

# **\*\*AGENDA\*\***

## **AMADOR LOCAL AGENCY FORMATION COMMISSION**

**6:00 P.M. – THURSDAY FEBRUARY 18, 2021  
810 COURT STREET, JACKSON  
BOARD OF SUPERVISORS CHAMBERS**

**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 via the following link on any computer, tablet or phone:

<https://us02web.zoom.us/j/81619834345?pwd=UHZ3MXZuOUdtNnJDdXpqMnNUU2Qydz09>

You may also call in by telephone using the following number: 1-669-900-6833. The meeting ID # is 816 1983 4345 and the passcode is 224261.

The Chairman will, at certain times, invite the public to comment. Public comment will also be accepted by email at [nmees.lafco@gmail.com](mailto:nmees.lafco@gmail.com). All emails must be received by 5:00 P.M. on February 18 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 AND PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA FOR FEBRUARY 18, 2021**
- 4. APPROVAL OF THE MINUTES OF NOVEMBER 19, 2020**
- 5. APPROVAL OF CLAIMS TO FEBRUARY 18, 2021**
- 6. PUBLIC FORUM – PUBLIC COMMENT**

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

- 7. RESOLUTIONS OF APPRECIATION, OUTGOING COMMISSIONERS:  
JON COLBURN & DAVID GROTH (RESOLUTION #2021-01 & 2021-02)**

**8. CROSS ANNEXATION TO DRYTOWN COUNTY WATER DISTRICT;  
LAFCO PROJECT #332, RESOLUTION #2021-03**

Concurrent minor sphere amendment and annexation of APN 008-140-02 and 008-042-039 totaling 60 +/- acres for water service for one single-family residence on each parcel. CEQA: Exempt Section 15319(b) consisting of annexation of two lots entitled for construction. The project is exempt from the requirements for notice and public hearing.

**9. FINAL MUNICIPAL SERVICE REVIEW FOR SUTTER CREEK FIRE  
PROTECTION DISTRICT; LAFCO PROJECT #322, RESOLUTION  
#2021-04; (continued from January 9, 2020)**

Sutter Creek FPD draft MSR including information from the Amador County Grand Jury and previously received comments. CEQA: Exempt, Public Resources Code Sections 21102 and 21150, descriptive and planning study for possible future action for which funding has not been committed.

**10. MID-YEAR BUDGET REPORT (2020-2021) AND DISCUSSION OF  
WORKPLAN PROGRESS**

**11. SCHEDULE OF MEETINGS FOR 2021**

**12. SELECTION OF COMMISSION OFFICERS FOR 2021, CHAIRMAN  
AND VICE- CHAIRMAN (no written materials)**

**13. SIGNATURE AUTHORITY**

**14. OTHER BUSINESS, REPORTS**

- a. Correspondence
- b. Commissioner Announcements
- c. Executive Officer's Report
- d. Project Status Report
- e. Budget Reports

**ADJOURNMENT**

Note: The next regular LAFCO meeting is scheduled for March 18, 2021.



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:  
FEBRUARY 19, 2021**

# AMADOR LAFCO



## LOCAL AGENCY FORMATION COMMISSION

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

### MINUTES

November 19, 2020

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

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

The November 19, 2020, meeting of the Amador Local Agency Formation Commission (LAFCO), held via video conference, was called to order by Vice Chairman Vinciguerra at 6:00 p.m.

2. **Roll Call**

Members Present:

Jim Vinciguerra, Vice Chairman  
Brian Oneto, County Member  
Dominic Atlan, City Member (arrived at 6:02 pm)  
David Groth, City Member Alternate  
Byron Damiani, Public Member Alternate (arrived at 6:05 pm)

Staff Present:

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

3. **Approval of Agenda for November 19, 2020**

**Motion:** It was moved by Commissioner Oneto, seconded by Commissioner Groth, and carried unanimously to approve the agenda as submitted. (3 yes, 0 no, 2 absent)

4. **Approval of the Minutes of July 16, 2020**

**Motion:** It was moved by Commissioner Groth, seconded by Commissioner Atlan, and carried unanimously to approve the Minutes for July 16, 2020, as submitted. (4 yes, 0 no, 1 absent)

5. **Approval of Claims to November 19, 2020**

**Motion:** It was moved by Commissioner Groth, 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. **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.*

After briefly describing the project, Executive Officer Chamberlain explained that this is a clean-up annexation due to LAFCO project #9 in 1968 having annexed a number of parcels along Jackson Gate Road into the city for sewer service, but only annexing half of many of those parcels. No one really knows why only half of each parcel was annexed in, but the current owners would like to have one parcel and to receive only one tax bill. It will also create a more beneficial boundary.

Ms. Chamberlain further explained that project #331 will be coming soon, and it will annex in more of these split parcels, as well as some islands. This annexation is being done now because it is straight-forward and doesn't require the more complicated mapping that project #331 will.

Yvonne Kimball, City Manager for Jackson, was in the audience and thanked Ms. Chamberlain for her work on this project and requested an explanation as to what the future annexations would entail, and whether they would be related to the White annexation. Ms. Chamberlain responded that they would be similar, but not related, and that the White annexation was being done separately so that Ms. White could have her parcel promptly annexed.

There was then some discussion among the Commissioners and Ms. Chamberlain as to the exact location of the White parcel.

**Motion:** It was moved by Commissioner Groth, seconded by Commissioner Oneto, and carried unanimously to approve Resolution #2020-06, with direction to staff to complete necessary documentation.

8. **Municipal Service Review for Willow Springs Water District; LAFCO Project #333; Resolution #2020-07**

Executive Officer Chamberlain stated that the Willow Springs Water District has been inactive since the late 1980s. The county Board of Supervisors had tried to dissolve it in 1979, but LAFCO had denied the dissolution as landowners hoped that the District would be able to obtain water. The District never was able to obtain additional water, and the Board has not met since the late 1980s.

The State Controller's Office will not put WSWD on its list of inactive districts eligible for stream-lined dissolution proceedings, however, because the District still has cash assets in an amount slightly over \$2,000 in the form of a check from the State of California (to which the District's bank account escheated due to inactivity) made out to WSWD, in care of John Applegate as former board secretary. As Mr. Applegate has no identification as a board member and the District no longer has a bank account, he has not been able to cash the check.

Ms. Chamberlain thought that it might be possible to run the check through LAFCO's account with the County as payment for dissolution fees for the District. She spoke with the County Auditor, who then spoke with the County Treasurer. His response was that the County cannot accept third-party checks. Ms. Chamberlain stated she would try to contact Wells Fargo, where

the District formerly had its account, but that the branch they used is now gone, and she does not hold out much hope of the bank allowing Mr. Applegate to open an account for Willow Springs merely for the purpose of cashing one check. Her next option would be to personally talk with the County Treasurer to see if an exception could be made due to the facts at hand, including that the check comes from the State of California.

In the meantime, Ms. Chamberlain prepared an updated MSR for the District so that an updated Sphere of Influence can be adopted affirming a zero sphere. This provides the documentation to support the Resolution in Agenda Item 10 declaring that dissolution proceedings should be initiated for the District. If the check can be cashed and the District's assets can be depleted through fees and costs to LAFCO, the District can then be added to the State Controller's list of districts to be dissolved, enabling use of the stream-lined process. If the cash assets cannot be depleted, the dissolution will have to be done through the normal process, which includes notice to landowners and a protest hearing, and, consequently, more cost. Ms. Chamberlain concluded by saying that this district is the last inactive district in the County.

Commissioner Oneto asked whether the District could just continue on, but Ms. Chamberlain replied that there is no longer any board and no hope of obtaining water, in addition to all the many requirements special districts are now required to meet, including ethics and Brown Act training, financial audits, etc. Commissioner Oneto agreed that it does then appear that there is no purpose to continuing WSWD as an active District.

**Motion:** It was moved by Commissioner Oneto, seconded by Commissioner Groth, and carried unanimously to approve Resolution #2020-07, adopting the Willow Springs Water District Municipal Service Review.

9. **Reaffirm Existing Zero Sphere of Influence for Willow Springs Water District; Resolution #2020-08.**

Executive Officer Chamberlain stated that the discussion on Agenda Item 9 covered this and the following resolutions as well.

**Motion:** It was moved by Commissioner Atlan, seconded by Commissioner Groth, and carried unanimously to approve Resolution #2020-08, reaffirming a zero sphere of influence for Willow Springs Water District.

10. **Resolution to Initiate Proceedings for the Dissolution of the Willow Springs Water District Under GC §56375; LAFCO Project #334; Resolution #2020-09.**

**Motion:** It was moved by Commissioner Groth, seconded by Commissioner Oneto, and carried unanimously to approve Resolution #2020-09, initiating proceedings for the dissolution of Willow Springs Water District.

11. **Report of Elections to the CALAFCO Board.**

Executive Officer Chamberlain reported that Daron McDaniel was elected to be the County Representative for the Central Region.

12. **Other Business, Reports**

- a. Correspondence – Executive Officer Chamberlain stated that a certificate of renewal for liability insurance had been received. In addition, she wrote a letter to the County Planning Department regarding a planned recreational park, advising the County that it was within the boundaries of the Jackson Valley Irrigation District so they need to be consulted with respect to the planned development.
- b. Commissioner Announcements – none.
- c. Executive Officers Report – none.
- d. Budget Reports – provided in the meeting packet.
- e. Project Status Report – provided in the meeting packet. Ms. Chamberlain added that she had just received fees for the annexation to Pine Grove CSD. Also, some of the projects that are waiting on maps have been delayed because the new County Surveyor only works parttime. She is expecting that the annexation to Drytown and the Jackson clean-up annexation should both be ready for the January meeting.
- f. Legislation; Omnibus bill item re inactive districts – Ms. Chamberlain reported that she had made a proposal to CALAFCO for the Omnibus bill, which has been accepted. She said there are many exemptions provided for dissolving inactive districts, but exemption from the need for an AB8 determination is not one of them. Therefore, her proposal is that inactive districts have an exemption from Revenue & Tax Code §§99 and 99.01 added to the list of other exemptions provided.

**13. Adjournment**

Executive Officer Chamberlain stated that it appears there will be no agenda items for the December meeting.

The next regular LAFCO meeting is therefore scheduled for January 21, 2020, unless otherwise noticed. Vice Chairman Vinciguerra adjourned the meeting at 6:39 p.m.

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Jim Vinciguerra, Presiding Officer  
LOCAL AGENCY FORMATION COMMISSION

ATTEST: \_\_\_\_\_  
Nancy Mees, Clerk to the Commission

# APPROVAL OF CLAIMS - PACKET DRAFT

AGENDA OF February 18, 2021

APPROVAL OF CLAIMS February 18, 2021

Agenda Item 5

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>INV.DATE</u>	<u>AMOUNT</u>
<b>R Chamberlain</b>	Consulting Services Labor	12/21/2020**	\$ 3,888.00
11/1/2020-12/18/2020	Expense Total, (mileage, PO Box, phone)	12/21/2020**	\$ 224.77
<b>N Mees</b>	Clerical & Admin Labor	12/21/2020**	\$ 342.00
11/17/2020-12/18/2020	Expense Total		\$ -
<b>Planning Dept.</b>	Copying Costs	12/21/2020**	\$ 193.95
<b>IT Department</b>	Share of Tech Matrix	12/31/2020**	\$ 95.81
<b>IT Department</b>	IT Support Services	12/31/2020**	\$ 23.76
<b>Surveying Dept.</b>	Map Printing	12/31/2020**	\$ 64.00
<b>R Chamberlain</b>	Consulting Services Labor	2/18/2021 estimated	\$ 6,030.00
12/20/2020-2/15/2021	Expense Total	2/18/2021 estimated	\$ 222.00
<b>N Mees</b>	Clerical & Admin Labor	2/18/2021 estimated	\$ 576.00
12/19/2020-2/16/2021	Expense Total, (mileage, PO Box, phone)		
<b>LAFCO Board</b>	Meeting Stipends (Maximum of 5 @ \$50.00)		\$ 250.00
<b>TOTAL</b>			<b>\$ 11,910.29</b>

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

CHAIR:

\_\_\_\_\_  
*Presiding Officer*

ATTEST:

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*Nancy Mees*  
CLERK TO THE COMMISSION



**Agenda Item #7**

**RESOLUTIONS OF APPRECIATION OUTGOING COMMISSIONERS: JON  
COLBURN & DAVID GROTH (RESOLUTIONS #2021-01 & 2021-02)**

# **AMADOR LAFCO**

## **LOCAL AGENCY FORMATION COMMISSION**

### **RESOLUTION OF APPRECIATION FOR JON COBURN AMADOR LAFCO COMMISSIONER AND CITIES REPRESENTATIVE**

#### **LAFCO RESOLUTION NO. 2021-01**

WHEREAS, Jon Colburn was appointed by the Mayor's Selection Committee several times to serve as either the cities' representative or as alternate commissioner to LAFCO during the many years he was a city council member for the City of Plymouth; and

WHEREAS, Commissioner Colburn actively participated in LAFCO meetings and on the committee for adopting policies for spheres of influence; and

WHEREAS, Commissioner Colburn oversaw the update of the City of Plymouth's sphere of influence and the adoption of spheres of influence for other cities and numerous special districts; and

WHEREAS, Commissioner Colburn assisted in development of policies for spheres of influence, and in LAFCO's efforts to preserve and protect agriculture through these policies,

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

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of the County of Amador on the 18<sup>th</sup> day of February, 2021, by unanimous vote of the Commission.

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Patrick Crew, Chairman  
Presiding Officer of LAFCO

ATTEST:

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Roseanne Chamberlain, Executive Officer

# **AMADOR LAFCO**

## **LOCAL AGENCY FORMATION COMMISSION**

### **RESOLUTION OF APPRECIATION FOR DAVID GROTH AMADOR LAFCO ALTERNATE COMMISSIONER AND CITIES REPRESENTATIVE**

#### **LAFCO RESOLUTION NO. 2021-02**

WHEREAS, David Groth was appointed by the Mayor's Selection Committee to serve as alternate commissioner and the cities' representative to LAFCO during 2020; and

WHEREAS, Alternate Commissioner Groth, due to restrictions related to the Covid-19 pandemic, never attended a single in-person commission meeting, but never missed a LAFCO meeting held electronically by Zoom during his tenure; and

WHEREAS, Alternate Commissioner Groth's virtual presence was instrumental in achieving a quorum for decision-making at some meetings and his participation was much appreciated,

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

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of the County of Amador on the 18<sup>th</sup> day of February, 2021, by unanimous vote of the Commission.

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Patrick Crew, Chairman  
Presiding Officer of LAFCO

ATTEST:

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Roseanne Chamberlain, Executive Officer

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## AGENDA ITEM # 8

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**TO:** ALL COMMISSIONERS, ALTERNATES  
**FROM:** ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER  
**SUBJECT:** EXECUTIVE OFFICER'S REPORT AND RECOMMENDATION  
CROSS ANNEXATION TO DRYTOWN COUNTY WATER DISTRICT (LAFCO PROJECT #332)  
**DATE:** MEETING OF FEBRUARY 18, 2021

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### **DESCRIPTION OF PROJECT**

This proposal for annexation to Drytown County Water District (CWD) of APN 008-140-02 and 008-042-039 is made by petition of the landowners Richard Cross, Wendi Cross, William Cross and Angelica Cross. The proposal consists of a concurrent minor sphere amendment and annexation only and 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.

### **LOCATION**

The area proposed for annexation is located off New Chicago Rd. in Drytown. It is adjacent and contiguous to the eastern boundary of Drytown CWD and also to property annexed to the District in 2018. Descriptive maps are attached.

### **PURPOSE**

The proposal would annex two parcels to the district for the purpose of providing potable water to one planned single-family residence on each parcel and a barn (total of two homes). The planned construction is consistent with zoning and land use on the property. Building permit #LD01040 was provided by the applicants.

### **BACKGROUND and LAND USE**

The proposal area includes two residential parcels created in 1968 and modified recently (recorded map of 1/23/20). The county land use designation is X Special Use. County planning staff indicate this designation is applied to lands formerly under Williamson Act contract. The property is not under Williamson Act Contract now. There are nearby parcels with Williamson Act designation and surrounding parcels are designated Ag General, and adjacent parcels are zoned Ag Exclusive and R1A. The landowners are entitled to construct a single family residences on each parcel and desire public water supply from Drytown CWD to serve the structures they will build.

The district provides service to adjacent parcels and is able to serve this property. Drytown CWD has adopted a resolution supporting the annexation.

Landowner-initiated annexations to any district require a preliminary hearing, i.e., a hearing prior to proceedings on the proposal itself to announce the proposed annexation and allow the district an opportunity to object to the annexation for service or financial reasons. This ensures that landowners do not receive approval from LAFCO to annex without the knowledge and agreement of the district. Government code section 56857e further provides that the requirement for the extra hearing is waived if the district has adopted a resolution supporting the proposal. Drytown CWD adopted such a resolution on November 5, 2020, and no preliminary hearing was required.

**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 condensed review is presented below for the commission’s consideration.

<b><i>FACTOR TO CONSIDER</i></b>	<b><i>POLICY/STATUTE CONSISTENCY</i></b>	<b><i>COMMENT</i></b>
<i>1. NEED FOR SERVICES, FUTURE NEEDS</i>	Consistent	Water supply for two homes, consistent with entitlements.
<i>2. ABILITY TO SERVE, TIMING, CONDITIONS</i>	Consistent	Drytown CWD and AWA confirm ability to serve.
<i>3. WATER SUPPLY</i>	Consistent	Drytown CWD capacity is adequate and is confirmed by AWA.
<i>4. SERVICE ALTERNATIVES</i>	Consistent	Drytown CWD water line crosses the property at Chicago Rd. Private wells are theoretically possible, but unlikely to be adequate.
<i>5. SERVICE IMPACTS</i>	Consistent	No negative impacts noted.
<i>6. COORDINATION OF APPLICATIONS</i>	Consistent	N/A; district annexation only for a single service.
<i>7. COST/ADEQUACY OF SERVICES, FACILITIES</i>	Consistent	Distribution infrastructure in place; system connection only.
<i>8. EFFECT IN AREA AND ADJACENT AREAS</i>	Consistent	No changes anticipated; no significant effects noted.

<i>9. ALTERNATIVES, COST &amp; ADEQUACY</i>	Consistent	Private well may not be feasible; rates/assessments appear adequate based on MSR findings and district history.
<i>10. SUFFICIENCY OF REVENUES, A.V.</i>	Consistent	Assessment/rates revenues appear sufficient; No property tax shift.
<i>11. "BEST INTEREST"</i>	Consistent	Appears to be the most logical service option.
<i>12. BOUNDARIES: LOGICAL, CONTIGUOUS</i>	Consistent	Follows new parcel lines; is contiguous on two sides.
<i>13. TOPOGRAPHY</i>	Consistent	No significant topographic features, rolling terrain, hillside parcels noted.
<i>14. SPHERES OF INFLUENCE</i>	Consistent	Concurrent minor SOI amendment proposed.
<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; "will serve" letters rec'd from Drytown CWD.
<i>19. FAIR SHARE OF REGIONAL HOUSING</i>	Consistent	No change or effect anticipated.
<i>20. LAND USE, ZONING DESIGNATIONS</i>	Consistent	X Special Use, AG general, allowed use, Building Permit #LD01040.
<i>21. POPULATION</i>	Consistent	Future growth consistent with entitlements and zoning.
<i>22. CONSISTENCY WITH GENERAL PLANS, SPECIFIC PLANS, ZONING</i>	Consistent	No change anticipated; one home to be constructed.
<i>23. AGRICULTURE LANDS AND OPEN SPACE LANDS</i>	Consistent	No change; no adjacent agricultural uses; no effect on agriculture.
<i>24. ENVIRONMENTAL JUSTICE</i>	Consistent	No effect noted; no change.

## **DETERMINATIONS**

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

1. The subject territory is “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. Amendment to the Sphere of Influence of the Drytown County Water District is appropriate concurrent with the proposed annexation and the property is contiguous to the existing district boundary. The annexation will provide a logical boundary for Drytown County Water District.
3. The boundaries are definite and certain and conform to lines of ownership and parcel lines.
4. 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.
5. 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.
6. The annexation is found to be exempt under Section 15319(b), annexation of lots containing existing facilities and lots for exempt facilities.

## **RECOMMENDATIONS**

Staff recommends that the Commission take the following actions:

1. Adopt Resolution #2021-03, making determinations, adding conditions and approving the Cross Annexation to Drytown County Water District (LAFCO Project #332).
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.
3. Waive the Conducting Authority proceedings in compliance with Resolution #2021-03, 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:

Resolution 2021-03  
Exhibit A – Descriptive Map (final map to follow approval)  
Exhibit B – Conditions of Approval  
Notice of Exemption

# **AMADOR LAFCO**

## **LOCAL AGENCY FORMATION COMMISSION**

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### **LAFCO RESOLUTION NO. 2021-03**

#### **RESOLUTION MAKING DETERMINATIONS AND APPROVING THE CROSS ANNEXATION TO DRYTOWN COUNTY WATER DISTRICT (LAFCO Project #332)**

***WHEREAS***, a petition making application for the proposed annexation 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; and

***WHEREAS***, the Executive Officer has examined the petition, certified the signatures as adequate, 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 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 owning 100% of the land 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

***WHEREAS***, the Commission has received, heard, discussed and considered all oral and written information related to the proposal, including but not limited to, comments and objections, the Executive Officer's report and recommendation, the environmental review, the Municipal Service Review of 2018 for Drytown County Water District, plans for providing service, spheres of influence and applicable General and development plans; and

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

1. The subject territory is "uninhabited" per Government Code §56046. Application for this annexation is made subject to Government Code §56650 et.seq., by petition of landowners.
2. All landowners (100%) have consented to the annexation.
3. The boundaries of the annexation are definite and certain and conform to lines of ownership and parcel lines.



4. The sphere of influence of the Drytown County Water District as adopted January 17th, 2018, is hereby amended concurrently with annexation.
5. The annexation will provide a more logical and orderly boundary for Drytown County Water District and is in the best interests of the district and the public.
6. 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 have no effect on the cities' or the county in achieving their respective fair shares of the regional housing needs.

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

1. The annexation 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 lot entitled for construction.
2. The sphere of influence of the Drytown County Water District and the Cross annexation to the Drytown County Water District (LAFCO Project #332) is approved, subject to the conditions listed below and attached as Exhibits "B" to this resolution.
3. Said territory is annexed, 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 total approximately 60.61 +/- acres and is found to be uninhabited, and the territory is assigned the following short form designation:

Cross Annexation to Drytown County Water District  
(LAFCO Project #332)

5. The following changes of organization or reorganization are approved:  
Annexation to Drytown County Water District
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 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 18<sup>th</sup> day of February 2021, by the following vote:

AYES:

NOES:

ABSENT:

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Presiding Officer  
Patrick Crew, Chairman

ATTEST:

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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

# RECORD OF SURVEY BOUNDARY LINE ADJUSTMENT

for  
**WILLIAM STEWART NEELY, JR. and JENNY NEELY**  
2019-0007930

BEING A PORTION OF THE NE AND SE 1/4 SECTION 23 AND THE NE 1/4 SECTION 26  
T. 7 N., R. 10 E., M. 0 D., CALIFORNIA  
COUNTY OF AMADOR, STATE OF CALIFORNIA.



### SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN COMPLIANCE WITH THE PROVISIONS OF THE PROFESSIONAL LAND SURVEYORS ACT AT THE REQUEST OF WILLIAM NEELY IN OCTOBER OF 2019.  
DATE: January 21, 2020

*Geo L. Toma*  
GEO. L. TOMA  
P.L.S. 3570  
MY LICENSE EXPIRES 6-30-2020



### COUNTY SURVEYOR'S STATEMENT

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE PROFESSIONAL LAND SURVEYORS ACT THIS 23 DAY OF JANUARY, 2020.



*George E. Allen*  
GEO. E. ALLEN  
P.L.S. 4981  
MY LICENSE EXPIRES 12-31-2021

### COMPLIANCE CERTIFICATE

THIS BOUNDARY LINE ADJUSTMENT IS IN COMPLIANCE WITH THE PROVISIONS OF THE SUBDIVISION MAP ACT, DIVISION 2 OF TITLE 7 OF THE GOVERNMENT CODE, AND ANY APPLICABLE ORDINANCE ENACTED PURSUANT THERETO.  
THIS ADJUSTMENT MUST BE COMPLETED IN ALL ASPECTS BY THE 18th DAY OF JANUARY, 2021. THE EXCHANGE OF DEEDS OR COMPLIANCE CERTIFICATES MUST BE RECORDED BEFORE THE ABOVE DATE PER ORDINANCE NO. 1445, CHAPTER 17.89 OF THE AMADOR COUNTY CODE.  
DATE: 1-23-20



*George E. Allen*  
GEO. E. ALLEN  
P.L.S. 4981  
MY LICENSE EXPIRES 12-31-2021

### RECORDERS STATEMENT

FILED THIS 23rd DAY OF JANUARY, 2020, AT 1:36 P.M.  
IN BOOK 66 OF MAPS AND PLATS AT PAGE 56 AT THE REQUEST OF  
THE AMADOR COUNTY SURVEYOR.  
FEE: \$ 152 paid

INSTRUMENT NO.: 2020-0000564

*Kimberly L. Gray*  
KIMBERLY L. GRAY  
DEPUTY  
AMADOR COUNTY RECORDER

\*New Recording 2021/2022  
APN: 008-140-042-000  
Original APN: 008-140-037-000

Scale: 1" = 400'

January, 2020

### NOTES and LEGEND

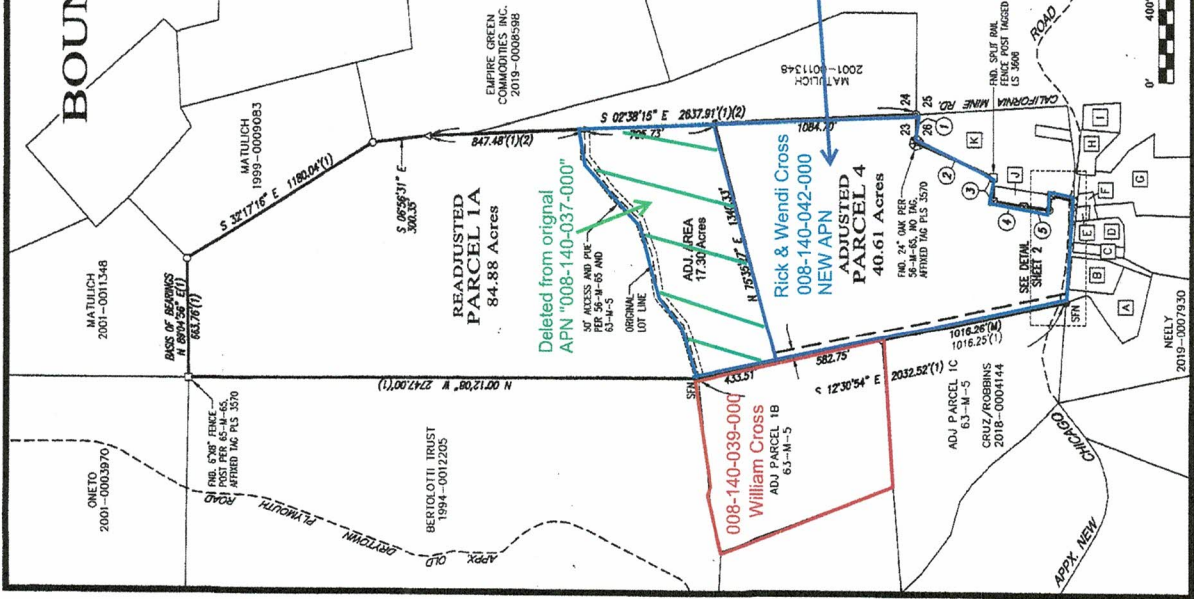
- DENOTES 3/4" REBAR WITH PLASTIC CAP STAMPED PLS 3570 SET ON THIS SURVEY
- DENOTES FOUND FENCE ANGLE POST AS NOTED ON PLAT
- DENOTES FOUND 5/8" STEEL ROD TAGGED LS 4658 PER 56-M-65 ON THIS SURVEY
- DENOTES FOUND 3/4" IRON PIPE, NO TAG, IN RECORD LOCATION PER 56-M-85, AFFIXED TAG PLS 3570
- DENOTES A CALCULATED POINT ONLY, NOTHING FOUND OR SET
- DENOTES FOUND 5/8" REBAR TAGGED LS 7386 PER 63-M-5
- DENOTES FOUND 3/4" IRON PIPE TAGGED LS 3606 PER 56-M-65
- DENOTES FOUND 5/8" STEEL ROD, NO TAG, IN RECORD LOCATION PER 56-M-85, AFFIXED TAG PLS 3570
- DENOTES FOUND FENCE ANGLE POST, NO TAG, AFFIXED TAG PLS 3570
- (1) DENOTES RECORD DATA PER 63-M-5
- (2) DENOTES RECORD DATA PER 56-M-65
- (M) DENOTES MEASURED
- SPN DENOTES SEARCHED FOUND NOTHING
- CL DENOTES CENTERLINE OR DISTANCE TO CENTERLINE
- PUE DENOTES PUBLIC UTILITY EASEMENT

BASIS OF BEARINGS IS REFERRED TO THE NORTH LINE OF "ADJUSTED PARCEL 1A" AS SHOWN ON 63-M-5, THE BEARING OF WHICH IS N 89°04'56" E.

### NEW RECORDING 2021/2022

DATA TABLE		
1	S 89°20'07" W	146.127(0)
2	S 89°14'44" W	146.317(2)
3	S 89°19'22" W	484.627(0)
4	S 89°14'38" W	122.877(0)
5	S 89°20'07" W	126.917(2)
6	S 89°20'07" W	146.887(2)
7	S 89°14'10" W	146.987(2)
8	S 89°20'07" W	126.887(0)
9	S 89°20'07" W	126.887(0)

ADJACENT OWNER TABLE		
A	SANTINELLI	2004-0002150
B	SANTINELLI	2005-0002738
C	SANTINELLI	2005-0002738
D	FANCHER	2003-0002745
E	FANCHER	2003-0002745
F	FANCHER	2003-0002745
G	FANCHER	2008-0003571
H	PINOTTI TRUST	1994-0009589
I	PINOTTI TRUST	1994-0009589
J	MOORE	435-OR-58
K	MOORE	362-OR-390



NEELY 2019-0007930

# **AMADOR LAFCO**

## **LOCAL AGENCY FORMATION COMMISSION**

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### **EXHIBIT B TO LAFCO RESOLUTION NO. 2021-03 CONDITIONS OF APPROVAL Cross Annexation to Drytown County Water District (LAFCO Project #332)**

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 Drytown County Water District.
  - b) Shall have the same rights and duties as if the affected territory has been a part of the district 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 district, 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.

**AMADOR LAFCO**  
LOCAL AGENCY FORMATION COMMISSION

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**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:** Cross Annexation to Drytown County Water District with concurrent minor amendment of the district sphere of influence

**Applicant:** Landowners Richard, Wendi, William and Angelica Cross

**Project Location - Specific:** adjacent to Chicago Road, Drytown, CA, 95699

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

**Description of Project:** Annexation of two single family residential parcels for water service connections to allow construction of a single family home on each parcel, as entitled by zoning and land use designations.

**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 existing facilities and lots for exempt facilities, no possibility of negative effect on the environment

**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: 2-18-21 Title: Executive Officer

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

POSTED ON: