



AGENDA ITEM 7.A.

MEETING: June 21, 2022
TO: Trinity LAFCo Commissioners
FROM: Colette Metz Santsche, Executive Officer & Kathy Bull, Administrator/Clerk
SUBJECT: Expiring Commissioner Terms in 2022

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 and qualification of a successor. There are no term limits. Pursuant to CKH Act § 56332, Special Districts Members are appointed by the Independent Special District Selection Committee.

DISCUSSION

Each year the Board of Supervisors appoints three regular members and one alternate to the LAFCo Commission. These appointments were made at the January 4, 2022 Board meeting.

One special district regular member position that is currently held by Joseph Kasper will be expiring. One special district alternate member position that is currently held by Pat Frost will also be expiring. A call for nominations was mailed to each independent special district requesting Board nominations to fill the upcoming vacant seats. A joint meeting of the Independent Special District Selection Committee (Selection Committee) previously scheduled for April 19, 2022 did not receive a quorum of independent special districts in attendance. As such, the meeting has been rescheduled for June 21, 2022 at 5:30 p.m. (after the Commission meeting). The agenda and notice sent to special districts is attached.

The public member regular positions are currently held by Evan Barrow and Anna Burke with their terms expiring in 2023 and 2025, respectively. The public member alternate position is currently vacant. Trinity LAFCo will continue to periodically re-announce the vacancy and encourage members of the public to apply for this position.

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

Designation	Current Member	Term of Office
County – Regular Member	Jill Cox	Annual Appointment
County – Regular Member	Liam Gogan	Annual Appointment
County – Regular Member	Keith Groves, Chair	Annual Appointment
County – Alternate Member	Jeremy Brown	Annual Appointment
Special District – Regular Member (Seat 1)	Andrew Johnson	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	4/30/2025
Public Member – Alternate	VACANT	4/30/2023

RECOMMENDATION

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

Attachments:
Combined notice and agenda sent to all independent special districts



Date: May 10, 2022

To: Presiding Officers and Board Members of Independent Special Districts in Trinity County

Cc: District General Managers/Clerks

From: Colette Santsche, LAFCo Executive Officer

Subject: **Important Joint Meeting of All Independent Special Districts – June 21, 2022**

The joint meeting previously scheduled on April 19, 2022 did not receive a quorum of independent special districts in attendance and therefore must be rescheduled. As such, the Trinity Local Agency Formation Commission (LAFCo) requests a meeting of the Independent Special District Selection Committee (Selection Committee) for purposes of appointing special district members to serve on LAFCo:

Meeting Date: June 21, 2022 (after the LAFCo meeting)

Time: 5:30 PM -- *Light food and refreshments will be provided*

Location: Trinity County Library Meeting Room, 351 Main Street, Weaverville

Teleconference: Meeting Link Option:

<https://us02web.zoom.us/j/82529918669?pwd=Y01sVk1ESGIJRzIUdW1iNFRxNzV0dz09>

Meeting ID: 825 2991 8669

Passcode: 815282

Phone: 1 669 900 6833

The AGENDA for the Selection Committee meeting is attached.

This memorandum provides formal notice of the Selection Committee meeting and includes information on the selection process for special district members on LAFCo. *Please note that only Board members (not staff) may serve as a voting representative at the meeting on June 21st.*

REQUEST TO INDEPENDENT SPECIAL DISTRICT MANAGERS AND/OR CLERKS

- Distribute this Notice to All Members of the District Board
- Provide the name of the district's Presiding Officer or the name of the Board member to attend and vote in place of the presiding officer to colette@trinitylafco.org by noon June 21, 2022.
- ***Without a quorum of Independent Special Districts, no action can be taken at the meeting to fill the vacancy, which would delay the election and require the election process to be conducted by email/U.S. mail.***

FOR MORE INFORMATION

Please visit www.trinitylafco.org for more information about LAFCo. If you have any questions about this process please email colette@trinitylafco.org or call 530.227.6836 (cell).

BACKGROUND AND SUMMARY

Previously a call for nominations was mailed to each independent special district requesting Board nominations to fill two (2) upcoming vacant seats as follows:

- **One Regular member to serve a new 4-year term ending April 30, 2026**

Trinity LAFCo received one nomination for the Regular Special District position:

- Joseph Kasper, Lewiston CSD

- **One Alternate member to serve a new 4-year term ending April 30, 2026**

Trinity LAFCo has not received nominations for the Alternate Special District position and will accept nominations at the meeting.

SPECIAL DISTRICT REPRESENTATION ON LAFCO AND SEATING DESIGNATIONS

We are currently accepting nominations for two special district seats as shown in the following table:

Designation	Current Member	Term of Office Expires
Regular Member (Seat 1 - Enterprise)	Andrew Johnson, TPUD	4/30/2024
Regular Member (Seat 2 - Non-Enterprise)	Joseph Kasper, Lewiston CSD	4/30/2022
Alternate Member (Enterprise or Non-Enterprise)	Pat Frost, Trinity Center CSD	4/30/2022

The seating of special district representatives on Trinity LAFCo shall be in accordance with the following designations unless otherwise determined by the Selection Committee:

1. One regular seat shall be designated as an "Enterprise District" seat;
2. One regular seat shall be designated as a "Non-Enterprise District" seat; and
3. One alternate seat shall be designated from either an enterprise or non-enterprise district.

An "Enterprise" district is defined as any jurisdiction that derives the majority of its total revenues from user fees and/or service charges (e.g., water services). A "Non-Enterprise" district is defined as any jurisdiction that derives the majority of its total revenues from property taxes or otherwise provides services that are not conducive to user fees (e.g., fire protection).

INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE MEMBERSHIP

The Selection Committee membership is comprised of presiding officers of the following 19 independent special districts in Trinity County:

Enterprise Districts:

Lewiston CSD

Mountain Communities Healthcare
District (Trinity Hospital)

Ruth Lake CSD

Trinity PUD

Weaverville CSD

Weaverville Sanitary District

Non-Enterprise Districts:

Coffee Creek VFD
Douglas City CSD (fire)
Hayfork FPD
Hyampom CSD (fire)
Junction City FPD
Post Mountain PUD (fire)
Salyer CSD (fire)
Trinity Center CSD (fire)

Weaverville FPD
Greater Hayfork Valley Park &
Recreation District
Weaverville/Douglas City Park &
Recreation District
Trinity Life Support CSD (ambulance)
Trinity County Resource Conservation
District

Special Districts shall designate the presiding officer or another board member as the voting delegate for the Selection Committee meeting. Board action is not necessary to name your voting representative. District managers or other district staff members may not vote.

Selection Committee members representing a majority (10) of the independent special districts shall constitute a quorum. The Committee shall not conduct its business without a quorum of its membership.

SELECTION COMMITTEE MEETING PROCEDURES

At the Selection Committee meeting, any member may submit nominations for the special district member positions. The nominees must be elected or appointed special district officers residing within the county but must not be members of the legislative body of the county. Each nominee will be given an opportunity to make a brief statement.

The selection will occur through a roll call vote of the members of the Selection Committee (i.e., each presiding officer or voting delegate of independent special districts) present at the meeting. Each member is entitled to one vote per vacant seat. The Selection Committee is encouraged to make selections that fairly represent the diversity of the independent special districts in the county, with respect to population, services, and/or geography.

If only one nomination is received for a position, that nominee is selected. The nominee who receives the majority of the votes cast is selected. If no nominee receives a majority of the votes cast, a run-off election between the two nominees who receive the greatest number of votes is held. After votes are tallied, the results will be announced.

TERMS OF OFFICE FOR LAFCO MEMBERS

The term of office for a LAFCo commissioner is 4 years and until the appointment and qualification of a successor. There are no term limits.

A member's term of office on LAFCo will cease immediately if he or she ceases to be on the special district board. The statute also provides that a member may be removed at any time and without cause upon a majority vote of the Selection Committee.

DISQUALIFICATION ON PROPOSALS AFFECTING THE DISTRICT

Pursuant to Government Code §56332(d), a special district member is not automatically disqualified from acting on a proposal affecting the member's special district. Any member appointed shall exercise independent judgement and represent the interests of the public as a whole and not solely the interests of the appointing authority.

INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE

June 21, 2022 at 5:30 p.m.

**Trinity County Library Meeting Room
351 Main Street, Weaverville**

AGENDA

***** IN PERSON OR VIRTUAL TELECONFERENCE OPTIONS *****

Meeting Link:

<https://us02web.zoom.us/j/82529918669?pwd=Y01sVk1ESGIJRzIUdW1iNFRxNzV0dz09>

Meeting ID: 825 2991 8669

Passcode: 815282

Phone: 1 669 900 6833

1. CALL TO ORDER AND WELCOME

Roll Call and Establish Quorum
Appoint Selection Committee Chair and Vice Chair
Approve AB 361 Resolution (attached)
Review Agenda

2. PUBLIC COMMENT OPPORTUNITY

Opportunity for members of the public to address the Committee on matters not on the agenda

3. PRESENTATION/ANNOUNCEMENTS

Overview of LAFCo and Role of LAFCo Commissioners
Overview of LAFCo Funding Sources and Final Budget for FY 2022-23
Overview of Selection Process for Special District members on LAFCo

4. DISCUSSION AND POSSIBLE ACTION REGARDING SEATING DESIGNATIONS FOR SPECIAL DISTRICT MEMBERS ON LAFCO

Overview of current seating designations (enterprise v. non-enterprise)
Determine if the seating designation is necessary and should be maintained

**5. SELECTION OF REGULAR MEMBER FOR NEW 4-YEAR TERM (5/1/2022 - 4/30/2026)
Non-Enterprise Seat**

Trinity LAFCo received one nomination for the Regular Member position:

- Joseph Kasper, Lewiston CSD (nominating resolution attached)

Pursuant to California Government Code Section 56332(c)((2), if only one candidate is nominated for a vacant seat, that candidate shall be deemed appointed. However, because the seating designation is for “non-enterprise” districts (and Lewiston CSD has recently been classified as a “enterprise” district), the following is recommended:

- a. Confirmation of appointment of Joseph Kasper, Lewiston CSD
- b. If candidate is not confirmed, open for other nominations

6. **SELECTION OF ALTERNATE MEMBER FOR NEW 4-YEAR TERM (5/1/2022 - 4/30/2026)**
Enterprise or Non-Enterprise Seat

Trinity LAFCo has not received nominations for the Alternate Member position and will accept nominations at this time.

- a. Call for nominations
- b. Candidate statements
- c. Roll call vote¹
- d. Announce results

7. **COMMITTEE COMMENTS/ANNOUNCEMENTS**

8. **NEXT STEPS**

Notice of member selection and seating

9. **ADJOURNMENT**

¹ Roll call vote in lieu of ballots will be conducted due to hybrid in-person and virtual teleconference options.

**INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE
RESOLUTION 2022-01**

**DECLARING ITS INTENT TO REMOTE TELECONFERENCE ACCESS AT MEETINGS
IN ACCORDANCE WITH AB 361**

WHEREAS, the Independent Special District Selection Committee (“Selection Committee”) is committed to preserving public access and meeting participation; and

WHEREAS, all meetings of the Selection Committee are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and observe the Selection Committee conduct its business; and

WHEREAS, the Brown Act, Government Code Section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with Government Code Section 54953(b)(3) requirements, subject to the existence of certain conditions including a proclaimed state of emergency for which meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, the Brown Act, Government Code Section 54954(e), also allows for remote teleconferencing participation during the duration of an emergency if a fire, flood, earthquake, or other emergency makes the usual meeting place unsafe; and

WHEREAS, the proliferation of COVID-19 in addition to local conditions that may pose imminent risks to health and safety and directly impact the ability of the public and the Committee to meet safely in person, accordingly, the Committee hereby recognizes the proclamation of state of emergency by the Governor of the State of California, the regulations of Cal/OSHA recommending physical distancing, and local conditions that often correspond with local or regional advisory or mandatory evacuation orders (wildfires) or extreme storm events.

NOW, THEREFORE, BE IT RESOLVED by the Independent Special District Selection Committee as follows:

1. Remote Teleconference Meetings. The LAFCo Executive Officer is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public Committee meetings in accordance with Government Code Section 54953(e) and other applicable Brown Act provisions and provide remote teleconference meeting access.
2. Reoccurring Evaluation by the Committee. The LAFCo Executive Officer is hereby directed to continue to monitor health and safety conditions related to COVID-19, the status of the Governor’s state of emergency, and the state regulations related to social distancing, and present to the Committee at its next scheduled meeting the related information and recommendations for continued remote meeting access pursuant to the provisions of Government Code Section 54953(e)(3) and to extend the time during which the Committee may continue to teleconference without compliance with paragraph (3) of subdivision (b) of Section 54953.

THE FOREGOING RESOLUTION was passed and duly adopted at a meeting of the Independent Special District Selection Committee on the 21st day of June, 2022, and adopted by the following vote:

AYES:
NOES:
ABSTAINS:
ABSENT:

Date

NAME
Independent Special District Selection Committee

ATTEST:

Date

Colette Santsche
LAFCo Executive Officer

**Trinity LAFCo Regular Special District Member
(Non-Enterprise)
NOMINATION FORM**

District Name: Lewiston Community Services District

Address: PO Box 164

Telephone: 530-778-3018

The Board hereby nominates Joseph Kasper to fill a four-year term ending in April 2026 as a regular member of the Trinity Local Agency Formation Commission representing independent (Non-Enterprise) special districts in Trinity County.

Board action taken on the 1st day of march, 2022 by the following vote:

Ayes: Cyd Cooper, Jenni Brookins, Mel Deardonff, Joe Kasper and Jim Montgomery

Noes: Ø

Abstain: Ø

Absent: Ø

Katie Quinn
Signature of Board ~~President~~ Clerk

KATIE QUINN
Printed Name

Nomination Form must be received by Trinity LAFCO no later than April 1, 2022.