

****AGENDA****

AMADOR LOCAL AGENCY FORMATION COMMISSION

**5:30 PM -- THURSDAY NOVEMBER 30, 2023
810 COURT STREET, JACKSON
BOARD OF SUPERVISORS CHAMBERS**

The Amador Local Agency Formation Commission will hold a meeting at the address above at 5:30 PM, or as soon thereafter as possible. The meeting will be held in-person and via Zoom teleconference. The public may participate via the following link on any computer, tablet, or phone:

<https://us02web.zoom.us/j/81753672072?pwd=UWE3VThGTHdiSE9SS3prbUw3ZUIZZz09>

Meeting ID: 817 5367 2072 Passcode: 714358

All LAFCO meetings are recorded. The Chairman will, at certain times, invite public comment. Anyone who wishes to address the Commission must be recognized by the chairman. Please complete a Speaker Request form and speak from the podium. Time limits may apply.

Any person may submit oral or written comments to LAFCO. Written comments received 48 hours before the meeting will be distributed to the commission.

Meeting Materials are available for Public Review 5 days before the meeting at the counter, County Planning Department, 810 Court Street, Jackson and will be posted 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 NOVEMBER 30, 2023**
- 4. APPROVAL OF THE MINUTES OF JULY 20, 2023**
- 5. APPROVAL OF THE MINUTES OF AUGUST 17, 2023**
- 6. APPROVAL OF CLAIMS TO NOVEMBER 16, 2023**
- 7. 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.

8. LOCKWOOD FIRE PROTECTION DISTRICT REORGANIZATION WORKSHOP

Executive Officer will provide a descriptive study session on consolidation and an update about Lockwood's progress.

9. EXECUTIVE OFFICER REPORT

10. LEGISLATION REPORT

11. APPOINTMENT OF ALTERNATE PUBLIC MEMBER

12. OTHER BUSINESS, REPORTS

- a. Commissioner Announcements
- b. Correspondence
- c. Brown Act update
- d. Budget Reports (included in Commissioner review binder at the podium)
- e. Project Status Report

ADJOURNMENT

Note: The next regular LAFCO meeting is scheduled for December 21, 2023.



Byron Damiani Jr.
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. In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the LAFCO staff, at (916) 425-0077, or by e-mail to amador.lafco@gmail.com. Requests must be made as early as possible, and at least two business days before the start of the meeting.

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 DECEMBER 1, 2023

AMADOR LAFCO



LOCAL AGENCY FORMATION COMMISSION

810 COURT STREET ♦ JACKSON, CA 95642-95334 ♦ (209) 223-6380

MINUTES

July 20, 2023

This meeting was digitally recorded.

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

The July 20, 2023 meeting of the Amador Local Agency Formation Commission (LAFCO), held in person and via video conference, was called to order by Chairman Crew at 5:30 p.m.

2. **Roll Call**

Members Present:

Pat Crew, Chairman
Jim Vinciguerra, Vice Chairman
Frank Axe, County Member
Anne Kel-Artinian, City Member, via Zoom
Bob Stimpson, Alternate City Member
Byron Damiani, Alternate Public Member

Staff Present:

Roseanne Chamberlain, Interim Executive Officer
Tiesha Adams, Clerk to the Commission

3. **Approval of Agenda for July 20, 2023**

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

4. **Approval of Minutes of May 18, 2023**

Motion: It was moved by Commissioner Kel-Artinian, seconded by Commissioner Axe, and carried unanimously to approve the minutes as submitted.

5. **Approval of Claims to July 20, 2023**

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

6. Public Forum

Commissioner Crew opened a discussion about the upcoming CALAFCO conference being held October 18-20, 2023 in Monterey, CA, stating he finds it important that at least some commissioners, not just the Executive Officer, attend the conference. IEO reported there is allowance in the budget to send up to 5 people. There was discussion about the benefits and costs of attending. There was unanimous agreement to amend the approval of claims to allow additional commissioners to attend the conference. There was no other public comment.

7. Other Business, Reports

- a. Commissioner Announcements – none.
- b. Upcoming CALAFCO conference – no further discussion.
- c. EO report – brief report on meetings attended and various communications: an upcoming meeting with Lockwood Fire Protection District, continued discussion relating to Pine Grove Community Services District annexation, possible annexation into City of Jackson for Kennedy Mine area and maybe nearby parcels
- d. Budget Reports – IEO commented that there is no report this month.
- e. Legislation Report – EO reported there may be upcoming modifications regarding meeting rules under the Brown Act related to Zoom like activities, Omnibus bill chaptered.

8. Closed Session: Personnel Matters

Closed session occurred in the Board Chambers at approximately 5:47 p.m. Discussion relating to Section 54957(b) Executive Officer. The commission returned to open session and the chairperson reported that the contracts were approved with no changes.

9. Adjournment

Meeting adjourned at approximately 6:42 p.m.

Pat Crew, Presiding Officer
LOCAL AGENCY FORMATION COMMISSION

ATTEST: _____
Tiesha Adams, Clerk to the Commission

AMADOR LAFCO



LOCAL AGENCY FORMATION COMMISSION

810 COURT STREET ♦ JACKSON, CA 95642-95334 ♦ (209) 223-6380

MINUTES

August 17, 2023

This meeting was digitally recorded.

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

The August 17, 2023 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 (joined at 5:45 p.m.)
Frank Axe, County Member
Anne Kel-Artinian, City Member, via Zoom
Bob Stimpson, Alternate City Member

Staff Present:

Roseanne Chamberlain, Interim Executive Officer
Tiesha Adams, Clerk to the Commission

3. **Approval of Agenda for August 17, 2023**

There was brief discussion to amend the agenda to bring the (incomplete) July 20, 2023 minutes back at the next meeting due the need to correct numbering.

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

4. **Approval of Claims to August 17, 2023**

There was discussion about Interim Executive Officer services and how training is going. Policies and project processing and timeframes were mentioned. The new Executive Officer was not in attendance due to a scheduling conflict.

Motion: It was moved by Commissioner Kel-Artinian, seconded by Commissioner Stimpson, and carried unanimously to approve the Approval of Claims as submitted.

5. **Public Forum**

There was no other public comment.

6. **Re-approval of previously approved LAFCO Project # 331, Jackson City Islands clean-up reorganization (Resolution #2023-04)**

Public hearing opened at 5:37 p.m. IEO presented maps that will bring project current as it is being reviewed by County Surveyor, revised resolution, and recap of project that was first approved in 2021. The project's purpose is to eliminate fragments of parcels and islands with the City of Jackson with most of the properties already owned by the City. Timely notice was sent to landowners with no response. Recommendation is to review the determinations, which are same as made in 2021, approve Resolution #2023-04, and approve the annexation. There was discussion about the resolution, tax rate area codes, and landowner response. There was no public comment.

Motion: It was moved by Commissioner Axe, seconded by Commissioner Stimpson, and carried unanimously to close the public hearing at 5:44 p.m.

Motion: It was moved by Commissioner Axe, seconded by Commissioner Kel-Artinian, and carried unanimously to approve recommendation to adopt resolution, recognize previously prepared and filed Notice of Exemption, waive the conducting authority proceedings, and direct the EO to complete the necessary filings and transmittals.

7. **Other Business, Reports**

- a. Commissioner Announcements – none.
- b. Upcoming CALAFCO conference – discussion about who is attending.
- c. EO report – none.
- d. Budget Reports – IEO stated there are two sets, one for June and one for year-end.
- e. Project Status Report – IEO reported Pine Grove CSD getting initiated, ongoing meetings with tribal members for an upcoming JVID project, discussion about project regarding Lockwood Fire Protection Board reorganization with AFD
- f. Correspondence – none.

8. **Adjournment**

Meeting adjourned at approximately 5:51 p.m.

Pat Crew, Presiding Officer
LOCAL AGENCY FORMATION COMMISSION

ATTEST: _____
Tiesha Adams, Clerk to the Commission

APPROVAL OF CLAIMS – PACKET DRAFT

AGENDA OF NOVEMBER 30, 2023

APPROVAL OF CLAIMS			AGENDA ITEM #6
<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>INV DATE</u>	<u>AMOUNT</u>
R Chamberlain**	Consulting Services Labor**	11/13/23	\$1465.00**
R Chamberlain**	Mileage/Postage**	11/13/23	\$76.06**
R Chamberlain	Consulting Services Labor	11/30/23	\$1200.00
B Damiani**	Consulting Services Labor**	11/14/23	\$6486.75**
B Damiani**	Mileage/CALAFCO Rooms**	11/14/23	\$972.08**
B Damiani	Consulting Services Labor	11/30/23	\$2430.00
LAFCO Board	Meeting Stipend (Max 5 x \$50)	11/30/23	\$250.00
** Note: Denotes any invoices paid prior to Commission Approval, per Policy 2.3.7			
Total**	(previously paid)		\$8999.89
Total	(new claims)		\$3880.00

AGENDA ITEM #8

LOCKWOOD FIRE PROTECTION DISTRICT REORGANIZATION WORKSHOP

Application:

1. An application for a change of organization or reorganization made by adoption of Resolution of Application by legislative body of affected agency involving divestiture of the power to provide particular functions. **56824.10, see also 56654(b).**

2. Include all matters specified in 56700 except (a)(6) – does not need to state if signed by registered voters or owners or land. (Confirm voters here are landowners not registered voters for any protest issues)

Section 56700 requirements: **[Lockwood should be able to provide these and they should be relatively short]**

1. State proposal is made pursuant to Part 3 commencing Section 56650.

2. State nature of proposal and list all proposed changes of organization.

3. Set forth a description of the boundaries of affected territory accompanied by a map showing the boundaries.

4. Set forth any proposed terms and conditions.

5. State the reason or reasons for the proposal.

~~6. State whether the petition is signed by registered voters or owners of land.~~

7. Designate up to three persons as chief petitioners, setting forth their names and mailing addresses. **[Presumably these will be Lockwood Board members]**

8. Request that proceedings be taken for the proposal pursuant to this part.

9. State whether the proposal is consistent with the sphere of influence of any affected city or affected district.

Also include a plan for services pursuant to **Sec. 56653.**

That section requires in relevant part:

(b) The plan for providing services shall include all of the following information and any additional information required by the commission or the executive officer: **[AFPD should be able to provide and keep short - crucial policy consideration – will Lockwood have negative effect AFPD.]**

(1) An enumeration and description of the services currently provided or to be extended to the affected territory **[recent msr update for AFPD or financials will help with this]**

(2) The level and range of those services.

(3) An indication of when those services can feasibly be extended to the affected territory, if new services are proposed.

(4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.

(5) Information with respect to how those services will be financed.

3. Section 56824.12 in addition to the requirements specified in 56653, requires the plan for services to also include:

AGENDA ITEM #8

(1) The total estimated cost to provide the new or different function or class of services within the special district's jurisdictional boundaries. **[might be able to use existing Lockwood budget with needed estimated increases - services/service level will remain unchanged]**

(2) The estimated cost of the new or different function or class of services to customers within the special district's jurisdictional boundaries. The estimated costs may be identified by customer class. **[this may not differ much from (1) above]**

(3) An identification of existing providers, if any, of the new or different function or class of services proposed to be provided and the potential fiscal impact to the customers of those existing providers. **[this would be Lockwood which is would be proposed to be dissolved]**

(4) A written summary of whether the new or different function or class of services or divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district, pursuant to subdivision (b) of Section 56654, will involve the activation or divestiture of the power to provide a particular service or services, service function or functions, or class of service or services. **[divestiture of Lockwood, extension of AFD services to affected area] [need to know how Measure M funds are distributed – language is vague] [See Nicole at AFD for background Measure M and discuss with Rob Withrow]**

(5) A plan for financing the establishment of the new or different function or class of services within the special district's jurisdictional boundaries. **[AFD may need to provide this info]**

(6) Alternatives for the establishment of the new or different functions or class of services within the special district's jurisdictional boundaries. **[not clear there are alternatives AFD may need to weigh in - address in plan for service may be repetitive – show addressing each element]**

4. The legislative body shall conduct a noticed public hearing prior to submitting the resolution of application to the commission. 56814.12(c). The clerk of the legislating body adopting the resolution shall file a certified copy with the executive officer of LAFCO. **[much work here – exec officer report and recommendations eo - community workshops and meetings in lockwood area - give Brown Act notice and potentially invite LAFCO and Lockwood board at their chambers - may need separate financial report analysis – whether or not the item reviewed constitutes a material financial effect use this repeatedly if needed or say no change if appropriate]**

5. The commission shall review and approve with or without amendments, wholly, partially, or conditionally, or disapprove proposals for the establishment of new or different functions or class of services, or the divestiture of the power to provide particular functions or class of

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services, within all or part of the jurisdictional boundaries of a special district, after a public hearing called and held for that purpose. **56824.14(a)**

In approving a proposal, the commission shall provide that if the revenue sources pursuant to Section 56886 are not approved, the authority of the special district to provide new or different functions or class of services shall not be established. **56824.14(a)(1)**

In approving a proposal, the commission shall provide that if the revenue sources pursuant to Section 56886 are not approved, the authority of the special district to provide new or different functions or class of services shall not be established. **56824.14(a)(1)**

Unless otherwise required by the principal act of the subject special district, or unless otherwise required by Section 57075 the approval by the commission for establishment of new or different functions or class of services, or the divestiture of the power to provide particular functions or class of services, shall not be subject to an election. **56824.14(a)(2) [insurance costs and board costs will change but not service costs or minimal - Rob may be able message numbers to show this is a break even or not net loss for AFPD]**

NOTE – The principal act for both Lockwood and AFPD is the Fire Protection District Act of 1987. It does not address dissolution of a fire district, therefore there is no election requirement to dissolve Lockwood under the principal act. However, if a majority (50% or more) of voters protest, the proposal is terminated. 57091(b)(1)

Can be either or voters or landowners = both are registered voters districts but either can protest will need date I issues cert of filing – resos are sufficient and application is complete – set for hearing, cert of filing is date upon which we determine number of registered voters - see eo list serve on this issue – when date you determine number of registered voters

Further, regarding protests:

The commission shall order the change of organization or reorganization subject to an election within the affected territory if written protests that have been filed and not withdrawn represent either of the following:

(A) Twenty-five percent or more of the number of owners of land who also own 25 percent or more of the assessed value of land within the affected territory.

(B) Twenty-five percent or more of the voting power of landowner voters entitled to vote as a result of owning property within the affected territory.

(3) Order the change of organization or reorganization without an election if written protests have been filed and not withdrawn by less than 25 percent of the number of owners of land who own less than 25 percent of the assessed value of land within the affected territory.

57091(b)(2),(3)

AGENDA ITEM #8

NOTE – Although the commission approval can be conditioned on creation of service zones for the reorganization (for example make existing Lockwood jurisdiction a service zone for purposes of providing level of service or revenue, or both) the principal act authorizes the district board to change or dissolve service zones (Health & Safety Code Sec. 13951) and further provides:

“A local agency formation commission shall have no power or duty to review and approve or disapprove a proposal to create a service zone, a proposal to change the boundaries of a zone, or a proposal to dissolve a zone.” (H&S Code Sec. 13952).

**6. The 21 day notice requirement applies for LAFCO hearing regarding the proposal.
56824.14(b)**

7. Hearing

8. Protests [hopefully will not happen, will cross that bridge if we get to it, would involve a protest hearing where I am the presiding officer]

9. Completion – Certificate of Completion, recording, transfer of assets (that would be between the districts, LAFCO would not oversee transfer of assets, it would be addressed in final LAFCO reso).

AGENDA ITEM #8

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Section 56700 requirements: **[Lockwood should be able to provide these and they should be relatively short]**
 1. State proposal is made pursuant to Part 3 commencing Section 56650.
 2. State nature of proposal and list all proposed changes of organization.
 3. Set forth a description of the boundaries of affected territory accompanied by a map showing the boundaries.
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 7. Designate up to three persons as chief petitioners, setting forth their names and mailing addresses. **[Presumably these will be Lockwood Board members]**
 8. Request that proceedings be taken for the proposal pursuant to this part.
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- 57091(b)(2),(3)

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9. Completion – Certificate of Completion, recording, transfer of assets (that would be between the districts, LAFCO would not oversee transfer of assets, it would be addressed in final LAFCO reso).

Flow Chart of Boundary Change Procedures

Types of boundary changes include

- Annexation - Add territory to an existing city or special district
- Detachment – Remove territory from an existing city or special district
- Consolidation – Combine two or more cities or two or more special districts
- Formation – Create a new special district
- Dissolution – Extinguish existence of a special district
- Incorporation – Create a new city
- Disincorporation – Extinguish existence of a city
- Establish Subsidiary District –Have a city council govern an existing special district
- Reorganizations – Single proposal that includes two or more of the above changes

Another type of proposal is a request by a city or special district to provide services outside their boundaries without annexing the affected territory.

Governing statute is the Cortese/Knox/Hertzberg Local Government Reorganization Act (Government Code §56000 et seq.) and, if necessary, the Principal Act for the type of affected special district.

Pre-Application to LAFCO

Land use entitlements often precede applications to change local governmental boundaries, although this is not always the case. Sometimes it is a failed septic system that results in the need to annex the territory to a city or special district.

Cities are required to "pre-zone" land prior to filing an annexation application.

Application to LAFCO

Application materials include a cover letter stating the nature of a proposal, a completed LAFCO Proposal Questionnaire which includes a Plan for Service, map and legal description, LAFCO processing fee, County Surveyor deposit to check the map and legal description and CEQA documentation.

The proposal includes either a resolution of application of an affected local agency or a petition signed by landowners or registered voters within the application area. LAFCO staff generally prefers a resolution of application rather than a petition.

LAFCO Staff Procedure for New Applications

Review the application and if acceptable (1) assign a Short Title and Proposal Number and (2) issue a Certificate of Filing. (Note: the Certificate of Filing cannot be issued until the property tax exchange agreement is adopted.)

LAFCO staff sends a Request for Reportback and copy of application to:

- County Assessor for assessed value and TRA information
- County Clerk, Auditor & Recorder for number of registered voters
- County Surveyor to check map and legal description
- County Executive for comments
- County Planning & Development for comments

Property Tax Transfer Agreement

This involves negotiation and agreement by the County and cities (and occasionally special districts) regarding the distribution of taxes following the boundary change. Revenue and Taxation Code, §99 and 99.01 govern this subject.

An agreement is required before LAFCO staff can issue a Certificate of Filing and set the matter on the Commission agenda for hearing. There can be “master” tax exchange agreement that apply for similar proposals, i.e., annexations to a particular city.

LAFCO Staff Report

The LAFCO staff sets the matter for hearing by the Commission and prepares and distributes a staff report with analysis and recommendations.

LAFCO Commission Hearing

The Commission conducts a hearing and accepts any public testimony. Following the hearing it either approves or denies the application and imposes various conditions.

If LAFCO modifies the proposal by adding or deleting property, a new map and legal description is needed before its resolution of approval can be finalized.

Typically proposals with 100% consent of the affected landowners can be recorded 30 days after LAFCO approval with no further public hearings.

If LAFCO denies a proposal no further action is taken.

Protest Hearing, if needed

If LAFCO approves a proposal without 100% consent by all landowners, a protest hearing must be held to allow affected landowners and (if the annexation is “inhabited”) registered voters to file written protests. If a protest hearing is required, the LAFCO staff gives notice and conducts the hearing.

The numbers of written protests determine whether a proposal is recorded without an election, an election is required or the process is terminated by a “majority protest”

Some proceedings such as the incorporation of a new city also require a confirmation election unless the proposal has been denied

Election, if needed

If an election is needed to confirm a boundary change the election is conducted by the city and the County.

Recordation

The LAFCO staff issues a Certificate of Completion, which is recorded with the resolution of approval and County Surveyor approved map and legal description

The boundary change is effective on the date it is recorded unless otherwise specified in LAFCO's resolution of approval

File with State Board of Equalization and County Assessor

When the recorded materials are returned the LAFCO staff files the change with the State Board of Equalization and County Assessor.

The SBE responds indicating the fiscal year in which the change will be effective.

Notify Local Agencies

When the SBE confirmation is received the LAFCO staff distributes a Notification of Completed Boundary Change to affected local agencies and County Departments (Assessor, Elections, County Clerk/Auditor, Administrative Office GIS, Planning and Public Works) and other interested parties.

Follow-Up Procedures for County Departments

The County Assessor either includes the affected territory in an existing Tax Rate Area or creates a new Tax Rate Area.

The County Auditor/Controller determines the apportionment of property taxes within the TRA based upon the property tax exchange agreement.

The County Elections modifies election boundaries to reflect the new local agency lines.

Relationship to Sphere of Influence

A sphere of influence is a LAFCO-adopted plan for the probable physical boundaries and service area of a city or special district. There is a map of each sphere of influence. The sphere can only be changed by LAFCO not by the local agency.

AGENDA ITEM #9 ATTACHMENT 1

LAFCO can approve an annexation to a city or special district only if the annexation area is located within the local agency's sphere of influence.

Changing a sphere of influence does not change the boundaries of the local agency; that would require the annexation process explained earlier in this procedural outline.

It is important the map prepared by the County Surveyor of each city and special district show not only the local agency boundaries but also the boundaries of the agency's sphere of influence in a contrasting or different line, except I suppose where the local agency boundary and its sphere of influence are coterminous.

AGENDA ITEM #9 ATTACHMENT 2

INITIATION AND PROPERTY TAX INFORMATION/NEGOTIATION 5			
	Name the Project -Short Form Designation	Note Date Rec'd (CoF in 30 days)	
	Assign Project Number		
	Pre-Application meeting	Project Scoping, Overview, ID Lead Agency, Sphere Update? MSR?	Begin Project Research
Check Documents	All Application Components present?	Do you have all the items?	
	Application Forms Rec'd	Hard Copy & Digital File Setup	Application contents 56652
	Fee/Deposit Received	Note Date of Deposit	
	Reso (Or Petitions) Received	Check for original signatures	Section 56654(a); petition 56700
	CEQA Documents	Lead Agency's NoD or NoE, plus review docs, Neg Dec, D&FEIR, Reso	F&W receipt from lead agency filing; add record of your prior LAFCO consultation & comments
	Project Justification		policy
	Plan of Service Submitted	(Send to subj agency for review if not from them)	\$56653
	Maps/Legal (Exhibit A) and Vicinity Map Received	To Surveyor	policies
	FPCC Disclosure Forms Received; Gifts?		
	Indemnity and Fee Agreement		
	Other Required documents?		if required by policies
Validity of Reso or Petition	Is the initiation action adequate?	Petition must have sufficient verified LO or RV signatures. Resolution required contents specified	Application contents 56652
	Resolution of Application Adopted? Adequate?		See \$56654, 56700 contents, etc
	OR Petition: Landowners Registered Voters		See 56700
	Verify Signatures		Assessor Verifies LO, Registrar verifies RV
	Evaluate for 100% Consent		May be able to waive notice & hearing
Hearing?	Petitions Only: Issue Certificate of Sufficiency	Review and issue with CoF or	56706, Within 30 days

AGENDA ITEM #9 ATTACHMENT 2

	Area Inhabited or uninhabited, improvements? Notice & Hearing Waived Yes No	Registered Voter Count	Requested? Results?
R&T Review	Identify TRAs and list all Affected agencies (Prop Tax info)	Uninhabited, Annex/Detch only, 100% LO consent	\$56662
	Notify Assessor (cc Auditor) Tax Exchange Request Memo, etc. Date sent:	all affected = spheres or boundaries	defined 56014
	Request Change of TRA (Auditor)	Assr Info Rec'd (30 days) Auditor Info Rec'd (14 days more)	R&T 99(b) (Assessor also separately reviews maps) Boundary anomalies?
		Auditor Notifies agencies	R&T 99 (3)(B)(3)
			District Annexation?, R&T 99.01
	AB-8 Resolutions Adopted (Rev. & Tax)	Reso 60 days to adopt	BoS Date: Subj. Agency:

AGENDA ITEM #9 ATTACHMENT 2

NOTICE TO AGENCIES AND COMMENT REQUEST

Prepare Form Ltr	Notice of New LAFCO Project	To serve as agency notice & request for info and comment on the project	Comment Request Form includes Notice of new LAFCO Project
	Identify all recipients of Notice of New LAFCO Project, include regional agencies, BCDC, ABAG, etc.	Retain Distribution List	Numerous sections
Local recipients	Agency Notice to all affected agencies Send to county committee on school district organization and each affected school superintendent	Use TRA and check for others (spheres)	\$56658 -- Already Done by Subj Agency? \$56654c & \$56668(b) (1)
	Send to Ag commissioner	solicit ag information from the source per CAO request; this is the official agency notice destination for Solano County	\$56668(b) (1)
	Send to CAO		
	Send to Resources/Planning	per Bill Emlen request, back up to the notice sent to CAO	
Statutory Recipients			
Fire	Director of Forestry and Fire Protection	If proposal contains State Responsibility Areas	\$56661(f) hearing notice
Elect & Gas	Public Utilities Commission	For all gas or electricity service proposals	\$56131 agency & hearing notice
Rec & Park	Director of the State Department of Parks and Recreation	All formation, consolidation, dissolution of Rec & park Districts	\$56131.7 agency & hearing notice
Hospital	Various state agencies	Hospital District	see \$56131.5
W-Act	Director of Conservation	City annexation of Williamson Act Land	\$56661(g) hearing notice
	Send to individuals or orgs who have requested		
	Brainstorm any & all others	Community groups? Non-Profit orgs?	
Notes	Meeting no less than 10 days following agency notice if exempt from hearing	CoF not issued until 20 days after agency notice has been sent	

Who is the official contact at each

Who is the functional contact per

What else gets sent? project info

AGENDA ITEM #9 ATTACHMENT 2

District Annex	Informational Hearing or District Support Reso; Any district objection?	Districts annex only	556857
City Detachment	Informational Hearing for City Detachment or resolution of support	City detachment only; city can terminate	56751 and 56751(d)
City Islands	Hearing to adopt resolution of application		56755

AGENDA ITEM #9 ATTACHMENT 2

NOTICE AND HEARING BY THE COMMISSION

EXEMPT FROM NOTICE & HEARING?	Uninhabited, Annex/Delch only, 100% LO consent; Agenda only	Brown Act meeting agenda only. Post agenda at least 72 hours before. Near meeting room, on website, email distribution	\$56662, California Government Code section 54954(a), 54956	email agenda to Clerk Board of Supervisors and/or designee to post on bulletin board
NOTICE OF HEARING	"Notice of Hearing" for all other	Post, Publish and Mail no less than 21 days before hearing. Deemed mailed when deposited at USPS	\$56154, \$56155	Individual Notice-REGIS procedure is written
		21 Day Mailed Notice of Hearing To:	\$56157(d), \$56661,	Use most recent assessment roll being prepared by Co Assr. (SCIPS)
	**Note: First class mail (\$56155) Note: If more than 1,000, see 56157(h)	All registered voters within the project area and within 300' of the project area	\$ 56661, \$56157(f)	Look up by address at RoV; Use most recent index of affidavits of the county elections officer
		Each affected agency (legislative body and exec/mgr)	\$56661	
		Each Proponent, if any	\$56661, \$56157(c)	
		All persons requesting notice	\$56661, \$56157(e)	
		Each city within 3 miles of exterior boundary	\$56661(f)	
		County	If formation or incorporation	\$56661
		Director of Conservation	If City annexation of Williamson Act Land	56661(g) hearing notice
		Director of Forestry and Fire Protection.	If Proposal contains State Responsibility Areas	56661(f) hearing notice
		21-day Web Posting	\$56154	procedure in place
		21-day On-Site Posting		procedure in place
		Publish Legal Notice	\$56153	See also bi-county proposals

HEARING-MEETING PACKET PREPARATION	Draft ED Report with Analysis & Recommendations	Draft Resolution with Determinations	Exhibit A Map & legal	Exhibit B Terms & Conditions	Exhibit C CEQA Findings, Overrides, Mitigations, MMP, if needed	Distribution (Not Less than 5 days Before)	Legal Counsel with full packet	Commissioners with full packet	Executive Officer with full packet	CC: BoS Commissioner's aides, Legal Counsel's assistant.	Applicant	Each subject agency, affected agencies by request; Each affected city	All persons requesting	Study session?
	includes Factors 56668 & Standards, See template	See models and templates	Signed off by CoSurveyor, checked by Assessor	See models and templates	Check with legal counsel	To Website Manager with full packet	Legal Counsel with full packet	Commissioners with full packet	Executive Officer with full packet	CC: BoS Commissioner's aides, Legal Counsel's assistant.	Applicant	Each subject agency, affected agencies by request; Each affected city	All persons requesting	\$56665
														CEQA always first in sequence
														56885, 56886
														convert to .pdf, get confirmation

HEARING & DECISION	Hearing Occurs/Resolution Adopted	Prepare final resolution, add vote	Recheck attachments, correct versions and sequence
	Chairman to sign resolution & needed documents	Recheck Resolution again, make any ordered changes	Recheck attachments, correct versions and sequence
			compile in folder for signature at the meeting
			clerical changes 56883

AGENDA ITEM #9 ATTACHMENT 2

CONDUCTING AUTHORITY PROCEEDINGS (AKA PROTEST PROCEEDINGS)		
Protest Waived	Protest Proceeding Waived	Uninhabited, Annex/Detach only, 100% LO consent; Waiver must be included in Resolution
Delegation of Authority	Commission my delegate EO as hearing officer	
Protest Proceedings	Must set hearing within 35 to 60 days after Commission action	All proceedings same as if commission hears protest
Notice	Notice of Protest Proceedings	Post, Publish and Mail no less than 21 days before hearing. Deemed mailed when deposited at USPS
	Contentents of Notice	listed at 57026, must include reason for change
	21 Day Mailed Notice of Hearing To:	All landowners within the affected territory
		All registered voters within the project area (if 12 or more)
	<i>Note: Mail both notice and form for Protest to each eligible protestor</i>	
		Each affected agency (legislative body and exec/mgr)
		Each Proponent, if any
		All persons requesting notice
		Each affected city, district and county
	21-day Web Posting	to LAFCO Website
	21-day On-Site Posting	on or near doors to meeting room
	Publish Legal Notice	One or more newspapers of general circulation within each affected county, city or district
Form for Protests	See model or template; Contents include:	Project name & #, Hearing date, time, location
		Specify Landowner, Voter, or both, option for agent to sign
		Name, signature, date of signature
		Parcel number and/or APN
		Delivery instructions and deadline (may mail in or deliver, all must have dated wet signature)
Protest Hearing	Cannot be continued more than 60 days	Approved Resolution is summarized
		Receive oral or written protests, objections, evidence
		Receive withdrawals of prior protests
		Close the hearing
Calc Value of Protests Received		signatures must be original, dated and must show address where registered to vote or APN. Sig date must be between date notice published and close of hearing
Prepare CA Resolution/Order	Makes a finding of the value of written protests filed and not withdrawn; see model or template	Orders change of organization (<25%), terminates it(>50%) or sets election (>50% valid signatures)
		Need to meet 25% threshold of either reg voters OR Landowners, cannot combine
		Landowners must own 25% of AV of the land, improvements excluded

56663 & 57002(c)
57000c
57002

57026

57025(b)

57025c

57025d

57025d

57025d

56159

56158

56153

57051

57075(a) uninhabited
, (b) uninhabited

57075(a)(3)
57075(b)(2)

AGENDA ITEM #9 ATTACHMENT 2

Election	Many special considerations	Review case-by-case	57100 -57149
Certificate of Completion	Contents Specified	Proj. Name, type, boundary desc, terms & conditions, See model or templates, include number & name of LAFCO Reso and Conducting Authority Reso/ Order	57201(a)-(d)
	<i>Note: To contest validity, a change is deemed complete on the date of the CoC, not date of recording</i>		56102
	All Conditions of Approval Completed	Also, Recheck fees paid before recording	
	Effective Date	Effective Date is date of recording, or date specified by commission and no more than 9 months after any election	
	Must be recorded within one year	Approval becomes void if not recorded within one year, Commission may grant extension if requested	57001

AGENDA ITEM #9 ATTACHMENT 3

**AMADOR COUNTY LOCAL AGENCY FORMATION COMMISSION
SCHEDULE OF FEES AND DEPOSITS**

TYPE OF ACTION:

Annexation/Detachment/Reorganization	\$ 1,000
Consolidation	\$ 1,000
Dissolution	\$ 1,000
District Formation	\$ 3,000
Out of Agency Service Contract Requests	\$ 500
Disincorporation	\$ 3,000
Incorporation	\$ 10,000
Reconsideration of a LAFCo Determination	\$ 500
Sphere of Influence Amendment	\$ 1,000
Use of Latent Powers	\$ 750
Other Actions	\$ 500

NOTE: All deposit amounts are subject to increase if the Executive Officer determines that the magnitude of the project justifies the increase.

- A) All deposits are initial payments toward the total cost of processing (“project cost”). Project cost is defined as staff time plus materials. Staff charge-out rates are listed below and include personnel costs plus a percentage of LAFCo administrative overhead. Materials include, but are not limited to, mailing costs, charges for advertisement of hearings, petition reviews, as well as fees charged for project reviews by affected agencies.
- B) Applicants are also responsible for payment of appropriate State Board of Equalization fees, County Surveyor fees, County Elections Department costs, Environmental Document preparation fees, mapping, Fish and Game fees, and County Recording Fees. A schedule of processing fees for the State Board of Equalization is included in the LAFCo application packet.

- C) Staff time will be monitored against the deposit of file with LAFCo. If the cost of processing an application begins to exceed the deposited amount, additional deposits will be required. Any hearing on the application may be continued pending receipt of the additional deposit.
- D) If extensive staff assistance is required prior to receipt of an application, a deposit will be required at the time the work is requested.
- E) Absent compelling circumstances, the Commission will not normally adjust or waive deposits and/or fees.
- F) All final bills must be paid by the applicant prior to filing of the Certificate of Completion or during other times during the LAFCo process as deemed appropriate by the Executive Officer.
- G) Charges for Reconsideration of a LAFCo Determination are the responsibility of the requesting party.
- H) Deposits on file with LAFCo which exceed the cost of processing the application by \$25 or more will be refunded after LAFCo completes its final filings.
- I) Pre-Application Expenses: LAFCo will also charge its pre-application staff time spent reviewing environmental and other documents and participating in the process as the lead agency, as part of the processing costs.

LAFCO Staff Charge-Out Rates:

Executive Officer.....	\$ 75.00
Clerk.....	\$ 35.00
LAFCo Counsel.....	\$125.00

MISCELLANEOUS COSTS

- A) Copies \$ 0.10/page

SURVEYING & ENGINEERING FEES

Map and Description Review	\$ 205.00
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AGENDA ITEM#9 ATTACHMENT 4

Project #:	Name:	Done	Date	Comments
	Application Rec'd - File Setup			Forms, Map, APNs, Sigs, PoS, CEQA Complete?
	Fee/Deposit Received			Date of Deposit Receipt #
	Resolution of Application Adopted? Adequate?			See §56654,56700
	OR: Verify Signatures – 100% <input type="checkbox"/> Yes <input type="checkbox"/> No			Notice & Hearing Waived §56662? Yes No
	<i>Review & Notify Applicant of Missing Items</i>			
	<i>AB-8 Assessor Notified (cc Auditor, Agencies)</i>			Assr 30 days, Auditor 14 days, Reso 60 days
	<i>AB-8 Resolutions Adopted (Rev & Tax)</i>			BoS Date: Subj. Agency:
	<i>Agency Notice to affected agencies §56658 (20days before hearing)</i>			Done by Subj Agency? See TRA– check for others
	Informational Hearing or District Support Reso Any objection? (§56857)			Districts annx only
	Other Application Items: Hearing Maps			
	CEQA Documents – Rec'd Lead Agency			Copy of Recorder's Receipt – Date:
	Plan of Service §56653 (send to agency?)			
	SBE Maps Received with Co Surveyor's OK			
	FPPC Forms (disclosure)			
	Registered Voter Count Request			To Elections () Received Back ()
	FPPC Disclosure Forms Received			
	Request Vicinity & Meeting Maps, if needed			
	Certificate of Filing/Closure Letter §56658e			Issued () Mailed ()
	Mail Notice of Hearing §56661 (LOs & RVs, etc)			
	Post/Publish Legal Notice/Agenda (21 Days)			
	EO Report/Resolution Draft			
	Agenda/Meeting Notice Sent (300' ?)			Applicant () Agencies () Landowners/Voters ()
	Hearing/Resolution Adopted			Resolution #:
	Boundary Modification?			Notify: Surveyor ____ Agencies ____ ReOpen AB? ____ Revise Map? ____ Change for SBE Fee? ____
	Request Change of TRA (Auditor)			Attach: Sm. Map, Final AB-8, BOS Reso.
	Assignment of TRA Received			
	Reconsideration Request by 30 Days			Exp: _____ Received () None ()
	Conduct Authority Proceedings 56663			Waived ()
	Notice Protest Hearing (21 Days)			Notice Date () Hearing Date ()
	Prepare Protest Form to Landowners/Voters			Notice Date () Hearing Date ()
	Protest Hearing Date:			Post Notice ()
	Prepare CA Resolution			
	PROJECT CLOSED			Refund Due?
	Conditions Complete – Issue CoC			
	Record COC			
	SBE Statement Boundary Change Prepared			
	SBE Check Received from Applicant	x		Dated 6/13/07
	File SBE (Certified Mail)			
	Distribute Full SBE Packet			Surveyor () Subject Agency () Applicant () Assessor () Auditor () Elections ()
	SBE Acknowledgement Final			Post Card Received ()

Local Agency Formation Commission
 COUNTY ADMINISTRATION CENTER *810 COURT STREET * JACKSON, CA *
 PO Box 1574 * Sutter Creek, CA 95685
 (916) 425-0077

COMMISSION MEMBER APPLICATION FORM

Date Sept. 10, 2023

Please consider me for the following committee:
LAFCO Alternate Public Member

NAME:
Wayne Garibaldi

Mailing Address:
PO Box 286, Jackson, CA 95642

Physical Address:
139 E. Sierra View Drive, Jackson, CA 95642

Business Address:
N/A Retired

Telephone - Home: 209-765-5626 & 209-223-1007 **Work:**

Please state briefly your qualifications and why you are interested in serving on this committee (use additional sheet of paper, if necessary):

I believe the County and Cities need growth to maintain and improve economic prosperity. Growth can be either good or bad, and usually includes some environmental and quality of life concerns. There should be a balance between concentrating urbanized areas and maintaining the rural character of unincorporated areas. Reaching that balance can often raise economic and fiscal concerns between entities. I believe I can grasp those issues, approach them fairly, and find acceptable solutions.

Retired Banker for 34-years

Serve on several community non-profit boards

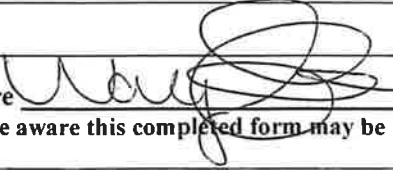
Former Jackson City Council Person, Jackson Planning Commission, County Redistricting, County Economic Development, Jackson Economic Development.

College Graduate Economics Degree

Familiar with Land Use and Zoning designations & infrastructure issues.

Strong sense of fairness & integrity. Non-partisan in my political beliefs

50-year Amador County & City of Jackson resident

Signature  9/10/23

***Please be aware this completed form may be released to any member of the public or media upon request.**

-FOR CLERKS USE ONLY-

<input type="checkbox"/> Application Accepted Date Appointed _____ Term Expires _____	<input type="checkbox"/> Application Rejected Committee Number _____ Supervisorial District _____
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Andrea Macon
255 Patricia Lane
Sutter Creek, CA 95685
209-207-8955
andreajmemail@gmail.com

October 3, 2023

Byron Damiani Jr.
Executive Officer
Amador LAFCO
PO Box 1574
Sutter Creek, CA 95685

Dear Mr. Damiani and the LAFCO Commission:

Per our previous email, please consider this letter my application for the Alternate Public Member LAFCO Commissioner position.

I have attached a copy of my work experience for your reference, but also wanted to express my long- standing interest in LAFCO. Many years ago, I worked with Roseanne to redefine the LFPD sphere of influence. I found it to be a fascinating process. Around that same time, I was intrigued to watch the creation of the Municipal Service Review

This interest, and the upcoming agenda, has prompted my decision to join. Over the next few months, I anticipate that you, and the commission, will be tackling the complicated review of the possible LFPD/AFP restructuring. I would appreciate the opportunity to be involved in that process and feel that my past experience with the department will be of value to the commission.

Beyond that specific project, my position with the City of Sutter Creek as a planning commissioner and my position on the Farms of Amador board allows me insight on a wide variety of county issues.

If you have any questions, please don't hesitate to contact me. I appreciate your consideration.

Thank you,

Andrea Macon

Andrea Macon

255 Patricia Lane
Sutter Creek, CA 95685

andreajmemail@gmail.com
209-207-8955 (phone/text)

4/21/2003 – Present Data Analyst, Marketing/Sales, Business Development
EDEX Information Systems, Inc. – Jackson, CA

EDEXIS redistributes litigated, California workers' comp data via an Internet based service.

- Legislative and labor code research, review, and implementation
- Liaison between EDEX and the California Department of Workers' Comp
- Contract and document management
- Programming collaboration and client data analysis
- IT troubleshooting and training

02/2023 – Present Planning Commissioner, **City of Sutter Creek**
01/2023 – Present Volunteer, **Amador Trail Stewardship**

08/18 – Present Treasurer/Director/Event Manager/IT Manager
Farms of Amador, Amador County

Farms of Amador is a countywide, non-profit that supports regenerative, sustainable agricultural education while promoting agritourism and sustaining open spaces. My specific impact on the Farms of Amador has included:

- Grant submissions
- Restructuring the corporation status
- Digitizing all documents and creating shared document protocols
- Setting up and managing a contact database of all members, leads, and supporters and identifying their specific participation for further follow-up.
- Implementing a yearly membership outreach plan.
- Overseeing all elements of our annual, 200 guest, fundraiser.
- Managing most social media and assisting with our quarterly newsletter and website

6/99 – 3/2012 Secretary/Director/Vice President/President
Lockwood Fire Protection District – Volcano, CA

The accomplishments of our organization during my involvement included:

- Building two additional stations
- Creating a community database to recognize resources more easily
- Passing a special tax to provide department funding
- Submitting multiple, successful grant applications include a \$280,000 FEMA grant
- Implementing paid staffing
- Recognizing and beginning the process of leasing property to a cellular provider to generate approximately \$25,000 of additional annual income at no cost
- Working with LAFCO to redefine Lockwood's sphere of influence
- Increasing transparency via a new website, quarterly newsletter and resident outreach
- Increasing volunteer acquisition and retention
- Promoting more effective collaboration between the Directors, Officers, Volunteers, Auxiliary and residents

AGENDA ITEM #12(e) ATTACHMENT

**PROJECT STATUS REPORT
LAFCO MEETING OF NOVEMBER 30, 2023**

PROJECT NUMBER	PROJECT NAME	STATUS AS OF NOVEMBER 30, 2023
320	Volcano CSD MSR	MSR; District did not cooperate; no information provided by GM; Plan to try again
321	Volcano CSD SOI	SOI; pending MSR
325	Ridgewood Acres Dissolution	Pending formation of Road Association; status unknown, 3 Board members appointed by BoS; Plan to contact new board members
327	Amador Water Agency SOI	SOI; effort to complete maps still pending. Plan to follow up with GM
Pre-Application	IBMI-JVID Annexation to JVID or OASA	land; State Department of Health order for potable water; 40 acres with a common well owned jointly by 12 tribal members; not trust group meeting monthly; Pending CEQA and documentation of water quality. Engineering and water quality testing completed and draft reports being circulated.
Pre-Application	Dos Santos Annexation to Pine Grove CSD	26 acres for possible future development of 4 homes; pending lot split application and CEQA for lot split. Property being surveyed.
Pre-Application	Kennedy Mine Annexation	City of Jackson to annex Kennedy Mine property. Application sent to applicant contact in July, emailed follow up, no response.
Pre-Application	Broad Meadows Estates Subdivision	Referral letter received. Subdivision to annex 3.25 acres to the City of Sutter Creek (10 residential lots) and the Sutter Creek Fire Protection District, detach from the Amador Fire Protection District. Pre-Zone R1.

COMPELETE D PROJECTS		
331	Jackson Islands Clean Up Annexation	Recorded 10/31/23 – awaiting BOE acknowledgement

