

# AMADOR LAFCO



## LOCAL AGENCY FORMATION COMMISSION

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

**APPROVED**

### 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.



Pat Crew, Presiding Officer  
LOCAL AGENCY FORMATION COMMISSION

ATTEST: Nancy Mees  
Nancy Mees, Clerk to the Commission