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

### AMADOR LOCAL AGENCY FORMATION COMMISSION

#### 5:30 P.M. – THURSDAY NOVEMBER 18, 2021 810 COURT STREET, JACKSON BOARD OF SUPERVISORS CHAMBERS

Please Note: All LAFCO meetings are recorded.

The Amador Local Agency Formation Commission will hold this meeting both by teleconference and in person at the address above.

The public may participate via the following link on any computer, tablet, or phone: <a href="https://us02web.zoom.us/j/5375128983">https://us02web.zoom.us/j/5375128983</a>

You may also call in by telephone using the following number: 1-669-900-6833. The meeting ID # is 537 512 8983.

The Chairman will, at certain times, invite the public to comment. Public comment will also be accepted by email at <a href="mailto:nmees.lafco@gmail.com">nmees.lafco@gmail.com</a>. All emails must be received by 5:00 P.M. ON November 17<sup>th</sup>, 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 <a href="https://www.amadorgov.org/government/lafco/lafco-meetings-minutes-agendas">https://www.amadorgov.org/government/lafco/lafco-meetings-minutes-agendas</a>.

- 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
- 2. ROLL CALL
- 3. APPROVAL OF AGENDA FOR NOVEMBER 18, 2021
- 4. APPROVAL OF THE MINUTES OF OCTOBER 28, 2021
- 5. APPROVAL OF CLAIMS TO NOVEMBER 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. ADOPTION OF A SPHERE OF INFLUENCE FOR AMADOR FIRE PROTECTION DISTRICT, LAFCO PROJECT #338, (LAFCO RESOLUTION #2021-10); Public Hearing Continued from September 16, 2021 & October 28, 2021

The staff-recommended sphere of influence includes most of the unincorporated area of Amador county, excluding the boundaries of the Sutter Creek FPD, the Jackson Valley FPD, Kirkwood Meadows PUD and the Lockwood FPD sphere of influence area. The spheres of influence of the incorporated cities of Ione, Plymouth & Jackson are excluded. CEQA exempt pursuant to CEQA Guidelines Section 15061(b)(3); no possibility that the action taken by the Commission may have a significant effect on the environment; no change in services planned or provided.

### 8. REPORT AND DISCUSSION: FINANCIAL ANALYSIS OF FIRE PROTECTION SERVICES (LAFCO PROJECT #339)

The commission will receive the written fiscal report and analysis of funding of fire protection services and a report from the consultant, Beverly Burr. Direction may be given to staff.

#### 9. OTHER BUSINESS, REPORTS

- a. Commissioner Announcements
- b. Correspondence
- c. Executive Officer's Report
- d. Legislation Update

## 10. CLOSED SESSION: PERSONNEL MATTERS (SECTION 54957(b) (1) REVIEW AND POSSIBLE SELECTION OF CONTRACTOR FOR EXECUTIVE OFFICER SERVICES

#### **ADJOURNMENT**

RyChambulan

Note: The next regular LAFCO meeting is scheduled for December 16, 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: November 19, 2021

### **APPROVAL OF CLAIMS - PACKET DRAFT**

AGENDA OF November 18, 2021

#### APPROVAL OF CLAIMS TO November 18, 2021

Agenda Item 5

VENDOR	DESCRIPTION	INV.DATE	AN	OUNT
R Chamberlain 10/28/2021-11/15/2021	Consulting Services Labor Expense Total, (mileage, PO Box, phone)	11/18/2021 Estimated 11/18/2021 Estimated	\$	3,500.00 155.00
N Mees 10/28/2021-11/15/2021	Clerical & Admin Labor Expense Total	11/18/2021 Estimated 11/18/2021 Estimated	\$	410.00 5.00
LAFCO Board	Meeting Stipends (Maximum of 5 @ \$50.00)		\$	250.00
TOTAL	<u>.</u>		\$	4,320.00

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

CHAIR:		
	Presiding Officer	
ATTEST:		
	Nancy Mees CLERK TO THE COMMISSION	

#### LOCAL AGENCY FORMATION COMMISSION

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



#### **MINUTES**

#### October 28, 2021



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

#### 1. <u>Call to Order, Pledge of Allegiance & Roll Call</u>

The October 28, 2021, meeting of the Amador Local Agency Formation Commission (LAFCO), held in person and via video conference, was called to order by Chairman Crew at 5:31 p.m.

#### 2. Roll Call

#### Members Present:

Pat Crew, Chairman
Jim Vinciguerra, Vice Chairman
Dominic Atlan, City Member
Bob Stimpson, City Member
Brian Oneto, County Member (arrived at 5:35 p.m.)

#### Staff Present:

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

#### 3. Approval of Agenda for October 28, 2021

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

#### 4. Approval of the Minutes of September 16, 2021

**Motion**: It was moved by Commissioner Stimpson, seconded by Commissioner Vinciguerra, and carried unanimously to approve the Minutes of September 16, 2021, as submitted.

#### 5. Approval of Claims to October 28, 2021

Executive Officer Chamberlain noted that the date on the Approval of Claims should read October 28, not September 16.

**Motion**: It was moved by Commissioner Atlan, seconded by Commissioner Stimpson, and carried unanimously to approve the Approval of Claims – Meeting Final with the date amended to read October 28.

#### 6. Public Forum – Public Comment

There was no public comment.



### 7. Workshop and Study Session on the Sphere of Influence for Amador Fire Protection <u>District</u>

Executive Officer Chamberlain explained that the Commission had requested this workshop at the prior meeting in September. She then gave a PowerPoint presentation explaining the history and purpose of spheres of influence, the process involved in preparing them, and a brief overview of the AFPD SOI to date and comments so far received concerning it, including a letter from the City of Plymouth requesting that they be left out of the SOI.

Commissioner Atlan asked for clarification that spheres do not change boundaries or dispatch areas. Ms. Chamberlain said that is correct, and added that there are no records of how current dispatch areas were determined.

Chairman Crew opened the workshop to public comment.

Valerie Klinefelter of Plymouth stated that Plymouth felt they should not be in AFPD's SOI and that instead the sphere should just refer to Plymouth as a contractual service area. Commissioner Crew asked her whether changing the hatched area around Plymouth on the map to a white area similar to the one around Lockwood FPD would satisfy Plymouth, and Ms. Klinefelter responded in the affirmative.

Chief Ken Mackey of the Ione Fire Department stated that he had not seen an MSR since 2008 and felt a new MSR for Ione Fire should be completed before the AFPD SOI was finalized. Ms. Chamberlain explained that there had been an Ione City MSR update in 2014, but there would be no separate MSR for Ione Fire Department as it is not a district, and fire services discussion would be part of a city MSR update. She then added that due to limitations of funding and staffing, the most recent round of MSRs is being done in increments, and that the city MSR updates would be occurring in the next one to two years.

Chief Debbie Mackey of the Jackson Fire Department stated that she and the city manager felt there should be more discussion before the AFPD is final, as they questioned why the sphere was showing a much larger area than the actual service areas provided by AFPD.

Chief Moreno of Sutter Creek FPD stated that all the cities have historical spheres, and they should be shown on the map as is that of Lockwood FPD. All the chiefs appear to be happy with the current dispatch areas and feel they should be included in the cities' spheres. Commissioner Atlan suggested that if the cities would like the city MSR updates to be completed sooner than currently proposed, perhaps they could provide funds or manpower to help that happen. Ms. Chamberlain stated that a new workplan would have to be created, and that the upcoming budget process in the spring could include this. She added that the 18-month slowdown that occurred due to Covid had not helped in moving the MSR process along more quickly. Chairman Crew asked whether the city spheres should be done prior to completion of the AFPD sphere, and Ms. Chamberlain replied that, as previously mentioned, it will likely be several years before all the city spheres are completed. However, even if approved now, the AFPD sphere could easily be amended in the future if necessary.

Jack Mitchell of the Amador Ledger stated that the current boundaries have been in place a long time and he sees no need to change them. He therefore wondered if the reason for doing this SOI now is related to Measure M money. Chief White of AFPD responded that there was no money or jurisdictional grab occurring and that LAFCO had initiated this sphere approval, not AFPD.



Cindy Grandbois, a member of the public, commented that the purpose of LAFCO is to look at what would best serve the public, and she believes this sphere is being proposed as just routine catch-up work, not necessarily a precursor to any future consolidations, and that it also has nothing to do with Measure M money.

Ms. Chamberlain and the Commissioners summed the discussion up by stating that this map is only a draft proposal, and that the changes discussed regarding changing hatched boundaries around cities to white would be made, and that a final decision on whether or not to approve the proposed sphere would occur at the November Commission meeting.

Chairman Crew closed the public comment for the workshop.

Commissioner Atlan asked whether the requested map changes could occur prior to the next meeting. Ms. Chamberlain stated they could and requested that everyone email her with their suggested changes. She summed up the consensus for the preferred map changes as showing the spheres of the cities and changing Plymouth's sphere to white.

### 8. <u>Presentation and Study Session by Consultant Beverly Burr: Financial Analysis of Fire Protection Services (LAFCO Project #339)</u>

Ms. Burr, participating by Zoom, stated that she had last performed a financial analysis in 2008 right before Measure M was passed. Due to increased funding from that measure, financing strategies now are different than in the last analysis. She did not yet have a full presentation ready because she had been in an accident which required surgery, but that the report will be ready for the November meeting. She briefly reviewed the scope of her financial review and stated all the agencies she had spoken with were cooperating in providing her the information requested.

Chief Moreno stated he was concerned that different agencies were being asked different questions. Ms. Burr replied that a lot of her information was gathered from several sources, including online from agency websites, and some websites provide more information than others, which is why not all agencies received the same follow-up questions.

## 9. Adoption of a Sphere of Influence for Amador Fire Protection District, LAFCO Project #338 (LAFCO Resolution #2021-10); Continued on September 16, 2021, to November 18, 2021

The Commission may open the hearing to receive additional comment. No action will be taken at this meeting. The hearing has continued to November 18, 2021.

#### 10. Other Business, Reports

- a. Commissioner Announcements None.
- b. Correspondence Executive Officer Chamberlain reported that the only correspondence was the letter from Plymouth regarding the AFPD SOI.
- c. Executive Officers Report Ms. Chamberlain stated that she has received a series of Public Records Requests for many years of Form 700s and certain communications and that she is working on fulfilling those requests.



Ms. Chamberlain reported that the recording of Project #332 (Cross Annexation to Drytown CWD), had been delayed due to map review by the surveyor, and that in the meantime the Amador Water Agency had more than doubled its connection fees, but that the applicants appealed the higher fee and were successful in being able to pay the fee originally quoted.

- d. Monthly Budget Reports provided by email and in the meeting binder.
- e. Legislation Report Ms. Chamberlain reported there are a couple more bills that have passed and she is waiting until they are posted to report on them.
- f. Project Status Report Ms. Chamberlain stated that Project #332 was now recorded and filed with the Board of Equalization, so it is completed.

#### 11. <u>Closed Session: Personnel Matters (Section 54957(b)(1)) Review of Responses Received</u> <u>From the Request for Proposals (RFP) for Executive Officer Services</u>

No reportable action was taken, and direction was given to staff.

#### **Adjournment**

The next regular LAFCO meeting is scheduled for November 18, 2021. Chairman Crew adjourned the meeting at 7:28 p.m.

Pat Crew, Presiding Officer
LOCAL AGENCY FORMATION COMMISSION

ATTEST:	
Nancy Mees, Clerk to the Commission	

#### **AGENDA ITEM #7**

TO:

ALL COMMISSIONERS, ALTERNATES

FROM:

ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER

SUBJECT:

ADOPTION OF A SPHERE OF INFLUENCE FOR AMADOR FIRE

PROTECTION DISTRICT; LAFCO PROJECT #338; RESOLUTION #2021-10

DATE:

MEETING OF NOVEMBER 18, 2021

#### BACKGROUND:

LAFCO is initiating the adoption of this sphere of influence pursuant to Government Code §56425(g). Staff proposes a sphere of influence for Amador Fire Protection District (AFPD) to include the unincorporated area of Amador County, but excluding the boundaries of the Sutter Creek FPD, Jackson Valley FPD, Kirkwood Meadows PUD and the Lockwood FPD Sphere of Influence. The spheres of influence of the incorporated cities of Ione and Jackson are excluded and the city of Plymouth, which is served by AFPD under a contract, is also proposed to be excluded in this staff recommendation for the AFPD sphere.

In hearings and workshops held in August, September and October 2021, the commission has heard testimony requesting that the larger areas of city spheres of influence for Plymouth, Jackson, and Ione be excluded from the AFPD sphere, and the staff recommendation is revised to reflect the consensus of the commission. Note that the Sutter Creek FPD is the fire provider for the cities of Amador City and Sutter Creek.

Maps showing the original staff recommended sphere were provided previously and remain a part of the record of these proceedings. The attached maps in this packet are amended from those original maps to show the alternative sphere of influence with the city sphere areas excluded. These maps are proposals and may be further amended to reflect the commission's decision. The final map as decided by the commission will become Exhibit A to Resolution 2021-10 (attached).

The Municipal Services Review (MSR) update for Amador Fire Protection District has been completed and was recently reviewed by the Commission (July 15, 2021). Determinations regarding the MSR are part of LAFCO Resolution #2021-06, adopted July 15, 2021. The analysis and complete profile for the district is contained in the MSR and the commission's record of proceedings for the MSR is made a part of this action by reference.

#### **DISTRICT & BOUNDARY HISTORY:**

LAFCO staff is unable to find records to show any action in the past by the commission to adopt a sphere of influence for AFPD. The action proposed for this meeting is the adoption of an original sphere of influence for AFPD, consistent with the verified boundaries and spheres of other fire providers.

The district boundaries, including formation records for the district have been carefully reviewed. The review was completed by LAFCO staff and Cindy Engel, GIS staff for Amador County Transportation Commission, who developed and maintains LAFCO boundary and sphere mapping data. The city boundaries and district boundaries for fire and emergency services providers throughout the county have been reviewed and verified with recorded legal descriptions. The final approved maps for the boundary and sphere of influence will be posted to the Amador LAFCO website.

#### DISCUSSION:

Many discussions regarding reorganizing or consolidating fire service in Amador county have occurred over the years. Within the last year or two, renewed discussions by decision makers have occurred. Issues include adequacy of service, the role of Amador Fire Protection Authority, fair distribution of funding, transparency and accountability among agencies providing fire and emergency services, etc. Whenever in the future these discussions result in consensus for changes to the fire service within the county, the spheres of influence for any affected agencies can to be amended by the commission. For example, should the commission initiate a reorganization, consolidation or merger of fire agencies, the spheres of influence will be modified to be consistent with the intended changes of organization. Having a current municipal service review and adopted sphere of influence is requisite for consideration of any change of organization of the districts and cities.

#### CEQA:

LAFCO is the lead agency for the project. The Executive Officer has reviewed the proposal and determined that it is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), Section 15061(b)(3) of the Public Resources Code, in that there is no change in services or service demand and no possibility that the project could have a negative effect on the environment (Notice of Exemption attached).

#### STAFF RECOMMENDATIONS:

1. Determine and adopt a sphere of influence for Amador Fire Protection District as described above.

2. Find that the adoption of this sphere of influence for the Amador Fire Protection District is exempt from the provision of CEQA under Section 15061(b)(3)).

3. Approve LAFCO Resolution # 2021-10 (attached), making determinations and adopting a sphere of influence for the Amador Creek Fire Protection District.

Attachments: Resolution #2021-10

Exhibit A: Map

Exhibit B: Determinations Notice of Exemption



#### LOCAL AGENCY FORMATION COMMISSION

### RESOLUTION MAKING DETERMINATIONS, ADOPTING THE SPHERE OF INFLUENCE FOR AMADOR FIRE PROTECTION DISTRICT

#### **LAFCO RESOLUTION NUMBER 2021-10**

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 Amador Fire Protection District (AFPD) has been completed and was found by LAFCO to be adequate and complete on July 15, 2021; and

WHEREAS, the functions and classes of services provided by the Amador Fire Protection District are identified in the municipal services review as: fire protection and suppression, rescue, emergency medical response, hazardous material emergency response, technical rescue, community risk reduction and related services for the protection of lives and property, pursuant to California Health and Safety Code §13800 - 13970; and

WHEREAS, the nature, extent and location of services provided by the Amador Fire Protection District are described in the Municipal Services Review; and

WHEREAS, LAFCO has not previously adopted a sphere of influence for the district and the sphere of influence has been generally accepted to have been coterminous with the boundaries of the district; and

WHEREAS, LAFCO has researched and verified the boundaries of fire protection districts within the county based on formation records and recorded documents and has adopted a sphere of influence for Lockwood Fire Protection District that includes areas within the AFPD boundaries; and

WHEREAS, LAFCO has researched and verified the boundaries of cities within the county based on formation records and recorded documents and has adopted spheres of influence for the cities of Plymouth, Ione, and Jackson, that include areas within the AFPD boundaries; and

WHEREAS, at the times and in the form and manner required by law, the Executive Officer has given notice of the hearing by this Commission; and

WHEREAS, upon the date, time and place specified in said notice of hearing and in any order or orders containing such hearing, 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, boundaries, previously adopted spheres of influence and municipal service reviews;



#### LOCAL AGENCY FORMATION COMMISSION

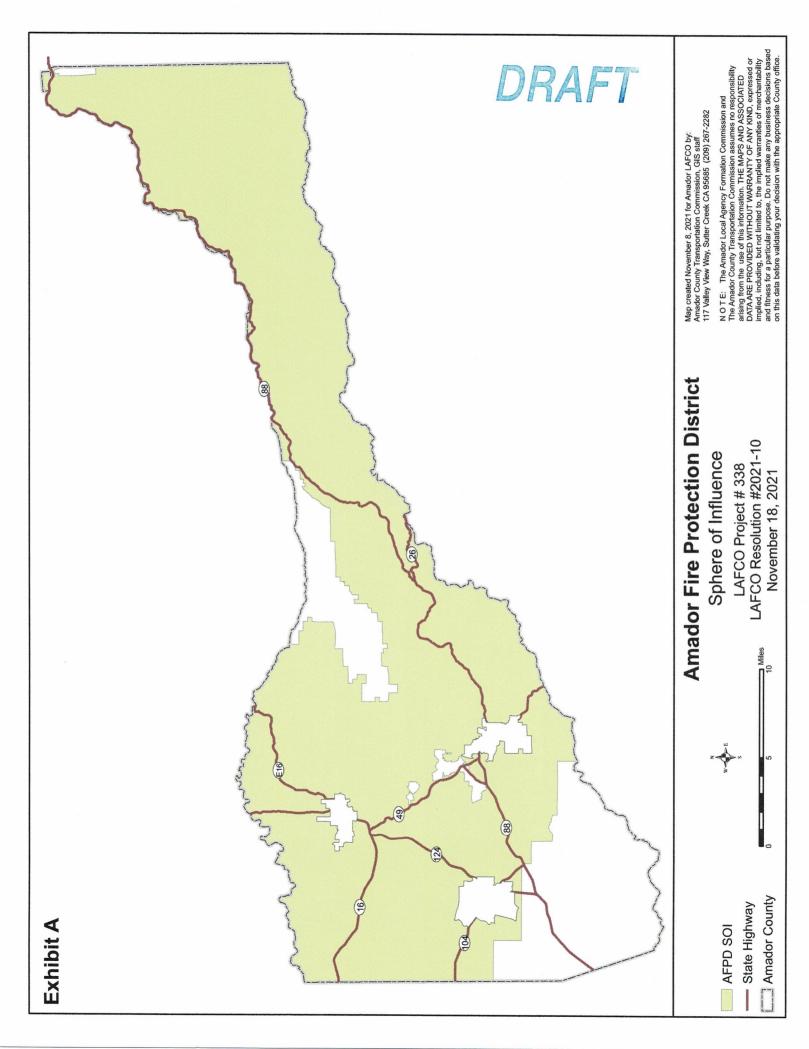
NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED AND ORDERED as follows:

- 1. The adoption of the Sphere of Influence for the Amador Fire Protection 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 Amador Fire Protection District is determined and approved as shown on the attached map marked "Exhibit A", and includes the unincorporated area of Amador county, excluding the boundaries of the Sutter Creek FPD, Jackson Valley FPD, Kirkwood Meadows PUD, Lockwood FPD Sphere of Influence & the spheres of influence of the incorporated cities of Plymouth, Ione and Jackson.
- 3. Determinations with respect to the Sphere of Influence for the Amador Fire Protection District are set forth and described in the attached "Exhibit B" and are incorporated herein by this reference.
- 4. The Executive Officer is hereby directed to file a Notice of Exemption in compliance with the California Environmental Quality Act and local ordinances implementing the same.

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of the County of Amador at a regular meeting thereof, held on the 18th day of November 2021 by the following vote:

A	YES:	
, .	NOES:	
А	ABSENT:	
ATTEST	· · · · · · · · · · · · · · · · · · ·	Presiding Officer Patrick Crew, Chairman
Nancy M	lees, Clerk to the Commission	
	Local Agency Formation Commission	

Amador County, California





#### LOCAL AGENCY FORMATION COMMISSION

#### **Exhibit B TO LAFCO RESOLUTION NO. 2021-10**

### RESOLUTION MAKING DETERMINATIONS AND ADOPTING THE SPHERE OF INFLUENCE FOR THE AMADOR FIRE PROTECTION DISTRICT

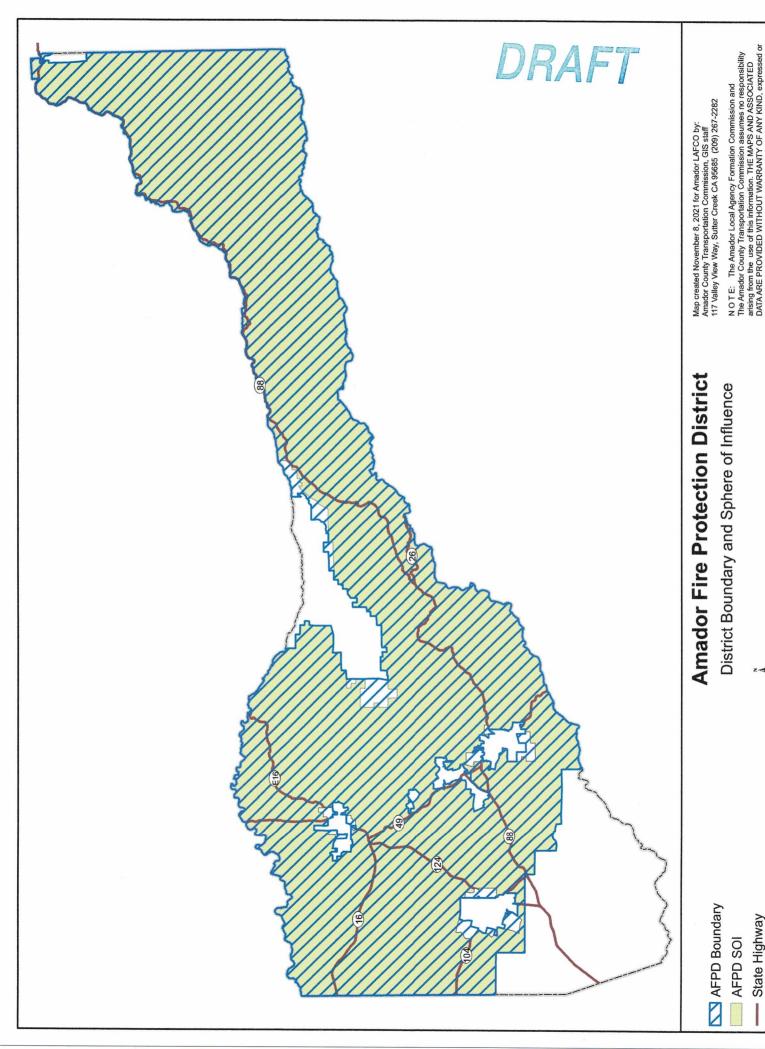
- 1. Significant changes to the present and planned land uses in the sphere area for Amador Fire Protection District are not anticipated within the time frame for this sphere of influence.
- 2. The present and probable need for public facilities and services in and around the Amador Fire Protection District are not anticipated to substantially change. The available funding and the organizational structure of fire and emergency service providers may limit improved fire protection and suppression.
- 3. The Commission recognizes that the present capacity of public facilities and the adequacy of public services that the Amador Fire Protection District provides, or is authorized to provide, are adequate given the limits of available revenues and local community needs.
- 4. Agriculture, including agricultural and open space lands, are not anticipated to significantly change, nor to be affected by the adoption of the sphere of influence.
- 5. Communities of social or economic interest are identified within the boundaries of the district, and services and overall service levels in these communities are anticipated to remain unchanged.

### LOCAL AGENCY FORMATION COMMISSION



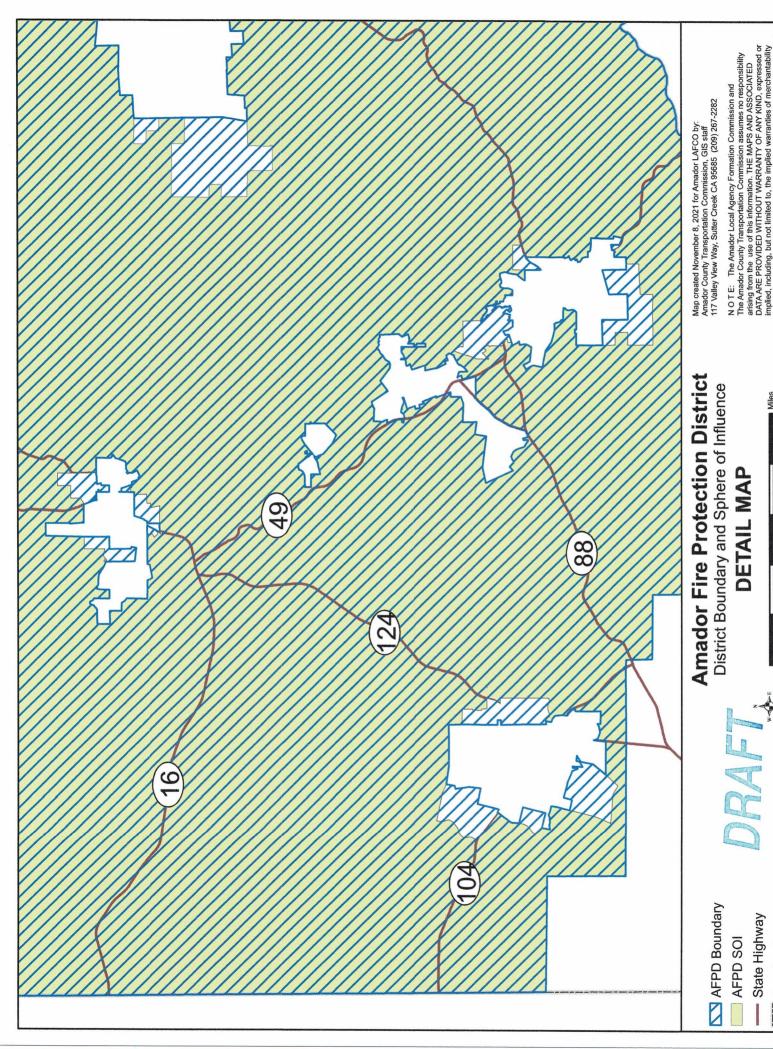
Notice of Exemption (Revised Draft for Nov 18. 2021)				
TO: Office of Plan 1400 Tenth S Sacramento, X County Clerk County of Am	treet, Room 121 CA 95814		Public Agency: Amador LAFCO 810 Court Street, Jackson, 95642 Contact: 209-418-9377 amador.lafco@gmail.com	
Project Title: Sphere of I LAFCO Pro		Protection Distr	rict (AFPD)	
Sutter Creek FPD, Jackson spheres of influence areas of Project Location - City: Project Location - Cour Description of Project: remainder areas of the coun Name of Public Agency Name of Person or Age  Exempt Status: (check of Ministerial Declared EX Categorical	Valley FPD, Kirkwood Mef the incorporated cities of Excludes cities  ty: Territory entirely with Adopt a sphere of influence ty, not served or planned for Approving Project: Anncy Carrying out Projectene)	eadows PUD, L Plymouth, Ione nin Amador Conce for Amador I for service by an mador LAFCO ect: Amador La	unty Fire Protection District to include the nother fire service provider.  AFCO; amador.lafco@gmail.com	
Reasons why project is	<b>exempt</b> : No change in se	ervices, or servi	ce demand and no possibility that the	
project could have a negative			- •	
Signature: X_Signed by L			21 Title: Executive Officer	
Signed by A				

POSTED ON:



implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Do not make any business decisions based on this data before validating your decision with the appropriate County office.

State HighwayAmador County



and fitness for a particular purpose. Do not make any business decisions based on this data before validating your decision with the appropriate County office.

Miles

Amador County

### Agenda Item #8

### REPORT AND DISCUSSION: FINANCIAL ANALYSIS OF FIRE PROTECTION SERVICES (LAFCO PROJECT #339)

A written fiscal report and analysis of funding of fire protection services by consultant Beverly Burr will be provided as soon as it is available and/or at the commission meeting.