

****AGENDA****

AMADOR LOCAL AGENCY FORMATION COMMISSION

**6:00 P.M. – THURSDAY APRIL 15, 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/85764699970?pwd=bGk1Q1RITWg3d0pJZFbwQlIKKzF6dz09>

You may also call in by telephone using the following number: 1-669-900-6833. The meeting ID # is 857 6469 9970 and the passcode is 863023.

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 April 15 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 APRIL 15, 2021**
- 4. APPROVAL OF THE MINUTES OF FEBRUARY 18, 2021**
- 5. APPROVAL OF CLAIMS TO APRIL 15, 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. JACKSON CITY ISLANDS CLEAN UP REORGANIZATION, LAFCO PROJECT #331, RESOLUTION #2021-05 (public hearing)**

Annexation of 5 small unincorporated areas/portions of parcels totaling less than 3.67 acres, to eliminate unincorporated islands within city. Includes detachment from Amador Resource Conservation District, Amador Fire Protection District

and County Service Areas 5 & 6; CEQA exempt Section 15319(b), annexation of existing facilities and lots for exempt facilities, no change anticipated in services or service demand and no possibility that the project could have a negative effect on the environment.

8. ADOPTION OF A SPHERE OF INFLUENCE FOR SUTTER CREEK FIRE PROTECTION DISTRICT; LAFCO PROJECT #323; RESOLUTION #2021-06 (public hearing)

The commission will consider adoption of a coterminous sphere of influence for the district. CEQA exempt Section 15061(b)(3) of the Public Resources Code, no change anticipated in services or service demand and no possibility that the project could have a negative effect on the environment.

9. ADOPTION OF PROPOSED BUDGET FOR FISCAL YEAR 2021-22 (public hearing)

The Commission will consider the staff draft proposed budget and alternatives, make any desired changes, give direction to staff, and set the hearing for adoption of the final budget for May 20, 2021.

10. OTHER BUSINESS, REPORTS

- a. Correspondence
- b. Commissioner Announcements
- c. Executive Officer's Report
- d. Project Status Report
- e. Legislation Report, request support CALAFCO omnibus Bill (AB1581)

ADJOURNMENTS

Note: The next regular LAFCO meeting is scheduled for May 20, 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:
April 16, 2021**

AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

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



DRAFT

MINUTES

February 18, 2021

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

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

The February 18, 2021, meeting of the Amador Local Agency Formation Commission (LAFCO), held via video conference, was called to order by Chairman Crew at 6:01 p.m.

2. **Roll Call**

Members Present:

Pat Crew, Chairman
Jim Vinciguerra, Vice Chairman
Brian Oneto, County Member (arrived at 6:40 p.m.)
Dominic Atlan, City Member
Bob Stimpson, City Member
Russel Robinson, City Member Alternate

Staff Present:

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

3. **Approval of Agenda for February 18, 2021**

Motion: It was moved by Commissioner Atlan, seconded by Commissioner Vinciguerra, and carried unanimously to approve the agenda as submitted. (4 yes, 0 no, 1 absent)

4. **Approval of the Minutes of November 19, 2020**

Motion: It was moved by Commissioner Vinciguerra, seconded by Commissioner Atlan, and carried unanimously to approve the Minutes for November 19, 2020, as submitted. (4 yes, 0 no, 1 absent)

5. **Approval of Claims to February 18, 2021**

Motion: It was moved by Commissioner Vinciguerra, seconded by Commissioner Stimpson, and carried unanimously to approve the Approval of Claims – Meeting Final, as submitted. (4 yes, 0 no, 1 absent)

6. **Public Forum – Public Comment**

There was no public comment.

7. **Resolutions of Appreciation, Outgoing Commissioners: Jon Collburn & David Groth (Resolutions #2021-01 & #2021-02.**

Commissioner Vinciguerra stated that it would be more proper to present the resolutions to the outgoing Commissioners at the next in-person LAFCO meeting rather than mailing the resolutions to them. Chair Crew agreed, stating that prior to the meeting he had also requested the formal presentation of the resolutions be held at an in-person meeting.

Motion: It was moved by Commissioner Vinciguerra, seconded by Commissioner Stimpson, and carried unanimously to approve Resolutions #2021-01 and #2021-02, as presented, with direction to invite the outgoing Commissioners to the next in-person meeting to formally present the resolutions. (4 yes, 0 no, 1 absent)

8. **Cross Annexation to Drytown County Water District; LAFCO Project #332, Resolution #2021-03.**

Concurrent minor sphere amendment and annexation of APN 008-140-042 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.

Executive Officer Chamberlain stated that Exhibit B, the formal technical map, will be completed at a later date, and pointed out that there had been a typo in one of the parcel numbers on the agenda, and that it should be #008-140-042, not -02.

Ms. Chamberlain explained that one parcel is owned by Richard and Wendi Cross, and the other by William and Angelica Cross, with the planned construction of two residences and a barn consistent with zoning and land use, and the owners wish to annex to Drytown County Water District (DCWD) for water service. DCWD has approved the annexation. A previous annexation to DCWD (the Cruz-Robbins annexation) allowed the construction of a water line, which will also be used for this annexation. Since there is 100% owner approval for this annexation, it is exempt from the requirement of holding a Conducting Authority Proceeding. There will also be a minor sphere amendment related to the annexation.

Richard Cross, who was in attendance, reported that they had just discovered an existing water connection on the property and wanted to know if they could use that without having to annex. Ms. Chamberlain responded that DCWD is not legally allowed to sell water outside its boundaries, so the annexation would still be required. She added that often historic connections are in place that were illegally run outside of a district's boundaries, and although the annexation still had to occur, they might be able to use that connection if approved by DCWD, which could save them some money.

Motion: It was moved by Commissioner Atlan, seconded by Commissioner Stimpson, and carried unanimously to approve Resolution #2021-03, approving the cross annexation to Drytown County Water District. (4 yes, 0 no, 1 absent)

Ms. Chamberlain then added that there are still some additional steps to be completed on the final map and that she will work with the Crosses on it. Wendi Cross, who was in attendance, stated that the first draft of the map had just been completed, and Ms. Chamberlain told the Crosses to send it to the county surveyor for review.

9. **Final Municipal Service Review for Sutter Creek Fire Protection District; LAFCO Project #322, Resolution #2021-04 (continued from January 9, 2020).**

Executive Officer Chamberlain explained that this MSR has taken longer to complete than expected due to the Grand Jury having had to delay their final report due to Covid restrictions. Some of the Grand Jury findings have been incorporated into the MSR, but none of them changed the MSR significantly from the draft version of last year. Ms. Chamberlain added that, in the last determination listed in both the MSR and the Resolution, it should say AFPA, not AFPD. She also added that comments from Cal Fire and AFPD had been incorporated into the current version of the MSR.

Sutter Creek Fire Protection District (SCFPD) Fire Chief Dominic Marino, who was in attendance, thanked Ms. Chamberlain for her work on the MSR, then proceeded with several comments. In the Finding related to a capital improvement plan and replacement of vehicles, he stated that the policy of SCFPD is to constantly be on the lookout for reasonably priced used equipment, and to upgrade their vehicles when something appropriate is found. They pay cash, thus avoiding debt. Ms. Chamberlain stated she would add a sentence to the finding reflecting his comment, and then send it to Chief Marino to review.

In the Finding regarding consolidations, Chief Marino commented that, in his experience, attempted consolidations have never worked. In the next finding on page 15, he stated that the name "Station #141" is still used as each fire district has a Station #1, and therefore, calling it Station #1 might be confusing. In the next Finding, he requested that the words "opted out of that system" be removed.

Turning to the body of the MSR, Chief Marino reported that the Governing Body table was correct in stating that there is a vacancy on the board due to a death, and that the District is in the process of finding a replacement. In the section on staffing, he commented that during the Covid restrictions, the District has actually had an increase in volunteer firefighters, and that, with respect to its financial status, the District has been able to remain in the black through two economic crashes as well as the Covid downturn. Under Dispatch and Communications, he requested that the paragraph regarding alternative dispatch options be removed.

Cindy Grand Bois, a member of the public in attendance, asked about the statement in the Governing Body table that board members are elected at large, because it appears to her that the District is interviewing for a new board member. Chief Marino responded that the Board of Supervisors appoints board members. Ms. Chamberlain clarified by explaining that board members for Special Districts are elected, but when there is a vacancy on the board, the board can suggest a replacement, and if the position is not being contested, the Board of Supervisors can appoint that person for the remainder of the term. If, however, there is more than one applicant, there must be an election at large.

Ms. Bois then asked, since the MSR states that ethics training would be completed in 2020, had that occurred, and, if so, should that paragraph be removed. Chief Marino replied that both sexual harassment and ethics training, which has more than one part, is still underway.

There was a brief discussion of the question of SCFPD's need to provide service outside its boundaries both now and in the future.

Motion: It was moved by Commissioner Vinciguerra, seconded by Commissioner Oneto, and carried unanimously to approve Resolution #2021-04, adopting the Sutter Creek Fire Protection

District MSR with the edits discussed. (5 yes, 0 no, 0 absent)

10. **Mid-Year Budget Report (2020-2021) and Discussion of Workplan Progress.**

Executive Officer Chamberlain stated that Clerk Mees had prepared the report, and that staff is aggressively pursuing cost savings this fiscal year in an effort to increase the remaining fund balance at the end of the year which will carry over to next year. Commissioner Oneto commented that it appears LAFCO is well under budget, and Chair Crew added that staff should keep up the good work.

11. **Schedule of Meetings For 2021.**

Executive Officer Chamberlain recommended that LAFCO continue with the time and day of meetings as in past years unless it becomes a problem for Alternate City Member Robinson, who attends Amador City Council meetings on the third Thursday at 7:00 p.m. She added that the April and May meetings will be mandatory in order to meet our legislated budget deadline dates. The consensus of the Commission was to continue the meetings as scheduled in the packet.

12. **Selection of Commission Officers for 2021, Chairman and Vice-Chairman.**

Motion: It was moved by Commissioner Atlan, seconded by Commissioner Oneto, and carried unanimously to elect Chairman Crew to another term as Chairman and Vice-Chairman Vinciguerra to another term as Vice-Chairman. (5 yes, 0 no, 0 absent)

13. **Signature Authority.**

By consensus, the Commission re-affirmed Commissioner Oneto as the third backup signature authority.

14. **Other Business, Reports**

- a. Correspondence – none.
- b. Commissioner Announcements – Chairman Crew welcomed the two new Commissioners.
- c. Executive Officers Report – Executive Officer Chamberlain reported that she has been very busy. (1) She attended the Amador Water Agency’s Master Plan meetings and met with the new GM. Their board has reached a consensus regarding their sphere of influence. (2) She also attended the Fire Chiefs’ meeting in January. (3) In addition, she is currently working with the Board of Supervisors office and the City Manager of Jackson to resolve the handling of the AB8 process. (4) She made a presentation to the Jackson Rotary on LAFCO as an aid to public relations. (5) She also provided assistance to the City Selection Committee. (6) Maps of all the city boundaries and their annexation histories have been posted on the LAFCO website. (7) Both the CALAFCO Staff Workshop and Annual Conference have been cancelled and Zoom sessions will be held instead. (8) Ms. Chamberlain has not been able to make any progress on what to do with the small amount of money being held by Willow Springs Water District. (9) She had training sessions with both new Commissioners. (10) Coming up will be work on the Amador Fire Protection District MSR and SOI, as well as the Amador Water Agency SOI. Staff will also work on updating the “backbone” chapter relating to fire services that will accompany their MSRs. Finally, Ms. Chamberlain has been unable to

get any response from Volcano CSD, so LAFCO may be forced to complete that MSR without their assistance and report them as noncompliant and out-of-date.

- d. Project Status Report – Executive Officer Chamberlain stated that she will provide the update at the next meeting.
- e. Monthly Budget Reports – provided in the meeting packet.

15. **Adjournment**

The next regular LAFCO meeting is scheduled for March 18, 2021, unless cancelled. Chairman Crew adjourned the meeting at 7:03 p.m.

Pat Crew, Presiding Officer
LOCAL AGENCY FORMATION COMMISSION

ATTEST: _____
Nancy Mees, Clerk to the Commission

APPROVAL OF CLAIMS - PACKET DRAFT

AGENDA OF April 15, 2021

APPROVAL OF CLAIMS April 15, 2021

Agenda Item 5

| <u>VENDOR</u> | <u>DESCRIPTION</u> | <u>INV.DATE</u> | <u>AMOUNT</u> |
|---|---|---------------------|--------------------|
| R Chamberlain 2/18/2021-4/12/2021 | Consulting Services Labor | 4/15/2021 estimated | \$ 4,200.00 |
| | Expense Total, (mileage, PO Box, phone) | 4/15/2021 estimated | \$ 350.00 |
| N Mees 2/18/2021-4/12/2021 | Clerical & Admin Labor | 4/15/2021 estimated | \$ 810.00 |
| | Expense Total | | \$ - |
| Amador Ledger | Public Notice for 4/15/21 hearing | 3/26/2021 | \$ 193.95 |
| LAFCO Board | Meeting Stipends (Maximum of 5 @ \$50.00) | | \$ 250.00 |
| | TOTAL | | \$ 5,803.95 |

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

CHAIR:

Presiding Officer

ATTEST:

Nancy Mees
CLERK TO THE COMMISSION

Legislation Report – Abbreviated and Condensed
Agenda of April 15, 2021
Source: CALAFCO Website - April 6, 2021

- SB 273** (**Hertzberg D**) **Water quality: municipal wastewater agencies.**
Position: Support
CALAFCO Comments: This bill is a redo of SB 1052 from 2020 that was not moved forward because of the pandemic. This bill adds authority to municipal wastewater agencies as outlined in 13911(a) and (b) relating to stormwater runoff and management. The bill authorizes this additional authority while keeping the LAFCo process to activate these latent powers intact.
- SB 274** (**Wieckowski D**) **Local government meetings: agenda and documents.**
Position: Support
Subject: Public Records Act
CALAFCO Comments: This bill is a modified redo of SB 931 from 2020 that did not move forward because of the pandemic. This bill updates the Government Code to require a public agency to email the agenda or agenda items to anyone who requests it or the link to the website where the documents can be accessed (current law requires the mailing of such documents upon request, this bill adds the option to email if requested).
- AB 339** (**Lee D**) **State and local government: open meetings.**
Position: Watch
CALAFCO Comments: This bill allows for continued remote participants in local (and state) hearings/meetings, adding requirements for both call-in and internet service based options for all public meetings; requires providing closed caption services and requires agencies to provide language access services. The bill requires the agenda and instructions be translated into all languages for which 5% of the population is a speaker; adds requirements to employ qualified bilingual people for translation during the meeting in the language of the non-English speaking persons.
- AB 361** (**Rivas, Robert D**) **Open meetings: local agencies: teleconferences.**
Position: Watch
CALAFCO Comments: Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that certain requirements are met (noticing, public access, etc.). Allows a local agency to conduct meetings using teleconference when health officials recommend social distancing, and during a declared local emergency; rescinds the requirement that a quorum of the body must meet within the jurisdictional boundaries of the agency.
The CA Special Districts Association (CSDA) sponsors this bill. According to CSDA, amendments are pending that will: address concerns of access, prohibiting local agencies from requiring that public comments be submitted in advance, adding a 30-day sunset provision, technological disruptions, limiting the applicability to local emergencies proclaimed by counties.
- AB 1581** (**Committee on Local Government**) **Local government: omnibus.**
Position: Sponsor
Subject: CKH General Procedures
CALAFCO Comments: This is the annual ALGC Omnibus bill which CALAFCO sponsors. Sections amended are: 56133(a) and (f); 56325.1 (renumbered to 56331.4); 56427; and 56879(a).

Several other non-substantive amendments to CKH are pending and the bill will be amended to reflect those upon completion of the full stakeholder review process.

AB 1295 (Muratsuchi D) Residential development agreements: very high fire risk areas.

Position: Watch

CALAFCO Comments: This bill prohibits a city or county from entering into a residential development agreement for property located within a very high fire risk area as of 1-1-2022.

This bill appears similar to SB 55 (Stern); SB 55 addresses new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone

SB 55 (Stern D) Very high fire hazard severity zone: state responsibility area: development prohibition: supplemental height and density bonuses.

Position: Watch

CALAFCO Comments: This bill prohibits the creation or approval of a new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone or a state responsibility area. The bill is author-sponsored and imposes unfunded mandates. A fact sheet is posted in the tracking section of the bill.

AB 473 (Chau D) California Public Records Act.

Position: Watch

CALAFCO Comments: This bill is a redo of AB 2138 from 2020 that did not move forward. According to the author's office, this bill and AB 474 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that.

AB 975 (Rivas, Luz D) Political Reform Act of 1974: statement of economic interests and gifts.

Position: Watch

CALAFCO Comments: As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days after the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

AB 1053 (Gabriel D) City selection committees: quorum: teleconferencing.

Position: Oppose unless amended

CALAFCO Comments: Reduces the quorum requirement for a city selection committee to 1/3 of all member cities within the county for a meeting that was postponed because a quorum was not present. The bill also authorizes a city selection committee to conduct their meetings be teleconference and electronic means.

CALAFCO opposes this one-size-fits-all solution which does not work well for smaller counties in which there are fewer cities. For example, Amador and Butte Counties each have five cities, and with the current language, would only take two cities present to make the decision.

SB 574 (Laird D) Agricultural preserves: Williamson Act.

Position: Watch

CALAFCO Comments: This bill narrows the role of Department of Conservation (DOC) in administering the Williamson Act. by lessening reporting requirements by local

governments to the DOC; repeals the ability of the DOC to agree on a cancellation value for contracted land with a landowner, repeals and narrows reporting requirements by requiring the DOC to post all local government reports on Williamson Act lands/contracts on its website; repeals certain reporting requirements by local governments (cities and counties) to the DOC regarding Williamson Act contracts.

SB 813 (Committee on Governance and Finance) **Controller: local government financial reports.**

Position: Watch

CALAFCO Comments: This is the annual Senate Governance & Finance Committee Omnibus bill.

March 18, 2021

Honorable Cecilia Aguiar-Curry, Chair
Assembly Local Government Committee
California State Assembly
State Capitol, Room 5144
Sacramento, CA 95814

RE: SUPPORT of AB 1581: Local Government Committee Omnibus Bill

Dear Chair Aguiar-Curry:

The California Association of Local Agency Formation Commissions (CALAFCO) is pleased to sponsor and support the Assembly Local Government Committee Bill **AB 1581** which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

This annual bill includes technical changes to the Act which governs the work of Local Agency Formation Commissions. These changes are necessary as Commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. **AB 1581** currently makes minor technical corrections to language used in the Act. CALAFCO is grateful to your Committee and staff, and the members of our Legislative Committee, all of whom worked diligently on this language to ensure there are no substantive changes while creating a significant increase in the clarity of the Act for all stakeholders.

This legislation helps insure the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state. We appreciate your Committee's authorship and support of this bill, and your support of the mission of Local Agency Formation Commissions. As always, I am happy to provide any additional information needed.

Yours sincerely,



Pamela Miller
Executive Director

cc: Members, Assembly Local Government Committee
Jimmy MacDonald, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus

2021 Omnibus Bill Items Tracking Log

| Item No. | Person Responsible | Section/Change | Actions | Due Date | Status |
|----------|----------------------|--|--|----------|---|
| 2 | Kai Luoma | \$56133(a) (amend) adding "...of the county in which the affected territory is located." and \$56133(f) (delete). | Part of Omnibus Bill published March 9, 2021 | | Added to the 2021 Omnibus Bill (Assembly Bill No. 1581) |
| 3 | Paul Novak | \$56325.1(amend) removing independent judgement language; 56331.4 (new) adding independent judgement language. | Part of Omnibus Bill published March 9, 2021 | | Added to the 2021 Omnibus Bill (Assembly Bill No. 1581) |
| 6 | Keene Simonds | \$56427 (amend) replace "...revise spheres..." with "...update spheres..." | Part of Omnibus Bill published March 9, 2021 | | Added to the 2021 Omnibus Bill (Assembly Bill No. 1581) |
| 10 | Roseanne Chamberlain | \$56879(c)(4) (new) adding language to remove the property tax transfer process (R & T Section 99 and 99.01) when dissolving inactive districts. | Part of Omnibus Bill published March 9, 2021 | | Added to the 2021 Omnibus Bill (Assembly Bill No. 1581) |