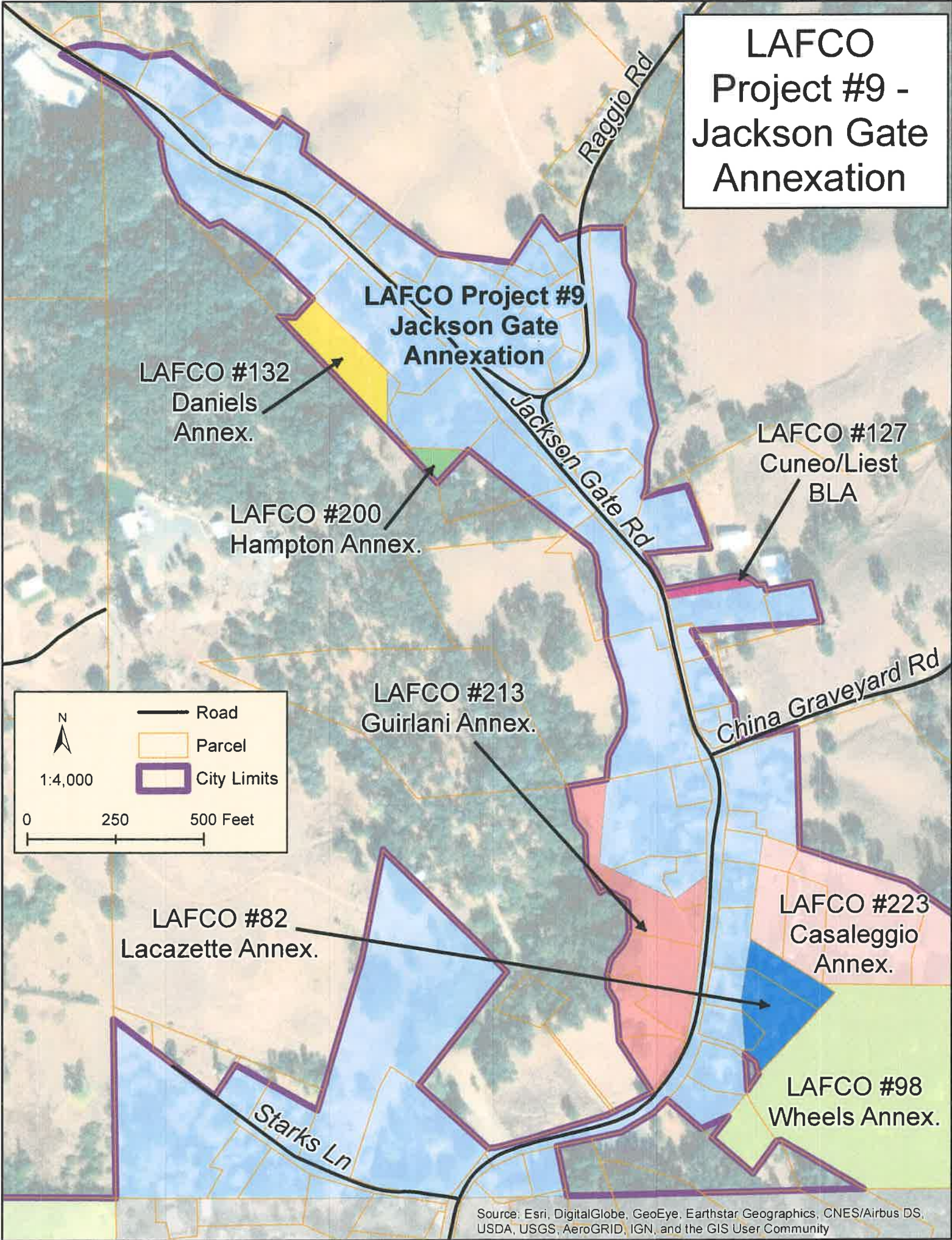
Staff recommends that the Commission take the following actions:

1. Adopt Resolution #2020-06, making determinations, adding conditions and approving the White, Anmarea, Reorganization to City of Jackson.
2. Direct the Executive Officer to prepare a Notice of Exemption pursuant to Title 14, Article 19, Class 19 of the California Code of Regulations (the CEQA Guidelines).
3. Waive the Conducting Authority proceedings in compliance with Resolution #2020-06, 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.

Attachments:

Map of Annexation History
Resolution #2020-06
Exhibit A – Draft Map (final map to follow approval)
Exhibit B – Conditions
Notice of Exemption

LAFCO Project #9 - Jackson Gate Annexation



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

AMADOR LAFCO
LOCAL AGENCY FORMATION COMMISSION

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

LAFCO RESOLUTION NO. 2020-06
RESOLUTION MAKING DETERMINATIONS, ADDING CONDITIONS AND
APPROVING THE WHITE, ANMAREE, REORGANIZATION TO CITY OF JACKSON
LAFCO PROJECT #330

WHEREAS, a landowner 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 City of Plymouth; 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, a portion of the parcel proposed for annexation is already within the City limits of Jackson (annexed under LAFCO Project #9), the proposal includes the entirety of the parcel to ensure a definite and certain boundary; and

WHEREAS, the proposal is exempt from the requirements for notice and hearing pursuant to Government Code §56663, because it consists of annexations and detachments only, and 100% of landowners have given their written consent to the proposal; and

WHEREAS, LAFCO, as lead agency has reviewed the project and finds that it is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), under Section 15319(b) of the California Code of Regulations and consisting of annexation of lots containing existing facilities and lots for exempt facilities; and there is no possibility that the reorganization could have an 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; and

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 landowners. All landowners (100%) have consented to the reorganization.
2. The territory proposed for annexation is within the Sphere of Influence of the City of

- Jackson, and is contiguous to the existing boundary.
3. The portion of the parcel proposed for annexation which is already within the City limits of Jackson (annexed under LAFCO Project #9), is appropriate to include in this annexation to ensure a definite and certain boundary.
 4. The boundaries are definite and certain and conform to lines of ownership and parcel lines, by including the small portion of the parcel which is already within city boundaries.
 5. The annexation will provide a logical and orderly boundary and will eliminate a split parcel.
 6. The annexation will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area.
 7. The annexation 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 reorganization is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), under Section 15319(b) of the California Code of Regulations and consists of annexation of one parcel partially contained in the city boundaries.
2. The White, Anmaree, Reorganization (LAFCO Project #330), 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 descriptive map and legal description marked "Exhibit A" and by this reference incorporated herein.
4. Said territory includes approximately .97 +/- acres and is found to be uninhabited, and the territory is assigned the following short form designation:

White, Anmaree Reorganization to the City of Jackson
LAFCO Project #330

5. The following changes of organization or reorganization are approved:
Annexation to the City of Jackson
Detachment from the Amador Fire Protection District
Detachment from Amador County Resource Conservation District
Detachment from County Service Areas #5 and #6
6. All subsequent proceedings in connection with this annexation 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. Conducting Authority proceedings are waived.
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 final boundary changes shall be complete and effective on 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 19th day of November 2020, by the following vote:

AYES:

NOES:

ABSENT:

Presiding Officer
Patrick Crew , Chairman

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

L.A.F.C.O. PROJECT #330

AREA PROPOSED FOR ANNEXATION TO
THE CITY OF JACKSON

APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
ON 11/15/2011



DATE: 11/15/11

006-40120

SURVEYOR'S STATEMENT

I, the undersigned, being a duly qualified and licensed Surveyor of the State of California, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the person claiming to be the owner of the land described in the foregoing, and that the same is a true and correct copy of the original survey as shown to me by the person claiming to be the owner of the land described in the foregoing.



COUNTY SURVEYOR'S STATEMENT

I, the undersigned, being a duly qualified and licensed County Surveyor of the State of California, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the person claiming to be the owner of the land described in the foregoing, and that the same is a true and correct copy of the original survey as shown to me by the person claiming to be the owner of the land described in the foregoing.

DATE: 11/15/11

APPROVED BY LOCAL AGENCY FOR ANNEXATION COMMISSION

DATE: 11/15/11

DATE: 11/15/11

NOTES AND LEGEND

- Proposed boundary line
- Existing boundary line
- Easement boundary line
- Right-of-way boundary line
- Survey boundary line

REFERENCES

Page 11

JACKSON GATE ROAD

AREA TO BE ANNEXED TO CITY OF JACKSON
0.974 ACRES

APPROXIMATE

APPROXIMATE

APPROXIMATE

SOURCE DATA TABLE		
NO.	DESCRIPTION	DATE
1	AS-BUILT	11/15/11
2	AS-BUILT	11/15/11
3	AS-BUILT	11/15/11
4	AS-BUILT	11/15/11



DRAFT

Exhibit A

AMADOR LAFCO
LOCAL AGENCY FORMATION COMMISSION

EXHIBIT B TO LAFCO RESOLUTION NO. 2020-06
CONDITIONS OF APPROVAL
White, Anmaree, Reorganization to City of Jackson
(LAFCO Project #330)

1. Upon and after the effective date of said reorganization, 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 Jackson;
 - b) Shall have the same rights and duties as if the affected territory has been a part of the city upon its original formation;
 - c) Shall be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the city, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the districts;
 - d) Shall be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;
 - e) Shall be subject to all of the rules, regulations, ordinances of the district as now existing or hereafter amended.
2. The applicant shall complete all 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.
4. The Certificate of Completion shall be issued and recorded subsequent to final adoption of resolutions by the City of Jackson and County Board of Supervisors approving changes, if any, to the property tax distribution.

AMADOR LAFCO
LOCAL AGENCY FORMATION COMMISSION

DRAFT

Notice of Exemption

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

FROM: Public Agency:
Amador LAFCO
810 Court Street, Jackson, 95642

Project Title:

Applicant: Anmaree White, Landowner

Project Location - Specific: 1439 Jackson Gate Road, Jackson, CA

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

Description of Project: Reorganization (annexation) of a portion (.5+/- acres) of a single residential parcel to reunite portion with portion (.5+/- acres) which is already within city boundaries.

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:** 15319
 Statutory Exemptions. State code number:

Reasons why project is exempt: annexation of .5 +/- acres portion of a developed parcel (reorganization map includes entire .97 +/- acre parcel to ensure a definite and certain boundary)

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: 11-19-20 Title: Executive Officer

Signed by Lead Agency
 Signed by Applicant

Date received for filing at OPR: _____

POSTED ON:

AGENDA ITEM #8

TO: ALL COMMISSIONERS, ALTERNATES
FROM: ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER
SUBJECT: MUNICIPAL SERVICE REVIEW (MSR), 2020 UPDATE, WILLOW SPRINGS WATER DISTRICT (LAFCO PROJECT #333) RESOLUTION #2020-07
DATE: MEETING OF NOVEMBER 19, 2020

BACKGROUND:

The Municipal Service Review (MSR) for Willow Springs Water District is attached. This MSR was undertaken at this time to ensure an adequate study and current information for a proposed change of organization as recommended in the MSR determinations. The change is the dissolution of Willow Springs Water District.

Willow Springs Water District (WSWD) is a California water district formed by resolution under Division 13 of the Water Code. It is a landowner-voter district.

WSWD has been identified by LAFCO as an inactive district since 2007. A zero sphere was adopted by LAFCO in 1978 and is proposed to be re-affirmed elsewhere on this agenda.

The only service provided in the past (estimated 1980s and before) was surplus raw ditch water from the Arroyo Ditch, made available for irrigation and delivered through a system of natural drainages and private ditches to the parcels in the district.

DISCUSSION:

The attached draft MSR describes the district and its current situation. WSWD is not listed as inactive under the State Controller's office criteria because the district retains assets of \$2,279.

The district does not have any water rights, water sources, or right of use for water.

John Applegate, former board Secretary and last known contact for the district, has reviewed the MSR. He confirms the board has not met or conducted any business since the 1980s. He and another former board member agree that dissolution is the best option for the district.

CEQA

The Willow Springs Water District Municipal Service Review of 2020 is found by the Executive Officer 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.

STAFF RECOMMENDATIONS:

1. Find that the Willow Springs Water District Municipal Service Review of 2020 is 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. Adopt Resolution #2020-07, finding the MSR adequate and complete and making determinations regarding the district and need for dissolution.

Attachments:

Resolution #2020-07
Final MSR 2020 Update for WSWD
Map
CEQA: Notice of Exemption

AMADOR LAFCO
LOCAL AGENCY FORMATION COMMISSION

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

**RESOLUTION MAKING DETERMINATIONS AND FINDINGS RELATED TO THE
2020 UPDATE OF THE WILLOW SPRINGS WATER DISTRICT
MUNICIPAL SERVICES REVIEW**

LAFCO RESOLUTION NO. 2020-07

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 including a comprehensive update and review of agencies and services in 2008 and in 2014 and has now completed a review and update of the Willow Springs Water District (WSWD); and

WHEREAS, the Commission held a meeting November 19, 2020 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 Willow Springs Water District Municipal Service Review of 2020 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 Willow Springs Water District Municipal Service Review is found to be adequate and complete pursuant to the requirements of Government Code §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.

DRAFT

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 19th day of November, 2020, by the following vote:

AYES:

NOES:

ABSENT:

Presiding Officer
Patrick Crew, Chairman

ATTEST:

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

Findings & Determinations

Exhibit A - Resolution #2020-07

Growth and population projections

- ❖ The population of the District is minimal, as the territory within its bounds consists of 67 parcels totaling approximately 2602.7 acres, based on GIS mapping calculations. Many parcels are not inhabited.
- ❖ Growth in the district has been extremely limited and no new growth is foreseen within the planning horizon of this study.

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.

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

- ❖ The District lacks the water, financing or capacity to provide service. WSWD District did not identify any infrastructure or water rights owned by the District. The District formerly diverted surplus water from Arroyo Ditch; however, there are no longer flows through Arroyo Ditch during irrigation season.
- ❖ The District lacks planned capacity to provide services. There are no planned or funded capital projects that would convey water to the Willow Springs area. It is unlikely that the limited number of landowners participating in the district could fund costly improvements needed to re-instate water supply or provide service.

Financial ability of agencies to provide services

- ❖ The District's existing fund balance is \$2,279, held in the form of a check payable to the district from the State.
- ❖ The District currently has no revenue sources.

Status of, and opportunities for, shared facilities

- ❖ The District does not participate in any facility sharing; there were no future opportunities identified.

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

- ❖ WSWD is an inactive agency that has not yet been dissolved by LAFCO. Dissolution of this inactive agency is the logical government structure option.
- ❖ The Cortese-Knox-Hertzberg Act provides for LAFCO to initiate dissolution or reorganization of districts, including dissolution for failure to exercise corporate powers under Government Code Section 56375.
- ❖ Agencies identified as inactive under Government Code (GC) 56042 are eligible for streamlined dissolution proceedings. Because the district recovered it escheated cash assets from the state following the termination of its inactive bank account, it is not considered by the State Controller's Office to be inactive at this time.

WILLOW SPRINGS WATER DISTRICT

The Willow Springs Water District (WSWD) is a California water district formed by resolution under Division 13 of the Water Code. It is a landowner-voter district. WSWD has been identified by LAFCO as an inactive district since 2007, and has not yet been dissolved by the Commission. The State Controller's Office and Amador County Auditor urge the dissolution of this long inactive district.

AGENCY OVERVIEW

Background

Willow Springs Water District was formed on March 29, 1954, by the Board of Supervisors.¹ The resolution names the District and provides a legal description of the parcels in the district. However, the resolution does not identify the powers or purpose of the District.² No map is associated with the resolution. Other records provided by the district and the City of Plymouth indicate that the district is a group of discontinuous parcels, organized to buy and distribute surplus water from the Arroyo Ditch for agricultural purposes, likely irrigating pasture land for grazing. The district does not control any water supplies or have any right of use of water supplies. There was a contract at one time between the city of Plymouth and the district for surplus water. City records provided by Gloria Stoddard, then city clerk, show that the city and district considered forming a Joint Powers Authority for the purpose of operating the Arroyo Ditch. It is unknown whether that JPA was ever formed. The district has not had water to serve or sell to its landowner customers since at least the 1980's.

The principal act that governs the District is the California Water District Law.³ The act empowers water districts to produce, store, transmit and distribute water for irrigation, domestic, industrial, and municipal purposes and to provide related drainage services. The only service provided in the past (estimated 1980's and before) was raw ditch water, from the Arroyo Ditch, made available for irrigation and delivered through a system of natural drainages and private ditches to the parcels in the district.

¹ Board of Supervisors Resolution 54-28.

² *Ibid*, Board of Supervisors Resolution 54-28.

³ California Water Code §34000-38501.

The district does not own or control water rights, water sources or right of us for water, but was formed to make use of any surplus water that was, at one time, available through the Arroyo Ditch.

Boundary and Sphere of Influence

A very old, but undated, hand-drawn map found in the LAFCO archives shows what is believed to be the Willow Springs Water District boundaries. That map is consistent with one found in the Willow Springs district records provided by John Applegate. Based on these maps a GIS-based digital map was created to identify the properties believed to be within the district.

The District is located generally west of Plymouth, and today contains 67 parcels totaling approximately 2602.7 acres, based on GIS mapping calculations. The area is agricultural, containing grazing lands and some more recent vineyard plantings. One parcel shown on the formation map was detached from the District and annexed into the City of Plymouth, incidentally, as part of the Shenandoah-Zinfandel reorganization, LAFCO Project #271.

LAFCO records, including meeting minutes of June 29, 1978, indicate that LAFCO adopted a zero sphere of influence for the district. The County Board of Supervisors submitted an application for the dissolution of the district on October 11, 1977. The proposed dissolution was subsequently denied by LAFCO because some of the landowners wanted to continue the district and get more water.⁴

The zero sphere of influence was adopted following the 2008 MSR review, and reaffirmed after the 2014 MSR update.

Local Accountability and Governance

The District does not have an acting Board of Directors at this time, and has not had an election in many years. Board members are elected by landowners in the district and hold four-year terms. The voting is weighted by assessed value of land owned. It is not known when the last election was held, but it is likely it has been at least 20 years since any election or any meeting of the board. No action has been taken by the board of directors to exercise its corporate powers for a minimum of 20 years.

The last known contact person for the district was John Applegate, who has been very helpful throughout the MSR and MSR updates research process. He provided two record boxes from the District for LAFCO review following the 2008 MSR. His recollection is that there are three boxes, with the third box being unavailable or not

⁴ LAFCO Resolution 78-107.

found. Mr. Applegate was an elected board member in the past and served as board secretary for many years.

LAFCO staff was able to reach John Applegate, Ron Matlich, and Eldon Waite by telephone for this report and to discuss possible dissolution of the district. Mr. Applegate has contact information for Mr. Vicini, another former board member, and agreed to discuss these matters with him. Because the historic board members are not actively serving the district, nor is it possible at this time to convene a board meeting, these serial conversations do not violate the Brown Act.

The District adopted bylaws at some point in the past, although there is no date associated with the available bylaws documents provided in the records held by Mr. Applegate. In addition to the bylaws, the District is regulated by California Water District Law, which has provisions for elections, formation, powers, and purpose. The exact configuration of WSWD's previous board is unknown; however, it appears that the landowners of property within the District's bounds were empowered to vote on the composition of the Board and sit on the Board, as dictated in the District's enabling legislation.

The bylaws provide that the District itself, through the board of directors, is responsible for assessing land value of each property and for determining the number of votes granted to each landowner based on assessed value. This may not be consistent with current law. Based on the District's enabling act, each voter is to have one vote for each dollar's worth of land to which he or she holds title.⁵ District records and bylaws show that each director holds office for four years or until a successor is qualified.

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.⁶

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.⁷ DWR identified nine

⁵ California Water Code §35003

⁶ Government Code §56033.5.

⁷ 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.

disadvantaged communities within Amador County—three of which are cities and are therefore not considered unincorporated.⁸ None of the identified disadvantaged communities are within or adjacent to WSWD.

LAFCO policy 7.3, adopted February 16, 2017, defines disadvantaged communities as those consisting of 15 dwelling units at a density not less than one unit per acre. The Willow Springs Water District is not a disadvantaged community by this standard.

LAFCO policy 7.7 adopted February 16, 2017, further defines a Legacy Community as a geographically isolated community that meets DUC criteria and is at least 50 years old. Willow Springs Water District includes separated parcels in discontinuous areas, and is not specifically identified as an historic community by the County. Thus, it is not a legacy community by this standard.

Financing

The District does not receive property tax revenues. Any revenues reported to the State Controller's office since 2007 are from accrued interest only.

Financials reported by the State Controller's Office for 2019 showed that as of June 12, 2019, WSWD reported \$2,285 in total revenue.⁹ These cash assets derive from interest earned on some small original residual balance contained in the District Bank account at Wells Fargo bank. This account was closed by the bank due to lack of activity. Wells Fargo escheated the funds to the state. Mr. Applegate explains that he was able to recover the money from the state, and holds a check in the amount of \$2,279. Unfortunately he cannot cash or deposit the check because the district no longer has a bank account or any financial standing as a government agency.

WATER SERVICES

In the 2008 MSR, the District reported it had previously provided irrigation water to customers, but discontinued the service in the mid-1980s.¹⁰ No service has been provided for many years. According to the District, it discontinued water services, because water no longer flows down the Arroyo Ditch during the summer. The City of Plymouth eliminated work efforts to maintain and use the Arroyo Ditch

⁸ 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.

⁹ Email January 6, 2020, ESerafica, State Controller's Office.

¹⁰ Interview with Eldon Waite, Willow Springs Water District, Board Member, July 9, 2008.

years ago, resulting in the water supply to the District ending. Landowners rely on private wells for irrigation purposes. The District reported that water last flowed through Arroyo Ditch in 1999, and that flows were so minimal at that time that the District no longer sold the water. No water has been sold to anyone in the District for at least 30 years.

The Arroyo Ditch served as a source of water supply for the City of Plymouth in the past. The 18-mile ditch was originally built in 1851 to convey Cosumnes River water to gold miners and landowners. The source of water is the middle and south forks of the Cosumnes River. The ditch, including the conveyance system and water rights, was acquired by Amador County in 1962 from the Arroyo Ditch Company and deeded to Plymouth in 1987. Prior to the transfer to the City of Plymouth, around 1980, an agreement was drafted to form a joint powers authority called the Arroyo Ditch Board, which was to consist of WSWD and the City of Plymouth to jointly operate and maintain the Arroyo Ditch. The plans for the JPA outlined the intentions of the agency to lease the Arroyo Ditch System to Amador Water Agency. It is unclear whether these plans ever came to fruition.

The ditch is primarily earthen and unlined, with two miles of the ditch lined with concrete. Peak flows in the ditch generally occur during the winter and spring months, while there is generally no water available during the peak demand times of the summer and fall months. Due to difficulties in maintaining the Arroyo Ditch, the City relied on groundwater since 2001. Water is now provided to Plymouth via the AWA pipeline, placed in service in 2010. The City cleaned and repaired a five-mile section of the Arroyo Ditch in 2000 and 2001 and pumped minimal water from the ditch in 2002 and 2003. The City had been diverting water for groundwater recharge purposes and provides raw water through the Arroyo Ditch system for irrigation at the Amador County Fairgrounds. Additional information is available in the City of Plymouth MSR.

The District reports that the lack of maintenance of the ditch by Plymouth has resulted in a lack of flows to the District.¹¹ Based on legal opinion regarding the conditions placed on the City's obligation to provide water to users, it appears that the City can charge water users for the full cost of delivery. An engineering report years ago demonstrated that repairing and maintaining the Arroyo Ditch was cost prohibitive. Ultimately, the City adopted a resolution to eliminate work efforts on the Arroyo Ditch, which terminated the water supply to the District.

In the 2008 MSR, the District reported it would like to reinitiate irrigation services in the future should a water source become available.¹² This seems an unlikely possibility. Recent conversations with historic board members have

¹¹ Interview with Elden Waite, Willow Springs Water District, Board Member, July 9, 2008.

¹² Ibid.

confirmed that they understand that water will not be available from the ditch in the foreseeable future. Based on research through the SWRCB's Water Rights Information Management System, the District does not hold any alternate water rights.

FINDINGS & DETERMINATIONS

Growth and population projections

- ❖ The population of the District is minimal, as the territory within its bounds consists of 67 parcels totaling approximately 2602.7 acres, based on GIS mapping calculations. Many parcels are not inhabited.
- ❖ Growth in the district has been extremely limited and no new growth is foreseen within the planning horizon of this study.

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.

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

- ❖ The District lacks the water, financing or capacity to provide service. WSWD District did not identify any infrastructure or water rights owned by the District. The District formerly diverted surplus water from Arroyo Ditch; however, there are no longer flows through Arroyo Ditch during irrigation season.
- ❖ The District lacks planned capacity to provide services. There are no planned or funded capital projects that would convey water to the Willow Springs area. It is unlikely that the limited number of landowners participating in the district could fund costly improvements needed to re-instate water supply or provide service.

Financial ability of agencies to provide services

- ❖ The District's existing fund balance is \$2,240, held in the form of a check payable to the district from the State.

- ❖ The District currently has no revenue sources.

Status of, and opportunities for, shared facilities

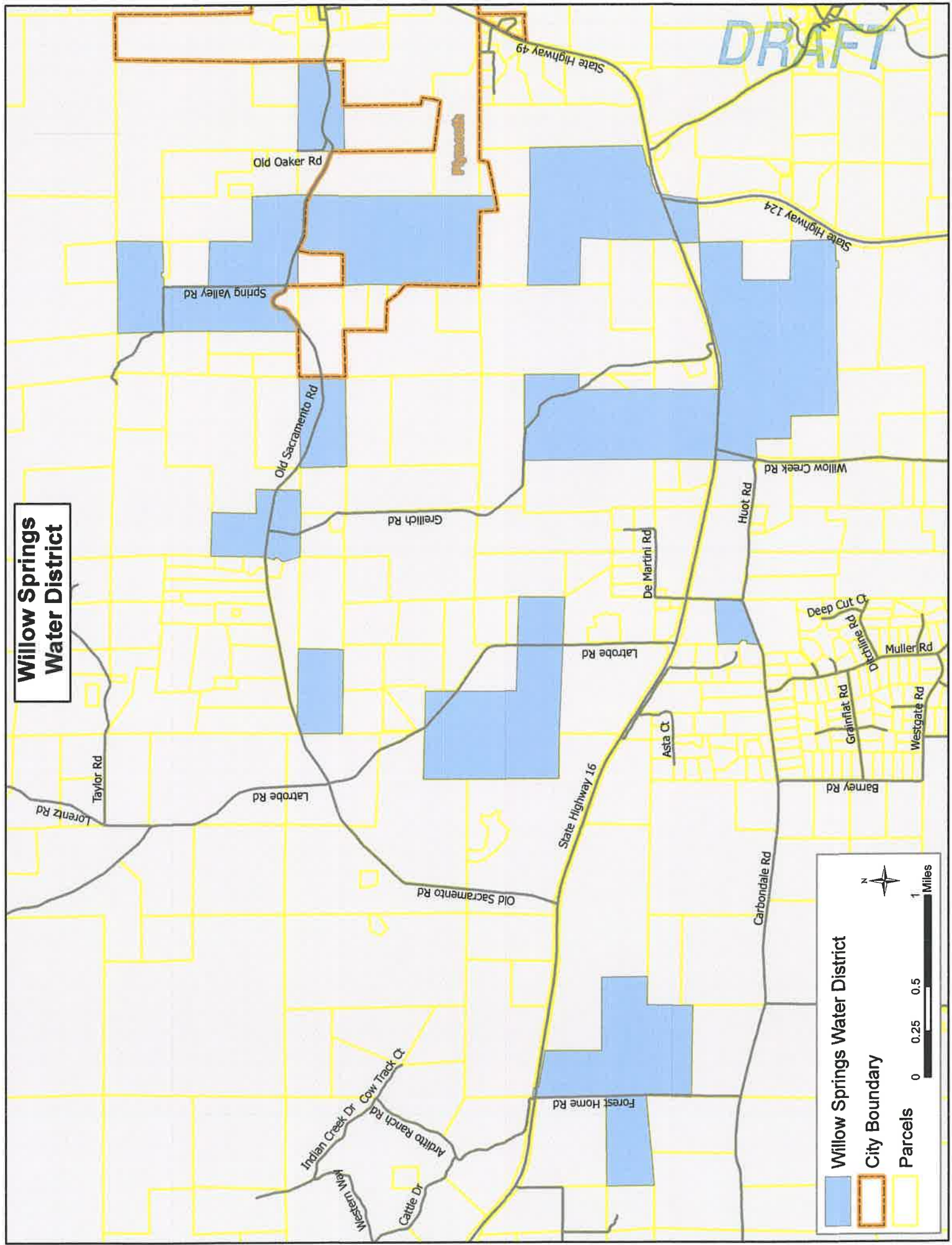
- ❖ The District does not participate in any facility sharing; there were no future opportunities identified.

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

- ❖ WSWD is an inactive agency that has not yet been dissolved by LAFCO. Dissolution of this inactive agency is the logical government structure option.
- ❖ The Cortese-Knox-Hertzberg Act provides for LAFCO to initiate dissolution or reorganization of districts, including dissolution for failure to exercise corporate powers under Government Code Section 56375.
- ❖ Agencies identified as inactive under Government Code (GC) 56042 are eligible for streamlined dissolution proceedings. Because the district recovered its escheated cash assets from the state following the termination of its inactive bank account, it is not considered by the State Controller's Office to be inactive at this time.

DRAFT

**Willow Springs
Water District**



Willow Springs Water District

 City Boundary

 Parcels

0 0.25 0.5 1 Miles

AMADOR LAFCO
LOCAL AGENCY FORMATION COMMISSION

DRAFT

Notice of Exemption

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

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

Project Title: Willow Springs Water District Municipal Services Review Pursuant to GC§ 56430

Project Location – West of City of Plymouth, noncontiguous parcels, Amador County

Project Location - County: Amador

Description of Project: Review of inactive local government service provider

Name of Public Agency Approving Project: Amador LAFCO

Name of Person or Agency Carrying out Project: Amador LAFCO

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1);15268);
- Declared Emergency (Sec.21080(b)(3);15269(a);
- Categorical Exemption. State type and selection number:
- Statutory Exemptions. State code number: 21102, 21150

Reasons why project is exempt: Descriptive and Planning Studies for Possible Future Action for which funding has not been approved.

Signature: _____ **Date:** 11/19/20 **Title:** Executive Officer

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

POSTED ON:

AGENDA ITEM #9

TO: ALL COMMISSIONERS, ALTERNATES
FROM: ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER
SUBJECT: RE-AFFIRM ZERO SPHERE OF INFLUENCE FOR WILLOW SPRINGS WATER DISTRICT
(LAFCO PROJECT #333) RESOLUTION #2020-08
DATE: MEETING OF NOVEMBER 19, 2020

BACKGROUND:

The Municipal Service Review (MSR) for Willow Springs Water District (WSWD) in the preceding agenda item details the background and inactive status of WSWD and is made a part of the record of this proceeding.

WSWD has been identified by LAFCO as an inactive district since 2007. A zero sphere was adopted by LAFCO in 1978 and is proposed to be re-affirmed in anticipation of dissolution of the district.

CEQA:

LAFCO staff finds that the proposed sphere is exempt from the provisions of CEQA under Section 15061(b)(3), in that there is no possibility that the action taken by the Commission may have a significant effect on the environment. A Notice of Exemption has been prepared and is attached.

STAFF RECOMMENDATIONS:

1. Find that re-affirming the existing sphere of influence for Willow Springs Water District is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) in that there is no possibility that the action taken by the Commission may have a significant effect on the environment.
2. Adopt Resolution #2020-08, making determinations and affirming the existing zero sphere of influence for Willow Springs Water District.

Attachments:

Resolution #2020-08

CEQA: Notice of Exemption

LOCAL AGENCY FORMATION COMMISSION

RESOLUTION MAKING DETERMINATIONS AND AFFIRMING A ZERO SPHERE OF INFLUENCE FOR THE WILLOW SPRINGS WATER DISTRICT

LAFCO RESOLUTION NUMBER 2020-08

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

WHEREAS, a municipal services review update for the Willow Springs Water District has been completed and updated and was found by LAFCO to be adequate and complete on November 19, 2020; and

WHEREAS, the functions and classes of services provided by the Willow Springs Water District are described in the municipal services review and the District has been inactive and provided no services for at least 25 years; and

WHEREAS, the Willow Springs Water District has not provided water service and has been inactive for at least 25 years, and services by the District do not appear to be likely to be provided by the District in the future; and

WHEREAS, the municipal services review found that the District has not exercised its corporate powers, lacks capacity (water flows) to provide service, does not hold entitlements or rights of use of water, and does not plan to provide services; and

WHEREAS, at the times and in the form and manner required by law, the Executive Officer has given notice of its meeting; and

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

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

1. The Sphere of Influence for the Willow Springs Water District is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) in that there is no possibility that the action taken by the Commission may have a significant effect on the environment.
2. The Sphere of Influence of the Willow Springs Water District is determined to include no territory, and is a "Zero Sphere of Influence", and no map is attached to this resolution.