

## TRINITY LOCAL AGENCY FORMATION COMMISSION

December 16, 2020 at 4:00 p.m.

By Virtual Teleconference Only

### AGENDA

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Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, this meeting will be held by teleconference only. No physical location will be available for this meeting. However, members of the public are encouraged to access and participate in the meeting.

#### DIRECTIONS FOR LISTENING TO THE MEETING AND COMMENT REMOTELY:

##### Join Zoom Meeting:

<https://us02web.zoom.us/j/85740283879?pwd=dHJoVVN0R1VPZnBOeEhVYjRpRzdyZz09>

Meeting ID: 857 4028 3879

Password: 239443

##### OR dial in using the following telephone number(s):

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

Meeting ID: 857 4028 3879

Password: 239443

##### How to use Zoom:

The Trinity LAFCo Meeting will start promptly at 4:00 P.M. so we recommend downloading Zoom prior to this time. Please make sure that you have [downloaded and installed the Zoom program on your computer or mobile device in advance](#). It's fairly fast and easy, but does take a few minutes. And if this is your first time here is a short video tutorial on YouTube from Geeks on Tour: [How do I join a Zoom meeting?](#)

##### How to Submit Public Comment:

If you are joining the meeting via Zoom and which to make a comment on an item, press the "raise a hand" button. For call-in only attendees, you can mute/unmute by pressing \*6, and raise your hand by pressing \*9.

The chair will call you by name or phone number when it is your turn to comment. Please state your name for the record before sharing comments, and please do not unmute your microphone during times when public comment has not yet been invited. Speakers will be limited to three minutes.

If you choose not to observe the LAFCo meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 12:00 p.m. the day of the meeting. Please submit your comment to Kathy Bull at [kathy@trinitylafco.org](mailto:kathy@trinitylafco.org). Your comment will be placed into the record at the LAFCo meeting.

**If you require an accommodation due to a disability** under the Americans with Disability Act that does not allow you to participate remotely please notify Kathy Bull at [kathy@trinitylafco.org](mailto:kathy@trinitylafco.org) as soon as possible to make other arrangements for viewing the meeting and/or commenting.

**AGENDA**

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**1. CALL TO ORDER/ROLL CALL**

A. Roll Call

**2. PRESENTATIONS/ANNOUNCEMENTS**

A. Certificates of Recognition to Outgoing Commissioners – Judy Morris, John Fenley, Bobbi Chadwick, and Tom Walz

**3. CONSENT CALENDAR (Action Items)**

A. Approval of Minutes from October 20, 2020 Commission Meeting  
B. Approval of 2021 Commission Meeting Schedule

**4. PUBLIC COMMENT OPPORTUNITY**

This portion of the meeting provides an opportunity for members of the public to address the Commission on matters not on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No action may be taken on off-agenda items unless authorized by law. All statements that require a response will be referred to staff for reply in writing.

**5. PUBLIC HEARINGS**

None

**6. NEW BUSINESS**

A. Expiring Commissioner Terms in 2021 (informational)  
B. Chair and Vice Chair Selection (potential action)

**7. OLD BUSINESS**

A. Trinity Life Support CSD Formation Status Report (informational)  
B. Commission Policies and Procedures Update – Section 5. Conducting Authority Proceedings (potential action)

**8. EXECUTIVE OFFICER'S REPORT/CORRESPONDENCE**

**9. COMMISSIONER'S COMMENTS**

**10. ADJOURNMENT**

*The next LAFCo meeting will be held on Tuesday, February 16, 2020, at 4:00 p.m. via Zoom Video/Teleconference.*

# TRINITY LOCAL AGENCY FORMATION COMMISSION

October 20, 2020 at 4:00 p.m.

Via Virtual Teleconference

## MINUTES

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*These minutes are not intended to be a verbatim transcription of the proceedings and discussion associated with the business on the Commission's agenda; rather, what follows is a summary of the order of business and general nature of testimony, Commission deliberation, and action taken.*

### 1. CALL TO ORDER/ROLL CALL

- A. Chair Morris called the meeting to order at 4:04 p.m.  
Members present: Evan Barrow, Anna Burke, John Fenley, Keith Groves, Joseph Kasper, Judy Morris, Thomas Walz, and Alternate Commissioner Frost. Members absent: Bobbi Chadwick, Alternate

### 2. PRESENTATIONS/ANNOUNCEMENTS

### 3. CONSENT CALENDAR

- A. Approval of Minutes from August 18, 2020 Commission Meeting

**Motion** to approve the minutes was presented by Commissioner Walz, seconded by Commissioner Kasper and passed by the following votes:

**Ayes:** Barrow, Burke, Fenley, Groves, Kasper, Walz

**Noes:** None

**Abstain:** Morris

**Absent:** None

### 4. PUBLIC COMMENT OPPORTUNITY

There were no comments received from the public.

### 5. PUBLIC HEARINGS

- A. Weaverville Community Services District Draft MSR & SOI Update (Continued from August 18, 2020 Public Hearing)

Ms. Santsche shared with the Commission that the hearing was continued as there was not full support of staff's recommendation regarding the sphere boundary. Two options, A and B, were provided for the Commission at this hearing. Previously, the Commission discussed staff's recommendation for a SOI reduction following parcel lines and to avoid open space designated territory and discussed alternate SOI boundary. There was Commission discussing regarding boundaries, with Ms. Santsche answering Commission questions.

**Motion** to maintain the Sphere of Influence in area to the north and to otherwise follow the District boundary (exclude Option A and B on west side), as well as true up boundary on east side was presented by Commissioner Barrow, seconded by Commissioner Fenley.

**Subsequent Motion** to approve the Resolution 2020-08 in connection with Option A and to true up boundary on east side was presented by Commissioner Groves, seconded by Commissioner Walz and passed by the following votes:

**Ayes:** Fenley, Groves, Kasper, Morris, Walz

**Noes:** Barrow  
**Abstain:** Burke  
**Absent:** None

**6. NEW BUSINESS**

A. Fiscal Year 2019/2020 Year End Report

Ms. Santsche provided a comparison of budgeted items and actual revenue and expenditures showing for this fiscal year, LAFCo is operating under budget. By order of the Chair, the Commission received and filed this report.

**7. OLD BUSINESS**

A. Commission Policies and Procedures Update – Section 4. Service By Contract Outside Of Agency Boundaries & Delegation Of Authority To Executive.

Ms. Santsche provided a brief update on the changes, additions and clarifications. There was discussion with the commission and Ms. Santsche answered their questions.

**Motion** to accept, with corrections, Sections 4. Service By Contract Outside Of Agency Boundaries & Delegation Of Authority To Executive Officer update was presented by Commissioner Kasper, seconded by Commissioner Burke and passed by the following votes:

**Ayes:** Barrow, Burke, Fenley, Groves, Kasper, Morris, Walz  
**Noes:** None  
**Abstain:** None  
**Absent:** None

**8. EXECUTIVE OFFICER’S REPORT/CORRESPONDENCE**

Ms. Santsche provided a brief update on MSR & SOI Updates which are currently being prepared.

**9. COMMISSIONERS’ COMMENTS**

No commissioner comments were provided.

**10. ADJOURNMENT**

There being no further business, Chair Morris adjourned the meeting at 5:04 p.m.

ATTEST:

APPROVED:

\_\_\_\_\_  
Kathy Bull  
Administrator/Clerk

\_\_\_\_\_  
Judy Morris  
Chair

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_



## Agenda Item: 3.B.

**Meeting:** December 16, 2020

**To:** Trinity LAFCO Commissioners

**From:** Colette Santsche, Executive Officer & Kathy Bull, Administrator/Clerk

**Subject:** Approval of 2021 Commission Meeting Schedule (Consent Calendar)

### **BACKGROUND:**

It is the policy of Trinity LAFCO to hold regular meetings of the Commission on the third Tuesday of every other month beginning at 4:00 p.m. Each year the Commission adopts the meeting schedule for the calendar year.

### **DISCUSSION:**

This agenda item is to provide the opportunity for the Commission to formalize the following dates as Regular Scheduled Commission Meetings for 2021. Should there be a need for additional meetings, it may be scheduled as a Special Meeting at a future date:

- February 16, 2021
- April 20, 2021
- June 15, 2021
- August 17, 2021
- October 19, 2021
- December 14, 2021 (week prior due to holiday)

### **RECOMMENDATION:**

It is recommended that the Commission accept and approve the provided dates for Regularly Scheduled Commission Meetings in 2021, or provide direction to staff with alternate dates.



## Agenda Item: 6.A.

**Meeting:** December 16, 2020  
**To:** Trinity LAFCO Commissioners  
**From:** Colette Santsche, Executive Officer & Kathy Bull, Administrator/Clerk  
**Subject:** Expiring Commissioner Terms in 2021 (Informational)

### BACKGROUND:

The Commission consists of seven regular and three alternate members as follows:

- County - Three regular members and one alternate appointed by the Board of Supervisors;
- Special Districts - Two regular members and one alternate appointed by the Independent Special Districts; and
- Public Members - Two regular members and one alternate appointed by the Commission.

The term of office for each member pursuant to CKH Act § 56334 is four years and until the appointment of a successor. Pursuant to CKH Act § 56332, Special Districts Members are appointed by the Independent Special District Selection Committee.

### DISCUSSION:

Trinity LAFCo has two County regular commission member positions (Morris and Fenley) and one alternate (Chadwick) that will be vacant in January due to expiring elected positions. Each year the Board of Supervisors appoints three regular members and one alternate to the LAFCo Commission. These appointments will likely be made at the January 5<sup>th</sup> BOS meeting.

One special district regular member position that was previously held by Thomas Walz is now vacant. A letter announcing the LAFCo Special District Vacancy and Call for Nominations will be sent to each independent special district. Once nominations are received, a ballot will be sent to each district for appointing a new regular member to LAFCo.

In April 2021, one of the two Public member positions will be expiring. The Public Member regular position is currently held by Anna Burke and a second alternate position is currently vacant. Trinity LAFCo will announce the vacancies and encourage the public to apply for these positions.

Below is a current roster of the Commission with Term of Office;

<b>Designation</b>	<b>Current Member</b>	<b>Term of Office</b>
County – Regular Member	John Fenley*	Annual Appointment
County – Regular Member	Keith Groves	Annual Appointment
County – Regular Member	Judy Morris*	Annual Appointment
County – Alternate Member	Bobbi Chadwick*	Annual Appointment
Special District – Regular Member (Seat 1)	VACANT	4/30/2024
Special District – Regular Member (Seat 2)	Joseph Kasper	4/30/2022
Special District – Alternate	Pat Frost	4/30/2022
Public Member	Evan Barrow	4/30/2023
Public Member	Anna C. Burke	4/30/2021
Public Member - Alternate	VACANT	4/30/2023

*\*Elected Terms expiring in December 2020*

**RECOMMENDATION:**

This agenda item was for information purposes only. The Commission is invited to discuss the item and provide direction to staff as needed.



## Agenda Item: 6.B.

**Meeting:** December 16, 2020

**To:** Trinity LAFCO Commissioners

**From:** Colette Santsche, Executive Officer & Kathy Bull, Administrator/Clerk

**Subject:** Selection of Chair and Vice-Chair (Potential Action)

### **BACKGROUND:**

It is the policy of the Commission to annually designate a Chair and Vice Chair among its regular members. The Chair shall preside at all meetings of the Commission and shall conduct the business of the Commission in the manner prescribed by the Commission's policies. In the absence of the Chair, the Vice Chair shall act as Chair and exercise all the powers and duties of the Chair.

### **DISCUSSION:**

Currently, Commissioner Morris is serving as Chair and Commissioner Kasper is serving as Vice Chair. Per the Commission's policy, both a chair and vice chair will need to be designated to serve the 2021 calendar year.

### **RECOMMENDATION:**

It is recommended that the Commission elect a Chair and a Vice Chair to serve the 2021 calendar year. Per Commission policy, the Chair and Vice Chair shall not be members of the same appointing authority (county, special district, or public).





## Agenda Item: 6.B.

**Meeting:** December 16, 2020

**To:** Trinity LAFCO Commissioners

**From:** Colette Santsche, Executive Officer & Kathy Bull, Administrator/Clerk

**Subject:** Trinity Life Support CSD Formation Status Report (Informational)

### BACKGROUND:

On June 16, 2020, the Commission approved the formation of the Trinity Life Support Community Services District (CSD) with terms and conditions, including receiving 2/3<sup>rd</sup>s voter approval for a special tax to support and maintain advanced life support ambulance services.

### DISCUSSION:

The November 3, 2020 Presidential General Election was certified on November 23, 2020. Both Measure H (question to form the District) and Measure I (question to levy a Special Tax) were passed. A five-member board of directors was also elected. LAFCo staff will be recording a Certificate of Completion by the end of the year, which will provide an effective date for the district formation.

#### Trinity Life Support CSD Directors (5)

Result	Votes	Percentage
Serena Brown	3,576	23.65%
Scott Alvord	3,284	21.72%
Carol Anne Minor	2,425	16.04%
Todd Corbett	3,344	22.11%
Victor (Gus) Kormeier	2,492	16.48%

#### Measure H – Approval of CSD Formation

Result	Votes	Percentage
✔ Yes	<b>4,044</b>	75.94%
No	1,281	24.06%

#### Measure I – Approval of Special Tax

Result	Votes	Percentage
✔ Yes	<b>3,852</b>	72.35%
No	1,472	27.65%

### RECOMMENDATION:

This report is being provided for information only. The Commission may discuss and provide additional direction to staff, as necessary.



## Agenda Item: 7.B.

**Meeting:** December 16, 2020

**To:** Trinity LAFCO Commissioners

**From:** Colette Santsche, Executive Officer & Kathy Bull, Administrator/Clerk

**Subject:** Commission Policies and Procedures Update – Section 5. Conducting Authority Proceedings

### **BACKGROUND:**

Trinity LAFCo has drafted Policies and Procedures pursuant to Section 56300(a) of the Cortese-Know-Hertzberg Local Government Reorganization Act of 2000. Previously at the June 16, 2020 Commission meeting, the Commission approved the staff updates for Section 1. General “Bylaws” and Related Administration Policies; and Section 2. LAFCo Operations and Financial Policies. Subsequently at the August 18, 2020 LAFCo meeting, the Commission approved updates for Section 3. Policies, Requirements & Criteria for Applications. At the October 20, 2020 LAFCo meeting, the Commission approved updates to Section 4. Services by Contract, which includes Outside Agency Services by Contract and Fire Protection Services by Contract. Staff will be providing to the Commission various sections of the Policies and Procedures until completed.

### **DISCUSSION:**

Staff is provided the Commission with modifications to Section 5. Conducting Authority Proceedings for review and feedback. Once all Sections of the Policies and Procedures have been revised and updated, staff will provide a complete Policy and Procedures document in its entirety for the Commission’s final approval.

### **RECOMMENDATION:**

Staff recommends that the Commission provide direction to staff regarding policy revisions and consider accepting proposed changes to Section 5. Conducting Authority Proceedings.

Attachment:  
Section 5. Conducting Authority Proceedings

## Section 5: CONDUCTING AUTHORITY PROCEEDINGS

5.1.1 Delegation of Authority. The Executive Officer is designated as the hearing officer for conducting authority proceedings. All functions and duties of the Conducting Authority as specified in §57000, et. seq., shall be delegated to the Executive Officer. The purpose of delegating certain duties to the Executive Officer is to increase scheduling flexibility, to avoid extending Commission meetings to conduct non-discretionary procedures, and to expedite the boundary change process. If the Commission chooses to retain such authority, this decision shall be stated in the terms and conditions for approval of the subject proposal. The Executive Officer shall have the authority to issue the appropriate order upon completion of the protest proceedings.

~~5.1.2 The Executive Officer shall report the results of Conducting Authority Proceedings to the Commission.~~

5.1.2 Waiver of Conducting Authority Proceedings. The Commission may waive final Conducting Authority proceedings in accordance with CKH Act. §56662 and 56663, and otherwise authorize the Executive Officer to file a Certificate of Completion upon approval of a change of organization or reorganization and satisfaction of all terms and conditions pursuant to G.G. §57200.

5.1.3 Setting the Matter for Hearing. Within 35 days of final Trinity LAFCO action, the Executive Officer shall set the matter for hearing and cause a notice thereof to be published in accordance with G.C. §57025. The date of the hearing shall not be less than 21 nor more than 60 days, after the date the notice is given. The hearing may be continued for up to 60 days.

5.1.4 Conclusion of Hearing. Within thirty (30) days of the protest hearing, the Executive Officer shall, based on the value of written protests filed and not withdrawn as specified under G.C. §57052, either order the change, order the change subject to an election, or terminate the proposal. The Executive Officer shall report to the Commission at its next meeting the outcome of any protest hearing that is conducted.