

TRINITY LOCAL AGENCY FORMATION COMMISSION

December 10, 2019 at 4:00 p.m.

Trinity County Library meeting room,
Weaverville

AGENDA

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

2. **PRESENTATIONS/ANNOUNCEMENTS**

None

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

A. Approval of Minutes from September 17, 2019 Commission Meeting

4. **PUBLIC COMMENT OPPORTUNITY**

This agenda time is for information from the public for items *not* appearing on today's agenda. No action or discussion will be conducted on matters presented at this time. When addressing the Commission, please state your name for the record prior to providing your comments. Address the Commission as a whole through the Chair. Comments are limited to three (3) minutes in length, subject to the discretion of the Chair, and must pertain to matters within the jurisdiction of this Commission.

5. **PUBLIC HEARINGS**

None

6. **NEW BUSINESS**

- A. Public Member Appointment(s) (Potential Action)
- B. Special District Member Appointment (Potential Action)
- C. Coffee Creek Volunteer Fire District MSR & SOI Update (DRAFT) (Informational)
- D. Senate Bill 929 Website Requirements for Special Districts (Informational)
- E. New Trinity LAFCo Website (www.trinitylafco.org) (Informational)
- F. 2020 Proposed Commission Meeting Schedule (Potential Action)
- G. Commission Policies and Procedures Update (Potential Action)

7. **OLD BUSINESS**

A. Trinity Life Support CSD Status Report (Potential Action)

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

9. **COMMISSIONER'S COMMENTS**

10. **ADJOURNMENT**

The Commission may take action upon any item listed on the agenda. Unless otherwise noted, items may be taken up at any time during the meeting.

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 before 1:00 p.m. on the day of the hearing will be distributed to the Commission. If you wish to submit written material at the hearing, please supply 15 copies.

Accessibility

The location of this meeting is wheelchair accessible. If other accommodations are required to assist a person with a disability to participate in the meeting, please contact the Executive Officer or Commission Clerk at least 24 hours before the meeting.

Disclosure & Disqualification Requirements

Any person or group of persons acting in concert who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Trinity LAFCo must comply with the disclosure requirements of the Political Reform Act of 1974 applicable to local initiative measures to be submitted to the electorate. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals; they may be reviewed at Government Code §§56700.1 and 81000 *et seq.* Additional information about the requirements pertaining to local initiative measures to be presented to the electorate can be obtained by calling the Fair Political Practices Commission at (916) 322-5660.

A LAFCo Commissioner must disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agent (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCo proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

Late-Distributed Materials. Any material submitted to the Commission after this agenda is posted will be made available for public inspection as soon as possible in the LAFCO office, as indicated below.

Contact LAFCO Staff. LAFCo staff may be contacted via mail at Trinity LAFCo, P.O. Box 1445, Weaverville, CA 96093; or via email at kathy@trinitylafco.org or by fax at (530) 623-1353.

TRINITY LOCAL AGENCY FORMATION COMMISSION

September 17, 2019 at 4:00 p.m.

Trinity County Library meeting room,
Weaverville

MINUTES

1. CALL TO ORDER

Acting Chair Clarence Rose called the meeting to order at 4:00pm.

Members present: Bobbi Chadwick, John Fenley, Keith Groves and Clarence Rose.

Members absent: Bill Britton, Pat Frost and Judy Morris. Public Member positions are currently vacant.

Staff Present: John Jelichich, Former Executive Officer; Kathy Bull, Trinity LAFCo Administrator/Clerk

Staff absent: Colette Metz Santsche, Executive Officer

2. PRESENTATIONS/ANNOUNCEMENTS

None

3. APPROVAL OF MINUTES

A. May 21, 2019

B. August 20, 2019

Motion to approve the minutes was presented by Commissioner Fenley, seconded by Commissioner Groves and passed by the following votes:

Ayes: Chadwick, Fenley, Groves and Rose

Noes: None

Abstain: None

Absent: Britton, Morris

4. PUBLIC COMMENT OPPORTUNITY

Jim Stillwell wanted the California Constitution 13.b. Section 4 added to the agenda to make sure the County Officials keep up with the Constitution regarding tax laws. Chair Rose directed Mr. Stillwell to the County Board of Supervisors as his question was not LAFCo related. Mr. Stillwell expressed his concern regarding a new tax assessment and stated LAFCo could not delegate taxes or levy taxes.

5. PUBLIC HEARINGS

A. Consider and take action to adopt a resolution approving the formation of Trinity Life Support CSD with terms and conditions affecting the formation, including that an election is required for the formation, assessment and election of the initial

board of directors. The proposal affects lands currently served by Trinity County Life Support, generally the same boundary as Trinity PUD and Post Mountain PUD combined. App: Trinity County Board of Supervisors on behalf of Trinity County Life Support. (File: LAF-19-01)

Mr. Jelich summarized the provided staff report as the Commission and audience members had participated in the previous workshop. He discussed information provided within the staff report such as district boundaries with no overlapping territories, the proposal of the functions authorized by LAFCo to provide for ambulance service, life support and related educational activities. The governing body would be a five-member Board of Directors with staggered terms.

Mr. Jelich read into the record a letter received for Karen Reimer in which she stated she was opposed to the individual parcel assessment of any amount for any district. The letter was included as page 49 of the agenda packet.

The Chair opened the public hearing at 4:28 p.m. Jim Stillwell states he would like to see this happen but claimed putting taxes against the property was illegal and unconstitutional. The Chair closed the public hearing at 4:37 p.m. after discussion within the Commissioners.

There was further Commissioner discussion regarding the tax assessment cost for undeveloped parcels and developed parcels. Kathy Ratliff and Shawn Poore from Trinity County Life Support provided information and answered Commissioner questions.

Motion to adopt proposed Resolution LAFCo 19-03, Resolution ordering the formation of the Trinity Life Support Community Services District and establishing a provisional Sphere of Influence for the District was presented by Commissioner Fenley, seconded by Commissioner Chadwick and passed by the following roll call vote:

Ayes: Chadwick, Fenley, Groves and Rose

Noes: None

Abstain: None

Absent: Britton, Morris

- B. Consider and take action to approve Impartial Analyses for ballot measures pertaining to the formation of Trinity Life Support Community Services District. (File # LAF 19-01)

Chair Rose asked that the provided document "Impartial Analysis" be separated into two different votes. The first being the Impartial Analysis Formation of the Trinity Life Support Community Services District and the second for the Special Tax.

Motion to accept the Impartial Analyses - Formation of the Trinity Life Support Community Services District as written as presented was presented by Commissioner Fenley, seconded by Commissioner Chadwick and passed by the following vote:

Ayes: Chadwick, Fenley, Groves and Rose

Noes: None

Abstain: None

Absent: Britton, Morris

Motion to accept the Impartial Analyses – Special Tax for Trinity Life Support Community Services District was presented by Commissioner Fenley, seconded by Commissioner Chadwick and passed by the following rollcall vote:

Ayes: Chadwick, Fenley, Groves and Rose

Noes: None

Abstain: None

Absent: Britton, Morris

6. ACTION ITEMS

No Action Items were provided.

7. ADMINISTRATIVE BUSINESS

A. Updates for Trinity LAFCo operations.

Ms. Bull provided a brief update regarding a letter was sent out in July introducing Colette Metz Santsche as the new Executive Officer which also included information about two regular and one alternate Public Member vacant positions. No response had been received yet regarding vacant position. It was suggested to contact the newspaper to place an article regarding open position. Ms. Bull briefly touched on the new website, which staff has utilized to post public notices. Staff was beginning work on updating MSR/SOIs for four Special Districts.

8. EXECUTIVE OFFICER'S REPORT/CORRESPONDENCE

No report was provided.

9. COMMISSIONERS' COMMENTS

No comments were provided.

10. ADJOURNMENT

Meeting adjourned at 5:00 p.m.



AGENDA ITEM 6.A.

MEETING: December 10, 2019

TO: Trinity LAFCo Commissioners

FROM: Colette Metz Santsche, Executive Officer and Kathy Bull, Administrator/Clerk

SUBJECT: Public Member Appointments

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 § 56325, Public Member appointment shall be subject to the affirmative vote of at least one of the members appointed by each of the other appointing authorities.

DISCUSSION:

Currently, two Regular Public Members and one Alternate Public Member positions are vacant. A press release regarding the Notice of Vacancy for appointment to the vacant Public Member positions was published in the Trinity Journal on November 13, 2019. This notice was also posted on the Trinity LAFCo website and mailed to various agencies within Trinity County.

The terms of office for the Public Member positions are as follows:

- Regular Public Member (Voting Seat #1) term ending 4/30/2021
- Regular Public Member (Voting Seat #2) term ending 4/30/2023
- Alternate Public Member (Alternate Seat term ending 4/30/2023

Trinity LAFCo has received one application from Anna C. Burke who indicated her interest in the Regular Public Member (Voting Seat #1) with the term ending April 30, 2021, or the Alternate Public Member with the term ending April 30, 2023.

RECOMMENDATION:

Staff recommends the Commission interview the Public Member candidate (if present). Selection of the Public Member requires a majority vote of the Commission and the affirmative vote of at least one County and one Special District member. If the Commission so chooses, the Regular Public Member term shall end 4/30/2021, or provide direction to staff. The Commission also has the option reopening the application period to solicit more candidates, if desired.

Attachment: Anna C. Burke Application

Trinity Local Agency Formation Commission (LAFCo) Regular/Alternate Public Member Application

Contact Information

Name	Anna C Burke
Home Address	HC 2 4784 Trinity Center, CA 96091
Mailing Address	(same as above)
Primary Phone	(530) 266-3724
Secondary Phone	(530) 722-8688
E-Mail Address	cedarct@tds.net
Occupation/ Employment	Paraprofessional / Substitute Teacher - TCE

Availability

The Trinity LAFCo Commission typically meets as needed on the 3rd Tuesday of each month at 4:00 p.m. at the Library meeting room in Weaverville. Are you typically available to attend LAFCO Commission meetings?

Yes ☒ No ☐

Interest in LAFCo

Tell us why you are interested in serving on LAFCo? I am interested in local zoning issues, open space preservation, and how special districts are formed and/or approved. I would like to learn more about how Trinity County LAFCO handles issues related to these subjects.

Special Skills or Qualifications

Summarize special skills and qualifications you have acquired from employment, volunteer work, or previous public service experience that may be of benefit in this position.

While employed by the City of Santa Cruz Parks & Recreation Dept. (1989-1996) I attended many City Council Meetings and served on a City-wide Safety Committee. I was also an S.E.I.U. Shop Steward at that time. As an employee of Trinity County Schools (2005 to present) I participated in School Board meetings, and served as a Teamster's Shop Steward at Lewiston Elementary School. I served on, and was Board President, the Seymour's Mutual Water Company for many years, but am no longer serving on that Board.

Previous Public Service Experience

Summarize your previous public service experience.

(See special skills or qualifications section.)

Disqualification

The LAFCo Public Member cannot be an officer or employee of the County or any Special District (e.g., community services district, fire protection district, sanitary district) with territory in Trinity County.

Are you currently employed by the County or any Special District within Trinity County?

Yes ☐ No ☒

Do you currently serve on a public board, commission or committee of the County or any Special District within Trinity County?

Yes ☐ No ☒

Agreement and Signature

By submitting this application, I affirm that the facts set forth in it are true and complete. I understand that if I am chosen to be a LAFCo Commissioner, any false statements, omissions, or other misrepresentations made by me on this application may result in my immediate dismissal.

Name (printed)

Anna C. Burke

Signature

Anna C. Burke

Date

12/2/19

Please mark position(s) of interest:

<input checked="" type="checkbox"/>	Regular Public Member (Voting Seat #1 - term ending 4/30/21)
<input type="checkbox"/>	Regular Public Member (Voting Seat #2 - term ending 4/30/23)
<input checked="" type="checkbox"/>	Alternate Public Member (Alternate Seat - term ending 4/30/23)

Our Process

The Public Member position(s) will remain open until filled. LAFCo meetings are held as needed on the 3rd Tuesday of every month at 4:00 p.m. at the Library meeting room in Weaverville. LAFCo Public Members are selected and appointed by the other regular members of the Commission.

Return Application/Questions

Return Completed Application to: Trinity LAFCo 1125 16th Street, Suite 202, Arcata CA 95521.

For any questions you may have, please contact Kathy Bull, Commission Clerk/Administrator via e-mail at kathy@trinitylafco.org.



PRESS RELEASE / NOTICE OF VACANCY

LAFCO SEEKS PUBLIC MEMBERS TO SERVE ON COMMISSION

The Trinity Local Agency Formation Commission (LAFCo) is currently accepting applications from members of the public interested in serving on the Commission. Currently, there are vacancies for two (2) “regular” public members at-large and one (1) “alternate” public member at-large. The positions are selected and appointed by the other regular members of the commission. LAFCo meetings are typically held on the 3rd Tuesday of every month at 4:00 p.m. at the Library meeting room in Weaverville unless otherwise noted.

LAFCo is an independent government agency created in each county by the California State Legislature in 1963. LAFCo is responsible for facilitating changes in local governmental structure and boundaries that fosters orderly growth and development, promotes the efficient delivery of services, and encourages the preservation of open space and agricultural lands. Most notably, this includes approving or disapproving boundary change proposals, such as annexations, detachments and formations consistent with adopted spheres of influence for special districts.

Trinity LAFCo is composed of seven voting members, including three county supervisors, two special district board members, and two members of the public. There are also three alternates in each category who vote only in the absence of a regular member. Commission members serve four-year terms. In addition, the Commission contracts for Executive Officer staffing services to manage the day-to-day operations of the Commission.

LAFCo Commissioners must be residents of Trinity County. No person may serve as a Public Member on LAFCo who at the same time is an officer or employee of a local public agency or who is a member of a public board, commission, or committee that has the authority to make advisory or final decisions on matters relating to land use or the provision of services.

To obtain an application, please visit LAFCo’s website at www.trinitylafco.org. Please note the Public Member positions will remain open until filled. Qualifying candidates will be considered at the next LAFCo meeting on December 10, 2019. Please submit a completed application by Monday, December 2 at 4:00 p.m. for consideration at this meeting. For additional information, please contact Kathy Bull, Commission Clerk/Administrator via e-mail at kathy@trinitylafco.org.



AGENDA ITEM 6.B.

MEETING: December 10, 2019

TO: Trinity LAFCo Commissioners

FROM: Colette Metz Santsche, Executive Officer and Kathy Bull, Administrator/Clerk

SUBJECT: Special District Member Appointments

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:

Due to the resignation of Bill Britton in September 2019, the regular Special District Member position became vacant. The term of office for that position began May 1, 2018 and will end April 30, 2022 and any newly appointed regular Special District Member will serve the remaining of the four-year term. The term of office for Clarence Rose, Regular Special District Member will end April 30, 2020.

As there is one vacant position and an upcoming vacant position, Trinity LAFCo will need to fill two Special District Member positions. The terms of office for Special District Member positions are as follows:

- Clarence Rose, Regular Special District Member, term ends 4/30/2020
- Vacant, Regular Special District Member, term ends 4/30/2022
- Pat Frost, Alternate Special District Member, term ends 4/30/2022

In order to fill these vacancies, it is necessary to hold a Joint Meeting of all Independent Special Districts in which a nomination and election is held. The nominees must be a Board Member from an Independent Special District within Trinity LAFCo.

It is important to note that the CKH Act does include a provision for a mailed ballot election process should the Executive Officer determine that a meeting of the Independent Special District Selection Committee for this purpose is not feasible due to the likelihood that a quorum would not be achieved. In this case, the Executive Officer may conduct the business of the committee in writing, including notification to districts of the vacancy, call for nominations, and provision of a mail-ballot election. For an election to be valid, at least a quorum of the independent special districts must submit valid ballots.

RECOMMENDATION:

Staff is seeking approval to proceed with contacting the Special Districts to schedule and hold a Joint Meeting of all Independent Special Districts to nominate and elect two Regular Special District Members to sit on the Trinity LAFCo Commission or provide further direction to staff.



AGENDA ITEM 6.C.

MEETING: December 10, 2019
TO: Trinity LAFCo Commissioners
FROM: Colette Metz Santsche, Executive Officer & Kathy Bull, Administrator/Clerk
SUBJECT: Coffee Creek Volunteer Fire District MSR & SOI Update (DRAFT)

BACKGROUND:

In accordance with the CKH Act, LAFCOs are required to prepare municipal service reviews (MSRs) prior to or in conjunction with its mandate to review and update each local agency's sphere of influence (SOI) every five years or as necessary. The legislative intent of the MSR is to inform the Commission as to the availability, capacity, and efficiency of local governmental services prior to making sphere of influence determinations. Municipal service reviews may also lead LAFCOs to take other actions under their authority, such as forming, consolidating, or dissolving one or more local agencies in addition to any related sphere changes.

DISCUSSION:

This MSR evaluates fire protection services provided by the Coffee Creek Volunteer Fire District (VFD). This report incorporates technical information collected and analyzed by LAFCo staff. The report also draws on recent fire planning efforts, including the 2015 Trinity County Community Wildfire Protection Plan and internal documents from Coffee Creek Agency staff including items sent by Board Member, David Overly and Fire Chief, Tony Valls. Staff respectfully seeks Commission input with regards to content, conclusions, and recommendations provided in the Coffee Creek VFD MSR & SOI Update (DRAFT). A public hearing to consider adoption will be scheduled for the next Commission meeting.

RECOMMENDATION:

Staff recommends the Commission receive and file this report. The Commission is invited to discuss the item and provide direction to staff as needed.

Attachment. Coffee Creek Volunteer Fire District MSR & SOI Update (DRAFT)

Coffee Creek Volunteer Fire District

Municipal Service Review & Sphere of Influence Update

Trinity Local Agency Formation Commission

Draft December 2019

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INTRODUCTION

This Municipal Service Review and Sphere of Influence Update was prepared as part of a mandated review of the municipal services of all government entities in the county by the Trinity Local Agency Formation Commission (LAFCo). This report focuses on the Coffee Creek Fire Protection District (FPD). The purpose of this study is to assess existing and future public service conditions and to evaluate organizational options for accommodating growth and ensuring critical services are provided efficiently. This MSR presents a discussion, analysis, and recommendations regarding services provided by the Coffee Creek FPD.

Trinity LAFCo

Local Agency Formation Commissions (LAFCos) are quasi-legislative, independent local agencies that were established by State legislation in 1963 to oversee the logical and orderly formation and development of local government agencies including cities and special districts. There is one LAFCo for each county in California.

LAFCo is responsible for implementing the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000 (California Government Code Section 56000 et. seq.) in order to promote orderly growth, prevent urban sprawl, preserve agricultural and open space lands, and oversee efficient provision of municipal services.

LAFCo has the authority to establish and reorganize cities and special districts, change their boundaries and authorized services, allow the extension of public services, perform municipal service reviews, and establish spheres of influence. Some of LAFCo's duties include regulating boundary changes through annexations or detachments and forming, consolidating, or dissolving local agencies.

Trinity LAFCo has a public Commission with seven regular Commissioners and three alternate Commissioners. The Commission is composed of three members of the Trinity County Board of Supervisors, two Special District Representatives, and two Public Member-At-Large. The Commission also includes one alternate member for each represented category.

Fire-Related Districts in Trinity County

The majority of structural fire protection services in Trinity County are provided by special districts. A special district is a local governmental agency that delivers public services to a specific area. They are most often established by residents to supply local services in areas not being served by another service provider.

Special districts provide critical services such as fire protection and emergency response and are governed by a board of directors and have defined boundaries in which it provides services and facilities. Special districts must have a statutory authority in order to be established. This authority can take the form of a generic statute which applies to all special districts of that type

or may be formed by a special act tailored to the unique needs of a specific area. In Trinity County, there are 20 special districts.

Fire Protection Districts (FPDs) are independent special districts governed under Fire Protection District law (Health and Safety Code § 13000-14960). An FPD can be authorized to provide services including:

- a) Fire protection services.
- b) Rescue services.
- c) Emergency medical services.
- d) Hazardous material emergency response services.
- e) Ambulance services
- f) Any other services relating to the protection of lives and property.

Municipal Service Review Determinations

Government Code § 56430 requires LAFCo to conduct a review of municipal services provided in the county by region, sub-region or other designated geographic area, as appropriate, for the service or services to be reviewed, and prepare a written statement of determinations with respect to each of the following topics:

1. Growth and population projections for the affected area;
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence;
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies (including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence);
4. Financial ability of agencies to provide services;
5. Status of, and opportunities for, shared facilities;
6. Accountability for community service needs, including governmental structure and operational efficiencies; and
7. Any other matter affecting or related to effective or efficient service delivery, as required by Commission policy.

State Guidelines and Commission policies encourage stakeholder cooperation in the municipal service review process. It also provides a basis to evaluate, and make changes to Spheres of Influence, if appropriate.

Sphere of Influence Determinations

A SOI is a LAFCo-approved plan that designates an agency's probable physical boundary and service area. Spheres are planning tools used to provide guidance for individual boundary change proposals and are intended to encourage efficient provision of organized community services,

discourage urban sprawl and premature conversion of agricultural and open space lands, and prevent overlapping jurisdictions and duplication of services.

LAFCo is required to establish SOIs for all local agencies and enact policies to promote the logical and orderly development of areas within the SOIs. Furthermore, LAFCo must update those SOIs every five years. For a SOI update, LAFCo is required to conduct an MSR and adopt related determinations. It must also make the following SOI determinations:

1. The present and planned land uses in the area, including agricultural and open-space lands;
2. The present and probable need for public facilities and services in the area;
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide;
4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency; and
5. The present and probable need for public facilities and services related to sewers, municipal or industrial water, or structural fire protection of any disadvantaged unincorporated communities within the existing sphere of influence (effective July 1, 2012).

Review Methods

The following information was considered in the development of this service review:

- Agency-specific data: responses to LAFCo Requests for Information;
- Demographic data: U.S. Census Bureau; Department of Finance
- Finances: budgets and audits
- Personal Communications with District Staff including David Overly and Tony Valls
- Other Reports: Trinity County Community Wildfire Prevention Plan Update 2015, California Strategic Fire Plan. 2010

Information gathered was analyzed and applied to make the required determinations. All information gathered for this report is filed by LAFCo for future reference.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) is contained in Public Resources Code § 21000 et seq. Public agencies are required to evaluate the potential environmental effects of their actions. MSRs are statutorily exempt from CEQA pursuant to § 15262 (feasibility or planning studies) and categorically exempt pursuant to CEQA Guidelines § 15306 (information collection). CEQA requirements are applicable to SOI Updates. The CEQA lead agency for SOI Updates is most often LAFCo, unless an agency has initiated an SOI expansion or update.

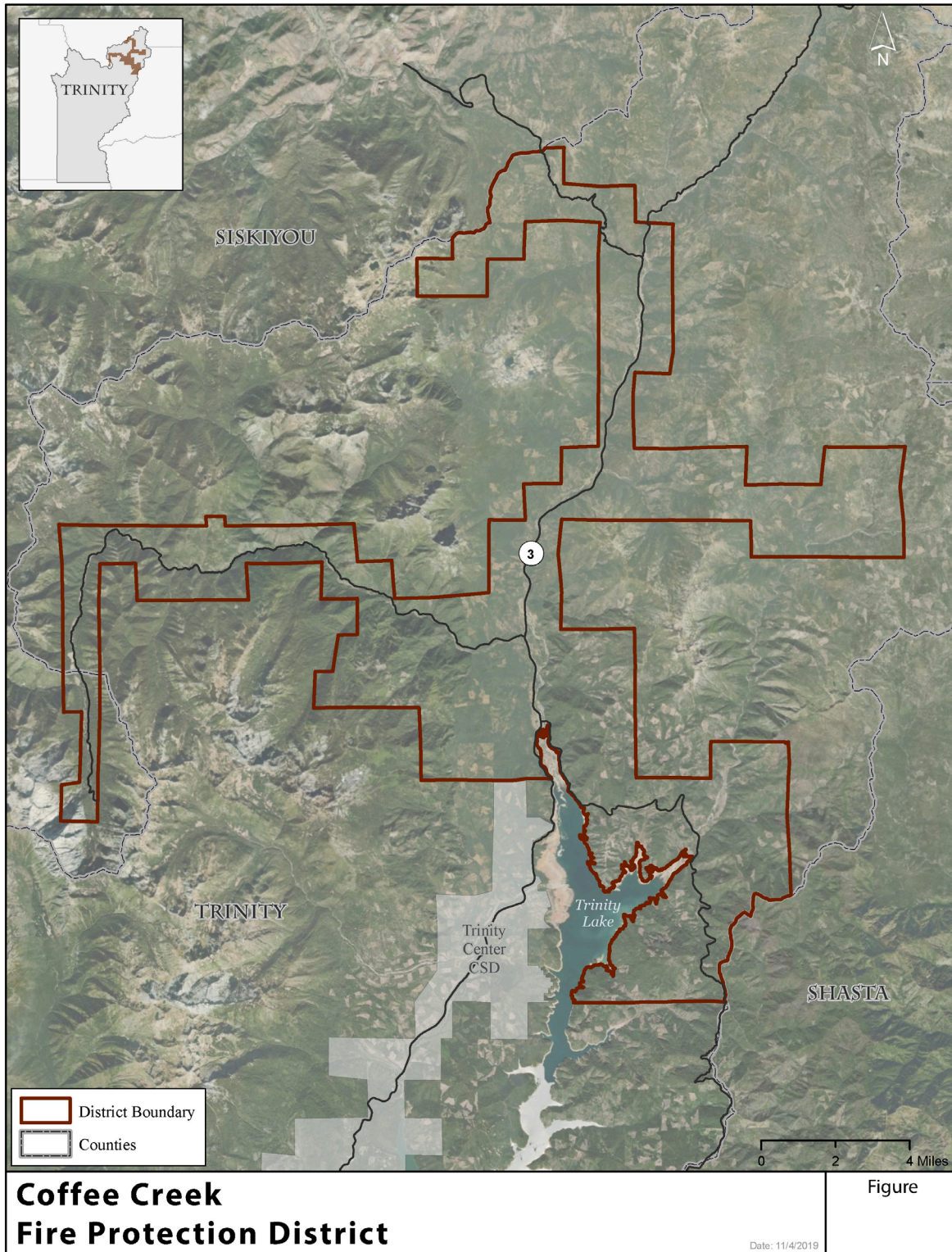
AGENCY OVERVIEW

Table 1: Coffee Creek VFD Agency Profile	
Formation	
Agency Name	Coffee Creek Volunteer Fire District
Formation Date	July 1, 2004
Principal Act	Fire Protection District Law (Health and Safety Code §13000 et seq.)
Contact	
Main Contact	Tony Valls, Fire Chief
Alternate Contact	Larry Fitzsimons, Board President
E-mail	coffeecreekvfd@gmail.com
District Mailing Address	PO Box 3951 Trinity Center, CA 96091
District Office Address	1 Cedar Rd, Trinity Center, CA 96091
Phone/ Fax	(530) 266-3955
Governance	
Governing Body	Board of Directors
Board Meetings	Fourth Wednesday monthly in the Coffee Creek fire hall
Staffing	Fire chief, Tony Valls; Assistant chief, Steve Renten; Secretary, Gene Casey
Services	
Services Provided	Fire protection, rescue, and emergency medical services
Areas Served	Unincorporated community of Coffee Creek and adjacent rural residential areas along Highway 3 (Figure 1)

Formation

The Coffee Creek Fire Protection District was formed on July 1, 2004 pursuant to LAFCo Resolution No. LAFCo-04-01. The District assumed all responsibility for providing services from the Coffee Creek Volunteer Fire Company, which disbanded upon formation and transferred all assets to the District. Shortly after formation, the District officially changed its name from the Coffee Creek Fire Protection District to the Coffee Creek Volunteer Fire District (VFD) on November 9th, 2004. The District was formed without an election due to sufficient registered voter petition in favor of district formation. For the initial Board of Directors, eight of nine Board members were appointed by the Trinity County Board of Supervisors, with the remaining member appointed by the Siskiyou County Board of Supervisors as set forth in Section 13836 of the Health and Safety Code.

Figure 1 Coffee Creek Fire Protection District Boundary and Response Area



Services

The Coffee Creek VFD is an independent single purpose special district authorized to provide fire protection, rescue, emergency medical services, and ambulance services pursuant to the Fire Protection District Law of 1987 (Health & Safety Code §13800, et seq.). The District has a mutual aid agreement with the Trinity Center CSD and jointly responds to all calls with the Trinity Center Volunteer Fire Department.

Boundary

The Coffee Creek VFD boundary comprises approximately 123 square miles (79,200 acres) and encompasses the unincorporated community of Coffee Creek (Figure 1). The District includes virtually all private lands north of Hatchet Creek, which flows into the northwestern edge of Trinity Lake. State Highway 3 traverses the District in a north-south direction and is the primary transportation route in the area. The District also extends to the northwest along Coffee Creek Road and includes approximately 2,000 acres in Siskiyou County. Currently, the District's Sphere of Influence (SOI) is coterminous with the District boundary.

GOVERNMENT STRUCTURE

Governing Body

Coffee Creek VFD is governed by a nine-member Board of Directors elected at-large to serve staggered four year terms (Table 2). In order to be elected to the Board, candidates must be registered voters residing within the District boundaries. If there are insufficient candidates for election, or if the number of filed candidates is equal to the number of vacancies, then Board members may be appointed in lieu of election. The Board of Directors elects officers, including a President (Chairman), Vice- President, and Treasurer. There are no term limits for serving as an Officer of the Board. Board members do not receive a stipend for attending meetings.

The Board meets on the fourth Wednesday of each month in the Coffee Creek fire hall but there is interest in reducing the frequency of meetings. Fire Protection District Law notes that fire district boards must meet at least once every three months (H&S Code § 13855). In accordance with the Brown Act, all meetings of the District Board are open to the public and are publicly posted a minimum of 72 hours prior to regular meetings and a minimum of 24 hours prior to special meetings at the District Office and Fire Hall. Meeting information is also posted online at www.northtrinitylake.com and minutes are kept for all Board meetings and are available upon request.

The District Board has expressed interest in reducing the number of Board seats from nine to five due to the difficulty of recruiting new Board members in a rural area. There are currently four vacant positions on the Board, so board reduction must be timely to avoid loss of a quorum for conducting district business. According to Fire Protection District Law, the number of members of a district board may be increased or decreased if a majority of voters are in favor of the

change at a general district or special election (H&S Code § 13845). To initiate the process, the District Board may adopt a resolution placing the question on the ballot. Alternately, a similar ballot question can be initiated by petition signed by at least 25 percent of the registered voters of the district. The District is determining whether an election can be waived if a petition is signed by a majority of the voters of the District (corresponding with the threshold for a favorable election). According to the District, there are 160 registered voters within the District boundaries, therefore it is possible that the District will be able to obtain enough signatures on a petition in favor of board membership reduction. As mentioned previously, the District was formed without an election due to sufficient registered voter petition in favor of District formation. If the voters approve of decreasing the number of directors, current board members will continue to serve until the end of their current terms.

Table 2: Coffee Creek FPD Board of Directors		
Board Member	Title	Term Expiration
Laurence Fitzsimons	President	12/1/2022
George Lawrence	Vice-President	12/1/2020
Linda Bullock	Director	12/1/2022
Lorrac Craig	Director	12/1/2020
David Overly	Treasurer	12/1/2020
vacant	-	-
vacant	-	-
vacant	-	-
vacant	-	-

Public Outreach

In addition to public meetings, the District works to reach constituents through community outreach efforts. The Coffee Creek VFD is very involved in community events and fundraising. The District does not maintain a website. However, the Trinity Lake Revitalization Alliance maintains a website at www.northtrinitylake.com that provides information regarding the District and Board of Directors, history of the VFD, and contact information.

An agency website can be a helpful communication tool to enhance government transparency and accountability and to provide details regarding agency services and programs. SB 929 (McGuire) was signed into law on September 14, 2018 and requires all independent special districts to maintain a website by January 1, 2020. The legislation outlines minimum data required on the website, including contact information, financial reports, and meeting agendas/minutes. Only hardship-based findings, identified in a board resolution approved at a regular meeting, would allow a district to be exempt from establishing or maintaining a website. The findings may include inadequate internet access; significantly limited financial resources; or insufficient staff resources. Since Coffee Creek VFD is staffed completely by volunteers, it would likely qualify for hardship-based findings, making the District exempt from the website

requirement. The resolution would be valid for one year and would need to be adopted annually so long as the hardship exists.

Accountability

The Coffee Creek VFD has an adopted Policy Handbook that addresses administrative, financial, and general operating policies and procedures for the District.

The Political Reform Act requires all state and local government agencies to adopt and promulgate a Conflict of Interest Code pursuant to Government Code §81000 et seq. The Political Reform Act also requires persons who hold office to disclose their investments, interests in real property, and incomes by filing a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to Government Code §87203.

According to AB 1234, if a local agency provides compensation or reimbursement of expenses to local government officials, then all local officials are required to receive two hours of training on public service ethics laws and principles at least once every two years and establish a written policy on reimbursements pursuant to Government Code §53235.

The District complies with the above requirements.

OPERATIONAL EFFICIENCY

Service Overview

The Coffee Creek VFD is an active member of the fire service in Trinity County. The department provides a full range of fire protection services, including emergency medical services, auto extrication, search and rescue, and general public assistance. Ambulance or medical transport service is provided within the District. The Coffee Creek VFD has an automatic aid agreement with the Trinity Center VFD and jointly responds to all emergency calls. The entire District is located within the State Responsibility Area (SRA) and the department works closely with CAL FIRE to respond to wildfire incidents during the fire season.

Service Demand

The Coffee Creek VFD receives an average of 1-2 calls per month, with call volume increasing in the summer months. The District responds to an average of 70 to 100 calls per year, with the majority of calls being medical-related. Other calls such as vehicle accidents may also involve the delivery of emergency medical services. The District maintains an emergency response log and training records (Table 3). During the District Board meetings, the Fire Chief provides a report on all emergency calls that occurred since the prior meeting and provides an update on Coffee Creek VFD activities.

Table 3: Coffee Creek VFD Calls for Service			
Response	2016	2017	2018
Fire	10	10	9
Fire Training	14	22	20
Medical	50	52	29
Medical Training	5	10	6
Search and Rescue	0	0	0
Motor Vehicle Crash	2	5	4
Public Assist	0	1	0
Other	1	0	4
Total Responses	82	100	72

ISO Rating

There are several benchmarks by which the level of fire service provided by an agency may be measured, and the Insurance Services Office Public Protection Classification, or ISO PPC, is one such measure. The ISO is a rating commonly used by insurance companies to determine fire insurance rates, with 1 being the best rating which indicates the highest level of fire protection and the lowest is 10. Based on a recent ISO audit, the Coffee Creek FPD has a “____” rating (Personal Communication with Fire Chief, 11/19). *[NEED TO CONFIRM ISO RATING]*

Personnel

The District reports six active volunteer personnel. All firefighters are CPR and First Responder certified. Two members are EMT certified and one member has emergency transport BLS authorization. The District is always looking for more recruits. Recruitment is conducted on an annual basis as well as through the Auxiliary group, the Fire Flies, and fundraising events. All staff members work as volunteers. The District Fire Chief, Tony Valls is certified as an Emergency Medical Technician (EMT) and works with Trinity County Life Support. The Assistant Fire Chief is Steve Renten and the volunteer Secretary is Gene Casey. There is always ongoing need for both responders and administrative volunteers.

Infrastructure and Facilities

The Coffee Creek VFD operates from one fire station located at 1 Cedar Road in the community of Coffee Creek. A kitchen remodel at the firehall is underway and will be completed in early 2020. Apparatus used by the District includes a Type 1 Engine, Ambulance, Type III wildland brush rig, and a Type II Tanker (Table 4). The District has extrication equipment including Jaws of Life, Hydra-Ram, vehicle stabilizer, circular saws, cutters, rescue kits, and more. Each volunteer is equipped with a hand-held radio and pager.

Table 4: Coffee Creek VFD Apparatus				
Apparatus Number	Apparatus Make/Type	Purchase Date	Purchase Description	Pump Capacity
1311	1991 KME Engine	6/30/2007	Title III Grant from Trinity County	1000 GPM
309	Ambulance	1/31/2002	Title III Grant from Trinity County	n/a
1332	1991 Dodge Brush Rig	1/31/2002	Loan from Bureau of Land Management	31 GPM
1341	2005 Kenworth Tanker	7/1/2005	FEMA grant	1002 GPM

Challenges and Needs

Like many rural departments, Coffee Creek VFD is challenged with aging equipment and volunteer recruitment. The District specifically noted that it needs a new brush rig engine. It only has 2-wheel drive capabilities, and 4-wheel drive is preferred to serve more isolated areas and off-road terrain. Another engine also needs replacing due to age. The District is providing matching funds to a countywide grant to upgrade their wildland gear in 2020.

Regional Collaboration

Coffee Creek FPD has mutual aid agreements with all of the fire protection districts in Trinity County, as well as the National Park Service, California Department of Forestry and Fire Protection (CAL FIRE), and the U.S. Forest Service. In addition, Coffee Creek FPD has an automatic aid agreement with the Trinity Center Volunteer Fire Department. Coffee Creek FPD is a member of the Trinity County Fire Chiefs Association and the Trinity County Fire Safe Council (FSC), and helped develop the first comprehensive Trinity County Community Wildfire Protection Plan (CWPP) between 1999 and 2005, with the most current CWPP published in 2015.¹ CAL FIRE is responsible for the suppression of wildland fires within State Responsibility Areas (SRA). CAL FIRE stations are staffed during declared fire season, typically June to October, and engines may respond to calls other than wildland fires if they are available and the call will not affect their core responsibilities. Although the State is responsible for wildland fire suppression within the SRA, CAL FIRE relies on local fire departments to respond to such incidents and provide initial attack to ensure that the fires are suppressed at the earliest possible stage. District volunteers participate as needed on CAL FIRE strike teams and also loan equipment to CAL FIRE as needed.

Other Service Providers

Community water in the Coffee Creek area is provided by private water companies including Coffee Creek Mutual Water Company (MWC), Coffee Creek Acres MWC, Treasure Creek Woods MWC and the Seymour's Mutual Water System. These companies operate water systems that serve different areas of the Coffee Creek community. Treasure Creek Woods MWC has 32

¹ Trinity County Community Wildfire Protection Plan Update 2015

service connections and two active groundwater wells. Seymour’s Mutual Water System serves 27 service connections from three springs. Water service in the area is also provided by individual wells. Community wastewater services are not provided in this area; the community relies upon individual septic tanks for sewage disposal.

FINANCING

Revenue and Expenditures

Coffee Creek VFD receives no property tax funds or special tax allocations. It relies purely on donations from the community to cover its operating expenses. Fundraising by the “Fire Flies”, the District Auxiliary group, provides about one third of needed income. It also receives income from North Coast Air Quality Control Board burn permits, liability insurance reimbursement from the County, and grants. Donations are received in conjunction with the District’s annual newsletter that details needed funds. Maintenance of equipment, structures and property, and training and travel are some of the larger expenditures incurred by the Coffee Creek VFD. Fees for professional services are also an expense incurred by the District. As reported to the California State Controller’s Office, revenues were \$59,897 for FY 2017-18 and \$75,197 for FY 2018-19, while expenditures were \$32,248 for FY 2017-18 and \$27,372 for FY 2018-19. Total revenue for FY 2019-20 is projected to be \$39,800, while total expenses are estimated at \$56,560, giving a cost overrun of \$16,760. This is due in large part to the cost of the remodeling the station kitchen, which is listed as a \$24,000 expense in the FY 2019-20 Budget.

Table 5. Coffee Creek VFD FY 2019-20 Budget	
Income	
Donations	\$37,400.00
Misc. Income	\$1,200.00
Interest Income	\$1,200.00
Total Income	\$39,800.00
Expenses	
Travel and Training	\$420.00
Spring Dinner/Auction Expense	\$1,500.00
Printing/Copying	\$182.40
Office Supplies/Postage	\$710.00
Kitchen Remodel Purchases	\$24,000.00
Purchases less than 1K	\$1,200.00
Fire/Medical Team Gear	\$3,600.00
Maintenance– Equipment	\$3,840.00
Maintenance–Buildings/Grounds	\$780.00
Medical Supplies	\$600.00
Fuel-Vehicles and Equipment	\$600.00
Licenses and Fees	\$111.00

Administrative & Accounting	\$4,500.00
Advertising & Promotion	\$2,500.00
Utilities	\$3,000.00
Telephone & Internet	\$720.00
Insurance	\$8,297.00
Total Expense	\$56,560.40
Revenues Over (Under)Expenditures	(16,760.40)

Grants

An important source of funding for the Coffee Creek VFD comes from grants. Grant funding organizations include FEMA (Federal Emergency Management Agency) and Title III funding. These grants are usually dedicated to specific equipment needs such as fire suppression equipment, rolling stock, uniforms, and SCBA's (Self Contained Breathing Apparatus) for example, as well as partial reimbursement of Workers Compensation insurance. The District dedicates significant effort and diligence to stay on top of grant opportunities that can benefit the Coffee Creek VFD.

Audit Information

The District conducts periodic audits and documents were provided for FY 2015-16 and 2016-17. The audit for these fiscal years indicates that the financial health of the District is strong; specifically, assets exceeded liabilities by \$241,614.00 at the end of FY 2016-17 and that net assets increased by \$23,476.00. The District has no long-term debt as of the end of FY 2016-17. Based on information from FY 2015-16 and 2016-17, the actual donations often exceeded the budgeted amount by a significant margin. The District is in the process of undergoing an audit to be completed November 2019.

GROWTH AND POPULATION

Existing Population and Projected Growth

According to the US Census, the total population in Trinity County was 13,786 in 2010. The Department of Finance 2019 (DOF) reports a 0.3% increase in the unincorporated population of Trinity County between 2018 and 2019, for a total County population of 13,688 estimated in 2019.

According to the District, the Coffee Creek VFD serves approximately 200 residents. In addition, Coffee Creek is a Census Designated Place (CDP) and has an estimated population of 298 based on 2013-2017 American Community Survey 5-year population estimates. The District will likely continue to grow at or less than the current county-wide growth rate of 0.3% per year, increasing the population by only nine people in ten years, putting the District population at approximately 307 in 2030.

Existing and Planned Uses

The Trinity County General Plan (1988) and Zoning Code guides land use decisions within Trinity County including the community of Coffee Creek. The area served by Coffee Creek VFD is largely agricultural, commercial timber production lands, recreation areas, and low density residential.

Disadvantaged Unincorporated Communities

LAFCo is required to evaluate water service, sewer service, and structural fire protection within disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters where the annual median household income is less than 80% of the statewide annual median household income.

According to the 2013-2017 American Community Survey 5-Year Estimates, the California median household income (MHI) is \$55,625 for Coffee Creek, which is 82% of the state average MHI of \$67,169; therefore, this area does not qualify as disadvantaged. There are no disadvantaged communities immediately adjacent to the District that require evaluation.

MUNICIPAL SERVICE REVIEW DETERMINATIONS

1) Growth and population projections for the affected area.

Coffee Creek FPD has approximately 298 residents within the district boundary. Currently, the district has adequate infrastructure to serve the existing population and service demand. While the growth rate within the district is projected to be low (less than one percent annually) there are undeveloped areas designated for residential use and some underutilized commercial areas along Highway 3 and in the Coffee Creek community. The District should continue to work with Trinity County and be involved in the review of new development proposals to ensure that adequate access and fire safe provisions are incorporated into project design.

2) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the SOI.

The unincorporated community of Coffee Creek and surrounding rural residential areas is the population center within the District. According to the 2013-2017 American Community Survey 5-Year Estimates, the California median household income (MHI) is \$55,625 for Coffee Creek, which is 82% of the state average MHI of \$67,169; therefore, this area does not qualify as disadvantaged. There are no disadvantaged communities immediately adjacent to the District that require evaluation.

3) Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the SOI.

The District's engines, water tenders, and other vehicles are all in operable condition. T Like many rural departments, Coffee Creek VFD relies on grants and donations to replace aging apparatus and equipment. The Coffee Creek fire station is adequate to support the existing and foreseeable levels of service of the District. A kitchen remodel at the firehall is underway and will be completed in early 2020.

4) Financial ability of agencies to provide services.

The Coffee Creek VFD appears to receive adequate donations from the community to finance services. In addition, they receive grant funding, reimbursement for services provided to other fire agencies, and other revenues.

5) Status of, and opportunities for, shared facilities.

The Coffee Creek VFD has an automatic aid agreement with Trinity Center VFD, which is a department of the Trinity Center CSD. Both agencies jointly respond and train together, and likely there are only limited opportunities for expanded facility and service sharing opportunities. In addition, the Coffee Creek FPD has a comparable number of volunteers and facilities compared to other similar sized districts in the county. The District conducts all of its business, meetings, and training from its Coffee Creek station.

6) Accountability for community service needs, including governmental structure and operational efficiencies.

The Coffee Creek VFD Board of Directors meets regularly, and district board meetings comply with the provisions of the Brown Act. In addition, District representatives coordinate training and response activities with the Trinity Fire Safe Council and participate in the Fire Chiefs Association. This allows the District to keep current on community service needs. District representatives also coordinate training activities with other districts and entities, giving greater operational efficiencies for the staff and the district overall. The District is committed to maintaining these relationships and continuing with joint training and operations programs.

7) Any other matter related to effective or efficient service delivery, as required by commission policy.

There are no further matters related to effective or efficient service delivery to report at this time.

REFERENCES

California Strategic Fire Plan. 2010. State Board of Forestry and Fire Protection and the California Department of Forestry and Fire Protection. URL:

http://resources.ca.gov/climate_adaptation/statewide_adaptation/climate_change_and_wildfire.html

Personal Communications with David Overly and Tony Valls, November 2019

Scores and PPC Ratings. ISO Mitigation Online. URL: <http://www.isomitigation.com/>

Trinity County Community Wildfire Prevention Plan Update 2015, Report to the Trinity County Fire Safe Council from the Trinity County Resource Conservation District and the Watershed Research and Training Center

US Census Bureau. American Fact Finder, Trinity County, California. URL: <http://factfinder.census.gov>



AGENDA ITEM 6.D.

MEETING: December 10, 2019

TO: Trinity LAFCo Commissioners

FROM: Colette Metz Santsche, Executive Officer

SUBJECT: SB 929 Website Requirements

BACKGROUND:

In 2017, the Little Hoover Commission released a report titled *Special Districts: Improving Oversight and Transparency*. One of the report's recommendations was to require all special districts to establish and maintain websites with key information. Before Senate Bill 929 was implemented, special districts were encouraged, but not required, to maintain a website. For example, the Brown Act requires special districts to publish meeting agendas online if the district has a website. SB 929 makes this legislative preference a mandate—requiring special districts to create websites, populate them with specific information, and continually update them beginning in 2020.

DISCUSSION:

Information Requirements

SB 929 was written with the intention of improving transparency and public access to basic information about special districts' activities. Under SB 929, all independent special districts must create a website with the district's contact information. In addition, all districts must conform to any other legal requirements applicable to their districts' website. These requirements vary based on the type of district, but broadly include:

- A catalog of enterprise systems, defined as "a software application or computer system that collects, stores, exchanges, and analyzes information that the agency uses," and the data collected;
- Financial transaction reports filed with the State Controller;
- Annual compensation of elected officials, officers and employees (or a link to the Controller's Government Compensation site);
- Meeting agendas at least 72 hours in advance of the meeting, in accordance with requirements of the Brown Act; and
- Local Health Care Districts' websites must also include the information described in Assembly Bill 2019.

Hardship Exemption

Special districts may exempt themselves from the website requirements if the district's board of directors adopts a resolution with detailed findings on why a hardship prevents it from establishing or maintaining a website. Examples of a valid hardship include: limited access to broadband or other type of Internet; significantly limited financial resources; and/or insufficient staff resources. The resolution is valid for one year and must be readopted annually if a hardship still exists.

Special District Compliance

LAFCo staff has prepared a Frequently Asked Questions handout with reference to CSDA's Website Compliance Checklist. These handouts will be uploaded to the LAFCo website and mailed to each special district as a reminder of this legislation taking effect in 2020. LAFCo staff has a hardship resolution template and can make that available to special districts as requested.

RECOMMENDATION:

Staff recommends the Commission receive and file this report. The Commission is invited to discuss the item and provide direction to staff as needed.

Attachment: FAQs Handout SB 929 and Compliance Checklist



FAQs: Website requirements for special districts, SB 929

What does SB 929 require?

SB 929 was written with the intention of improving transparency and public access to basic information about special districts' activities. SB 929 requires all independent special districts to maintain a website, unless the district passes a resolution claiming a hardship for specific reasons, including evidence of that hardship, in a public meeting each year.

When does SB 929 go into effect?

January 1, 2020.

What exactly must be posted to the website?

There are five posting requirements: contact information for the district; the most recent agenda (posted 72 hours in advance of each upcoming meeting); the State Controller's reports for the district's Financial Transaction Report and Board and Staff Compensation Report (or a link to each of the State Controller's websites); and the district's Enterprise System Catalog (as required by SB 272).

What sort of contact information is required?

The bill doesn't state, it just says that contact information is required. Our assumption is that this means physical and mailing address, phone number, and main district email address.

What are the specific agenda posting requirements?

Districts have always been required to post agendas at least 72 hours in advance, per the Brown Act, and if the district has a website, they must be posted there as well. AB 2257 went into effect January 2019, and that added a few requirements: first, there must be a link on the home page that goes directly to the current agenda; and second, the agenda itself must be searchable, indexable, and platform-independent (this means that you should be saving or exporting your agenda to PDF from Word, then posting that as your official agenda).

What constitutes a valid hardship?

Special districts may exempt themselves from the website requirements if the district's board of directors adopts a resolution with detailed findings on why a hardship prevents it from establishing or maintaining a website. Examples of a valid hardship include: limited access to broadband or other type of Internet; significantly limited financial resources; and/or insufficient staff resources. The resolution is valid for one year and must be adopted annually if a hardship still exists.

Where can I learn more?

The California Special Districts Association (CSDA.net) sponsors webinars on this topic often. They have created a Website Compliance Checklist for easy use (see attached). You can also contact LAFCo staff if you need assistance with preparing a hardship exemption resolution (template available upon request). Please contact colette@trinitylafco.org or (707) 825-8260 for more information.

California Website Compliance Checklist

Use this checklist to keep your district's website compliant with State and Federal requirements.

Public Records Act

☐ SB 929:

Our district has created and maintains a website

Passed in 2018, all independent special districts must have a website that includes contact information (and all other requirements) by Jan. 2020

☐ SB 272:

Our Enterprise System Catalog is posted on our website

All local agencies must publish a catalog listing all software that meets specific requirements—free tool at getstreamline.com/sb272

☐ AB 2853 (optional):

We post public records to our website

This bill allows you to refer PRA requests to your site, if the content is displayed there, potentially saving time, money, and trees

The Brown Act

☐ AB 392:

Agendas are posted to our website at least 72 hours in advance of regular meetings, 24 hours in advance of special meetings

This 2011 update to the Act, originally created in 1953, added the online posting requirement

☐ AB 2257:

A link to the most recent agenda is on our home page, and agendas are searchable, machine-readable and platform independent

Required by Jan. 2019—text-based PDFs meet this requirement, Microsoft Word docs do not

State Controller Reports

☐ Financial Transaction Report:

A link to the Controller's "By the Numbers" website is posted on our website

Report must be submitted within seven months after the close of the fiscal year—you can add the report to your site annually, but posting a link is easier

☐ Compensation Report:

A link to the Controller's PublicPay website is posted in a conspicuous location on our website

Report must be submitted by April 30 of each year—you can also add the report to your site annually, but posting a link is easier

Healthcare District Websites

☐ AB 2019:

If we're a healthcare district, we maintain a website that includes all items above, plus additional requirements

Including budget, board members, Municipal Service Review, grant policy and recipients, and audits

Open Data

☐ AB 169:

Anything posted on our website that we call "open data" meets the requirements of AB 169

Defined as "retrievable, downloadable, indexable, and electronically searchable; platform independent and machine readable"... among other things

Section 508 ADA Compliance

☐ CA gov code 7405:

State governmental entities shall comply with the accessibility requirements of Section 508

Requirements were updated in 2018—if you aren't sure, you can perform a basic test for accessibility at achecker.ca



California Special Districts Association
Districts Stronger Together



STREAMLINE
Website compliance made easy



AGENDA ITEM 6.E.

MEETING: December 10, 2019

TO: Trinity LAFCo Commissioners

FROM: Colette Metz Santsche, Executive Officer and Kathy Bull, Administrator/Clerk

SUBJECT: New Trinity LAFCo Website

BACKGROUND:

Trinity LAFCo previously had limited access for the public to receive and search for LAFCo-related information and operated without a website.

DISCUSSION:

A website for Trinity LAFCo was designed, set up and is currently running with viable LAFCo information. The website homepage is trinitylafco.org.

The purpose of having a website is to provide easier public access to information about Trinity LAFCo such as its various functions, meetings and other important items. Other public agencies and LAFCos may also find the website helpful.

In keeping with current trends regarding government transparency, information regarding Trinity LAFCo's budget, Commission Meeting minutes and other data is available through the website.

Information that is provided on the Website are as follows:

- About - Commissioners and Staff, Adopted Budget, Special District, Contact
- Meetings - Meeting Schedules, Agenda, Public Hearing Notices
- Reports - Municipal Service Reviews
- Resources - Application Materials and LAFCo Information

RECOMMENDATION:

This item is provided to the Commission for information only. The Commission, however, is encouraged to provide staff with suggestions to the website.



AGENDA ITEM 6.F.

MEETING: December 10, 2019
TO: Trinity LAFCo Commissioners
FROM: Colette Metz Santsche, Executive Officer & Kathy Bull, Administrator/Clerk
SUBJECT: 2020 Proposed Commission Meeting Schedule

BACKGROUND:

Trinity LAFCo's policy is to have Regularly Scheduled Commission Meetings on the third Wednesday of every month at 4:00pm at the Trinity County Library Conference Room in Weaverville. LAFCo meetings occur after Board of Supervisor's regular meetings. While Trinity LAFCo policy currently states that Commission meetings are to be held monthly, they have been held only as needed. Holding consistent meetings allows for the commission and staff to provide helpful information to the community; allows for communication between the commission and staff; and keeps the commission informed of any developments with current or upcoming projects or changes in LAFCo laws. As meetings have only been held as needed, staff suggests scheduling upcoming Commission meetings every other month to help clarify and facilitate upcoming LAFCo activities.

DISCUSSION:

LAFCo staff would like the Commission's input and consideration for changing the meeting schedule to the second Tuesday in even numbered months. Consideration may also be given to changing the meeting time from 4:00pm to earlier in the day. This would provide for scheduled Commission meeting dates in 2020 as follows:

February 11, 2020
April 14, 2020
June 9, 2020

August 11, 2020
October 13, 2020
December 8, 2020

The revised meeting schedule will allow for Trinity LAFCo to hold public hearings for the adoption of MSR and SOI updates starting in February, the adoption of a Proposed Budget in April, and the adoption of a Final Budget in June. Public hearings require 21-day noticing per State law. Bi-monthly meetings appear to be adequate to cover Commission business and will also save money by removing the need for monthly meeting packet preparation. Should there be a need for additional meetings, it may be scheduled as a Special Meeting at a future date.

RECOMMENDATION:

It is recommended that the Commission accept and approve the provided dates for Regularly Scheduled Commission Meetings in 2020 and provide additional direction to staff as necessary.



AGENDA ITEM 6.G.

MEETING: December 10, 2019
TO: Trinity LAFCo Commissioners
FROM: Colette Metz Santsche, Executive Officer & Kathy Bull, Administrator/Clerk
SUBJECT: Commission Policies and Procedures Update

BACKGROUND:

The CKH Act requires each LAFCo to establish written policies and procedures that inform LAFCo's statutory functions and its mission to provide for well-ordered and efficient urban development patterns as well as the preservation of open space and agricultural land. Trinity LAFCo's policies were last updated in 2013 and include the following sections:

- Section 1 General, "Bylaws", And Related Administration Policies
- Section 2 LAFCo Operations
- Section 3 Policies, Requirements & Criteria for Applications
- Section 4 Service by Contract Outside of Agency Boundaries & Delegation of Authority to Executive Officer
- Section 5 Conducting Authority Proceedings
- Section 6 Conflict of Interest and Financial Disclosure

These policies serve to guide the decision-making of the Commission. Should any part of the Commission's policies be inconsistent with the CKH Act, as it is presently enacted or as may be amended in the future, the provisions of the CKH Act shall prevail.

DISCUSSION:

This agenda item is to provide the opportunity for the Commission to review its current policies and provide direction to staff for future update. Of particular interest by staff is to update the Commission's bylaws and administrative/operational policies related to LAFCo meetings, Commissioner appointments, and budgeting processes.

RECOMMENDATION:

It is recommended that the Commission direct staff to bring back policy update revisions for consideration by the Commission. There is also opportunity for the Commission to designate an ad hoc committee to review policy changes, if desired.

Attachment: Trinity LAFCO Policies, Guidelines and Procedures (2013)

Section 1. GENERAL, “BYLAWS”, AND RELATED ADMINISTRATION POLICIES¹

1.1 COMMISSION TITLE

This Commission shall be entitled and known as the Trinity Local Agency Formation Commission (“Trinity LAFCo”).

1.2 MISSION AND PURPOSES

The Local Agency Formation Commission coordinates logical and timely changes in local governmental boundaries (§56001); conducts special studies which review ways to reorganize, simplify and streamline governmental structures (§56031); and prepares spheres of influence for each city and special district within the County (§56425). The Commission promotes provision of efficient and economical services while encouraging protection of agricultural and open space lands (§56001, §56300). Further efforts include discouraging urban sprawl and encouraging orderly formation and development of local agencies based upon local conditions and circumstances (§56301).

Local Agency Formation Commissions are independent commissions that are not a part of county government. Each Commissioner is independent when weighing and reviewing information and when making determinations (§56325.1 and Attorney General Opinion 98.802).

The mission of the Trinity LAFCo is to implement the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 with an understandable and open public process leading to informed decisions.

1.3 INTEGRATION WITH STATE LAWS

This document and its subsequent sections will contain the policies, procedures and guidelines needed to implement LAFCo’s statutory purposes and its mission. They are general guidelines for the Commission to follow; however, they are not mandatory or binding. The Commission can and will consider each action upon its merits within the parameters set forth in state law. The provisions of this document are not intended to preempt state law. In the event of a conflict between these policies and guidelines, and the provisions set forth in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the provisions of the Act shall prevail.

¹ Note: All code notations in the Policies and Guidelines refer to the California Government Code unless otherwise noted.

1.4 MEMBERSHIP

1.4.1 Membership: Trinity LAFCo shall be composed of seven (7) regular members and three alternate members (§56325, §56332). All members must be residents of Trinity County.

(a) County: Three members and one alternate from the County Board of Supervisors are selected by that Board (§56329).

(b) Special Districts: Two Special District Members and one alternate are designated by the Independent Special District Selection Committee (§56332).

(c) Public Member: The Public Member and one alternate Public Member are appointed by the other five Commissioners (§56325(d) & 56329). A Public Member cannot be an officer or employee of the County or any Special District having territory within Trinity County. Appointments are made in the following manner:

(i) The vacancy shall be posted by the Executive Officer within 21 days after the vacancy occurs or term of office ends (§54974). At the same time notice shall be published in a newspaper of general circulation.

(ii) The application period will run not less than 30 days from the date of posting and publication. Letters of application with attached resumes, or similar demonstration of qualifications and interest, shall be submitted to the LAFCo Executive Officer within the time period specified in the posted notice of vacancy.

(iii) The Commission may, at its discretion, designate a committee to review applications and recommend an appointment. Depending on the number of applicants, the Commission or committee may interview the most qualified applicants.

(iv) Selection of the public member and alternate public member shall be subject to the affirmative votes of at least one County and at least one District member seated on LAFCo. (§56325(d))

1.4.2 Alternate Commissioners: Alternate members may vote in place of the regular member who is absent or who disqualifies himself or herself from participating in an action (§56325). Alternate Commissioners may participate in closed sessions when sitting in and voting for an absent Commissioner.

1.4.3 Term of Office: The term of each member shall be four years. Commissioners serve until the appointment and qualification of a successor or

until removed by the appointing body (§56334). A Commissioner is required to vacate their seat if he or she ceases to hold the originating office (§56337). LAFCO terms begin on the first day of May.

1.4.6 All Commission members shall exercise their independent judgment on behalf of the interests of residents, property owners, and the public as a whole. Any member appointed on behalf of local governments shall represent the interests of the public as a whole and not solely the interests of the appointing authority. This does not require the abstention of any member on any matter, nor does it create a right of action in any person. (§56325.1)

1.5 OTHER

1.5.1 It is the policy of Trinity LAFCo to be a member of CALAFCO and to support and actively participate in the State association.

1.6 DOCUMENTS

1.6.1 No staff member will distribute campaign related documents or items unrelated to the business of LAFCo (Government Code §54964, Penal Code 424).

1.6.2 Subject to the discretion of the Executive Officer, printed material relevant to the business of LAFCo, including proposed or anticipated LAFCo actions, may be included in the meeting packet on an informational basis.

1.6.3 All persons are invited to submit written comments for any matters set for hearing before LAFCo. Members of the public are strongly urged to submit their comments sufficiently in advance of meetings to allow Commissioners to review the information.

(a) Written comments will be included in the meeting packet if received by the Executive Officer prior to the distribution of the packet.

(b) Written comments received up to 48 hours prior to the LAFCo meeting will be duplicated by Executive Officer for distribution at the meeting.

(c) Persons submitting written comments less than 48 hours before a LAFCo meeting must provide at least fifteen (15) copies for distribution.

1.7 OFFICERS

1.7.1 Elections: The Chair (§56334) and Vice-Chair shall be elected by a majority vote of the Commission. Elections shall be held annually at the regular Commission meeting in April.

1.7.2 Terms of Office: The offices of Chair and Vice Chair are one year terms. The term of office begins the first day of May. Terms of office shall rotate each year between the County, Special District and Public members

1.7.3 Duties of Chair: The Chair, when present, shall preside at all meetings of the Commission and shall conduct the business of the Commission in the manner prescribed by these rules. The Chair shall preserve order and decorum, set time limits for speakers, and shall decide all questions of order subject to the action of a majority of the Commission.

The Chair may also, from time to time, appoint Commission members to subcommittees and may call special meetings as necessary and as provided by law (§54956). All documents involving official acts of the Commission shall be signed in accordance with appropriate statutes relating to such acts. In the absence of specific regulations, the signature of the presiding officer shall be deemed sufficient.

1.7.4 Duties of Vice-Chair: In the absence of the Chair or if for any reason the Chair is unable to act as Chair, the Vice-Chair shall act as Chair and exercise all the powers and duties of the Chair.

1.7.5 Chair Pro Tem: In the absence of the Chair or Vice Chair or if the Chair or Vice-Chair is unable to participate in the proceedings, the immediate past chair of the Commission will act as Chair. If the Chair, Vice Chair and immediate past Chair are not available, then the members of the Commission present shall, by an order entered in the minutes, select one of their members to act as Chair Pro-Tem with all the powers and duties of the Chair.

1.7.6 Spokesperson: The Commission may, from time to time, designate a spokesperson to represent the Commission for a particular matter.

1.7.7 Speaking in Public: All Commissioners, when speaking in public forums of any kind, must clearly state that they are expressing their own views, unless they have been designated to be the spokesperson on that matter and to represent the Commission.

1.8 MEETINGS

1.8.1 Regular meetings are conducted monthly (§54954) and are usually held in the Trinity County Library Conference Room (Board Chambers) located at 351 Main Street, Weaverville, California. Regular meetings are held, as necessary, on the third Tuesday of each month at 4:00 pm. The Commission may change the meeting schedule or location, add or cancel hearings.

1.8.2 The Chair, Executive Officer or a majority of the Commission may call a special meeting at any time, pursuant to the provisions of Government Code

Section 54956. "For the majority to act, there is implied authority for them to communicate to determine if they want to call a special meeting" (Open & Public III: A user's guide to the Ralph M. Brown Act).

1.8.3 Notice of meetings will be provided in accordance with the provisions of the Cortese-Knox-Hertzberg Act, the Brown Act, and the California Environmental Quality Act, as applicable. The Executive Officer may provide public notice, above that required by law, when appropriate. The meeting agenda will be provided to LAFCo's established agenda mailing list, including appropriate media, project proponents, and interested parties requesting notice for a specific hearing.

1.9 AGENDAS

1.9.1 Items are placed on the meeting agenda by any member of the Commission, the Executive Officer, or by the Commission's direction or consensus.

1.9.2 Meeting agendas will be provided to LAFCo's established agenda mailing list, including appropriate media, project proponents, and interested parties requesting notice for a specific hearing.

1.9.3 In accordance with the Ralph M. Brown Act, the Commission may not take action on any items that do not appear on the Trinity LAFCo agenda posted 72 hours prior to the meeting unless an exception is made as permitted under Government Code Section 54954.2 (immediate action required, etc).

1.10 QUORUM, VOTING AND CONDUCT OF MEETINGS

1.10.1 Quorum: Four (4) members of the Commission shall constitute a quorum for the transaction of business. In the absence of a quorum, the members present shall adjourn the hearing to a stated time and place (Rosenberg's Rules of Order).

1.10.2 Voting: When applicable, a roll call vote shall be conducted by the Commission Clerk, with the Chair voting last. No act of the Commission shall be valid or binding unless four (4) or more members concur. A tie vote, or any failure to act by at least four affirmative votes, shall constitute a denial.

1.10.3 Order of Business:

The business of the Trinity LAFCo at its meetings will be conducted in accordance with the following order of business unless otherwise specified. The Executive Officer or any member of the Commission may request that the order of business be changed to accommodate a special circumstance.

The usual order of business is as follows:

1. Call to Order
2. Presentations/Announcements
3. Approval of Minutes
4. Public Comment
5. Public Hearings
6. Action Items
7. Administrative Business
8. Executive Officer's Report/Correspondence
9. Commissioner's Comments
10. Adjournment

1.10.4 Public Comment/Public Forum: Any person wishing to address the Commission on any item within LAFCO's jurisdiction but **not** appearing on the agenda may do so during this section of the agenda (Section 54954.3). The Commission cannot take action on a matter that is not listed on the agenda, including matters raised during Public Comments. The Chair, however, may request the Executive Officer to provide brief additional information on a matter of general interest to the Commission or public-at-large. The time limit is three minutes per speaker, subject to the discretion of the Chair.

1.10.5 Public Hearings:

- (a) For a full discussion of public hearing procedures and policies, please refer to Section 1.11.

1.10.6 The Executive Officer shall provide periodic reports to the Commission on agency activities, pending projects, and the budget.

1.10.7 Commissioners' reports may include individual or committee activities, intergovernmental items, announcements and other relevant matters.

1.10.8 Speakers:

- (a) All communications from the floor are addressed to the Commission.
- (b) Members of the public who speak at a meeting are requested to identify themselves and to sign in with the Clerk (Section 54953.3) to facilitate preparation of the minutes. Those attending a meeting are not required to identify themselves.
- (c) No person is allowed to speak from the audience.
- (d) Each speaker is allowed to speak once on an agenda item.

1.10.9 Time Limits: The Chairman may limit the time for speakers or may limit the total time allotted for any individual item (Brown Act). The usual time limit is three minutes for speakers.

1.10.10 Motions: Motions may be made by any regular member of the Commission or alternate member acting in place of a regular member, including the presiding officer, provided that before the presiding officer offers a motion the opportunity for making a motion should be offered to other members of the Commission. Any regular member of the Commission or alternate member acting in place of a regular member, other than the person offering the motion, may second a motion.

1.10.11 Procedure for Motion: The following is the general procedure for making motions:

- (a) Before a motion can be considered or debated it must be seconded.
- (b) A commission member wishing to second a motion should do so through a verbal request to the Chair.
- (c) Once the motion has been properly made and seconded, the Chair shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any Commission member or alternate properly recognized by the Chair.
- (d) Once the matter has been fully discussed and the Chair calls for a vote, no further discussion will be allowed, provided, however, Commission members may be allowed to explain their vote.

1.10.12 Motion Amendments: When a motion is on the floor, and an amendment is offered, the amendment should be acted upon prior to acting on the main motion.

1.10.13 Voting: Any regular member of the Commission, or alternate member acting in place of a regular member, present at a meeting when a question comes up for a vote should vote for or against the measure unless he/she is disqualified from voting and abstains because of such disqualification. If the vote is a voice vote, the Chair shall declare the result. The Commission may also vote by roll call. Regardless of the manner of voting, the results reflecting all "ayes" and noes" must be clearly set forth for the record.

Whenever a roll call vote is in order, the Commission Clerk shall call the names of the members in the following order: the mover, the second, other members, providing that the name of the Chair shall be called last.

1.10.14 Abstention:

- (a) Commission members should declare their intention to abstain on an item on the agenda as soon as the agenda item is announced.

- (b) When Commission members abstain or excuse themselves from a portion of a Commission meeting because of a legal conflict of interest, the Commission member must briefly state on the record the nature of the conflict. Including this information in the public record as required by law. A Commissioner excusing him/herself for a legal conflict shall leave the meeting room.
- (c) Whenever a regular member of the Commission abstains, for whatever reason, that member's alternate is eligible to replace the abstaining regular member and participate fully in all actions, provided the alternate member does not have a conflict of interest.

1.10.15 Motions for Reconsideration: Reconsideration of any resolution of the Commission making determinations must comply with the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

1.11 PUBLIC HEARINGS

1.11.1 General Procedure: The Commission procedure for the conduct of public hearings is generally as follows:

- (a) The Chair announces the item to be considered.
- (b) LAFCo staff presents its report
- (c) Commission members and alternates may ask questions of staff if they so desire.
- (d) The Chair opens the public hearing to statements from the applicant and public
- (e) The applicant or applicant representative then has the opportunity to present comments, testimony, or argument.
- (f) Members of the public are provided with the opportunity to present their comments, testimony or argument.
- (g) The applicant or applicant representative is given an opportunity for rebuttal or concluding comments. No new information shall be introduced except by specific permission of the Chair, in which event opponents shall, again, be given an opportunity to rebut.
- (h) LAFCo staff is given an opportunity for concluding comments.
- (i) The public hearing is closed.
- (j) The Commission deliberates on the issue.
- (k) If the Commission raises new issues through deliberation and seeks to take additional public testimony (questions of the public, applicant or appellant), the Public Hearing must be reopened. At the conclusion of the public testimony, the Public Hearing is again closed.
- (l) The Commission deliberates and takes action.
- (m) The Chair announces the final decision of the Commission.

1.11.2 Time for Consideration: Matters noticed to be heard by the Commission will commence at the time specified in the notice of hearing, or as soon thereafter

as is reasonably possible, and will continue until the matter has been completed or until other disposition of the matter has been made.

1.11.3 Continuance of Hearings: Any hearing being held or noticed or ordered to be held by the Commission at any meeting of the Commission may, by order or notice of continuance, be continued or re-continued to any subsequent meeting within the time limits require by law.

1.11.4 Public Discussion at Hearings:

- (a) When a matter for public hearing comes before the Commission, the Chair will open the public hearing. Upon opening the public hearing and before any motion is adopted related to the merits of the issue to be heard, the Chair shall call for presentation of the staff report. Following any staff presentation and Commissioner questions, the Chair shall inquire if there are any persons present who desire to speak on the matter which is to be heard or to present evidence respecting the matter. The applicant or applicant's representative would generally speak first.
- (b) Request to Speak – Any person desiring to speak shall make his/her presence known to the Chair and upon being recognize by the Chair, the person may speak relevant to the matter being heard. No person may speak without first being recognized by the Chair.
- (c) Commission Questions of Speakers – Members of the Commission or alternates who wish to ask questions of the speakers or each other during the public hearing portion may do so buy only after first being recognized by the Chair. Interactions with a speaker shall be limited to a question or questions, rather than an ongoing dialogue. Commission members and alternates should avoid raising question as a method to extend the allocated time for a speaker.
- (d) Material for Public Record – All persons interested in the matter being heard by the Commission shall be entitled to speak and to submit written or graphic information. All written and graphic information presented will be retained by the Clerk of the Commission as part of the record of the hearing, unless otherwise directed.
- (e) Germane Comments – No person will be permitted during the hearing to speak about matters or present information not germane to the matter being considered. A determination of relevance shall be made by the Chair, subject to approval by the full Commission if requested by and Commission member or alternate.

1.11.5 Communications and Petitions: Written communications and petitions concerning the subject matter of the hearing will be noted, read aloud, or summarized by the Chair, or at the Chair's direction by the Executive Officer. A reading in full shall take place if requested by the Commission.

Section 2. LAFCo OPERATIONS

2.1 LAFCo BUDGET

Government Code §56381, et. seq., and the following policies will apply to the LAFCo budget process:

2.1.1 The Commission shall adopt annually, following noticed public hearings, a proposed budget by May 1 and final budget by June 15 in the manner prescribed by §56381.

2.1.2 LAFCo will encourage an open process in the development and approval of its budget. LAFCo will encourage cooperation and collaborative efforts among agencies in order to reduce the costs of special projects, studies and state mandates.

2.1.3 LAFCo will annually review and consider budget priorities to fulfill the purposes and programs of state law and local policy. These work priorities will help guide the development of the budget.

2.1.4 The budget will identify the resources available for LAFCo's use under the law and those resources necessary for the purpose of carrying out state law and the Commission's goals and policies.

2.1.5 The LAFCo Executive Officer shall serve as budget administrator to prepare, present, transmit, review, execute and maintain the LAFCo budget.

2.1.6 Contingency/Reserve:

- (a) The annual budget shall include a contingency appropriation of 10% of total operating expenses, but not less than \$5,000, unless the Commission deems a different amount appropriate.
- (b) Funds budgeted for contingency reserve shall not be used or transferred to any other expense account code without the prior approval of the Commission.
- (c) Whenever the actual year-end closing figures for the LAFCo general fund show that available financing exceeds financing requirements, the excess shall be transferred to an account designated for subsequent years financing, lawsuits or other unanticipated events. These designated funds will be considered as a reserve account. The County of Trinity Auditor-Controller, with the concurrence of the Executive Officer, is authorized to transfer an amount equal to the amount of excess financing to this account, which shall be augmented, as funds may be available, until it contains an amount equal to at least 25% of the current year budget, but

not less than \$30,000. Once the account equals at least this amount any remaining funds in excess of the actual fund balance amount may be appropriated for any allowed expense at the Commission's discretion.

- (d) Whenever actual year end closing figures of the LAFCo general fund show that financing requirements exceed available financing, the Executive Officer shall notify the Commission at its next regular meeting. Any associated reductions in appropriations may not be made without prior approval of the Commission.
- (e) Funds in the designation the LAFCo reserve account, shall not be used for any current year's expenses or considered as a financing source for on-going operations without the prior approval of the Commission. It is the intent of the Commission that any funds considered as reserves only be used in the case of extraordinary expenses that could not have been anticipated.

2.1.7 Budget Adjustments:

- (a) The Commission may make adjustments to its budget at any time during the fiscal year, as it deems necessary.
- (b) Adjustments between accounts within the same budget income group may be approved by the Executive Officer.
- (c) Transfers between budget income groups shall be subject to approval by the Commission.

2.1.8 An independent audit of LAFCo finances will be conducted as the Commission deems necessary. Cash handling, receipts, deposits and claims procedures will be through the County. At each regular meeting the Commission will review the 'budget-to-actual' report.

2.2 LAFCo FEES

2.2.1 Application Fees

(a) The Commission shall periodically review fees and adopt a fee schedule for the purpose of recovering the costs pursuant to the Cortese-Knox-Hertzberg Act (§56383(a) §56384, §66016).

(b) The schedule of fees shall not exceed the estimated reasonable cost of providing the service for which the fee is charged and shall be imposed pursuant to §66016 and §56383. Charges listed on the schedule of fees are initial payments toward the total cost of processing ("project cost").

(c) Project cost is defined as staff time plus materials. Staff charge-out rates include personnel costs plus a percentage of LAFCo operating expense and 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.

(d) No petition shall be deemed filed and a Certificate of Filing shall not be issued until fees have been deposited (§56383(c)). Charges must be paid by the applicant prior to recording the Certificate of Completion or at other times during the LAFCo process as deemed appropriate by the Executive Officer. The Certificate of Completion shall not be recorded until outstanding fees and charges are paid.

(e) Any individual or entity that requests a LAFCo initiated study or service review of special district changes of organization or reorganization shall be responsible for required fees. Charges for Reconsideration of a LAFCo Determination are the responsibility of the requesting party.

(f) Applicants are responsible for payment of other agency fees, such as: 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.

(g) Staff time will be monitored against the deposit paid. If cost of processing an application begins to exceed the deposited amount, additional deposits will be required. Any hearing on the application may be deferred or continued pending receipt of the additional deposit.

(h) If extensive staff assistance is required prior to receipt of an application, a deposit will be required at the time the work is requested.

(i) Pre-Application Expenses: LAFCo will charge its pre-application staff time spent conducting research, reviewing environmental and other documents and participating in the process as the lead agency or responsible agency, as part of the processing costs. The initial deposit for proposals will be due and payable at the time LAFCo initiates preliminary work on the proposal or when the estimated time of preliminary work exceeds 2 hours.

(j) Public inquiries and one-time general research requiring less than 30 minutes will not be subject to charges for staff time.

2.2.2 Reimbursement Agreements: Whenever a deposit of funds is required, the applicant shall enter into an agreement providing for LAFCo to be reimbursed for all costs related to the application based on the fee schedule in place at the time funds are deposited.

2.2.3 Legal Defense Fees: LAFCo retains the right to control its defense. The applicant may provide his or her own legal counsel in the defense of the action

taken, under the supervision of LAFCo legal counsel, or, if LAFCo consents, the applicant may elect to use the services of LAFCo in that defense. In any case, the Executive Officer may require a deposit of funds by the applicant sufficient to cover LAFCo's estimated expenses of the legal defense litigation.

2.2.4 Appeal of Fees:

(a) Appeals shall be submitted in writing with the application and contain specific justification for the request. The appeal will be considered at the next LAFCo hearing.

(b) Project processing will not begin until a fee determination is rendered by LAFCo.

(c) The Commission may reduce or waive a fee or deposit if it finds that payment would be detrimental to the public interest; however, it is the Commission's policy to not waive fees except in the direst of circumstances because most special districts, which would share in the costs that are waived or reduced, have severely limited financial resources (56383(d)). The Commission will also consider the budget impacts of any fee waivers or reductions. Absent compelling circumstances, the Commission will not normally adjust or waive deposits and/or fees.

2.2.5 Refunds:

(a) Deposits on file with LAFCo which exceed the cost of processing the application by \$25 or more will be refunded to the applicant after LAFCo completes its final filings.

2.3 LAFCo EXPENDITURES

2.3.1 While CKH allows Commission members and alternates, sitting in and voting at a meeting, to receive a meeting stipend, the Commission has chosen not to receive any stipend or reimbursement for expenses incurred in performing the duties of their office (§56334).

2.3.2 Commission members, including alternates, and staff compelled to travel out of-county in the performance of their duties shall be reimbursed for their actual and necessary expenses, including reasonable incidental expenses. Reimbursement shall be made at the rates specified for officers or employees of Trinity County, or as otherwise specified by the Commission. Travel claims will be made in the form and manner as such claims are processed for officers or employees of Trinity County subject to approval of the Executive Officer, or if the Executive Officer is making the claim pursuant to Section 2.3.5.

2.3.3 All travel arrangements are coordinated through the Executive Officer and should be as economical as possible.

2.3.4 In order to avoid late payment penalties, or to secure an early payment discount, the Executive Officer is authorized to approve all claims for payment, except his/her own claims. At each regular meeting, the listing of approved claims shall be submitted to the Commission.

2.3.5 The Executive Officer shall submit his/her claims to the Chair and Vice-Chair for approval. Two signatures are required. If either the Chair or Vice-Chair is not available, then any other regular member of the Commission may sign. Claims approved for the Executive Officer shall also be reported to the Commission along with other approved claims.

2.3.6 The Executive Officer is designated as the financial officer of LAFCo and shall review all invoices, including claims and payment requests received by LAFCo and shall be responsible to process documents necessary for payment in a timely manner.

Section 3. POLICIES, REQUIREMENTS & CRITERIA FOR APPLICATIONS

This section includes general policies, requirements and criteria that apply to all LAFCo actions.

There may be cases when the Commission must use its discretion in the application of these policies so that potential or real conflicts among policies are balanced and resolved, based on project specifics and so that these policies remain consistent with the requirements of the Cortese-Knox-Hertzberg Act of 2000.

3.1. APPLICATIONS, GENERAL

3.1.1 All applications to the Commission are to be submitted on LAFCo application forms (§56652).

3.1.2 Applications shall be processed in an efficient and orderly manner that reduces hardship upon the applicant while ensuring consistency with the Cortese-Knox-Hertzberg Act of 2000. Applicant or the applicant's representative shall be required to attend a pre-application meeting to receive information, direction and advice regarding the processing needs and requirements of the specific action proposed.

3.1.3 Any application submitted to LAFCo is considered preliminary and will not be deemed filed, until all required information, fees and materials are received and reviewed by the Executive Officer.

3.1.4 Applicants will be required to provide information adequate to permit LAFCo to fully consider all factors required by law including, but not limited to those areas described in Government Code §56668, 56668.3, 56668.5 and §56375:

3.1.5 No application shall be deemed filed until any applicable resolutions providing for an agreement for redistribution of property tax are received (§56810, §56815). Once property tax exchange negotiations have been initiated by transmittal of the schedules prepared by the County Auditor/Controller, time requirements of the Revenue and Taxation Code will apply (R&T §99 (b)(6), §99.01 (4)).

3.1.6 An application shall not be deemed filed until the Executive Officer makes an environmental determination pursuant to the requirements of the California Environmental Quality Act. When LAFCo is not the lead agency, the Certificate of Filing (CoF) will be issued following completion of the environmental review by the lead agency. When LAFCo is the lead agency, the application may be deemed filed and the CoF issued when environmental documentation has progressed sufficiently to set a hearing date (56658 (d)).

3.1.7 Planning and rezoning for city annexations: All territory proposed for annexation must be specifically planned and/or rezoned by the appropriate planning agency. The planning or rezoning of the territory must be consistent with the applicable General or Specific Plan and sufficiently specific to determine the likely intended use of the property.

3.1.8 If an application remains incomplete for six months following notification of an incomplete application, the project will be closed and the proposal will be terminated.

3.1.9 Immediately after receiving an application and before issuing a certificate of filing, LAFCo shall notify the appropriate agencies pursuant to §56658(b), provide relevant application related information, and request review and comment on the proposal.

3.2 PLANS OF SERVICE

An evaluation of a local agency's plan of service is essential to the consideration of any change of organization or reorganization (§56375) that will expand or diminish a service provider's responsibilities. Descriptive plans of service are submitted with an application to ensure that the capacity, cost and adequacy of services within the district will be part of the LAFCo review and the service

effects of the proposal will be identified and included in the decision making process (§56668).

3.2.1 General

(a) All applications shall include a plan for providing services (§56653) which describes the project specific services to be extended and takes into account the services, capacity, cost and adequacy of services provided by an agency and how those services would be affected by the proposed LAFCo action. The Plan of Service includes information needed to render an informed decision on the proposed project.

(b) Plan of Service submittals are required to contain, but are not limited to, the following information:

(1) An enumeration and description of the service to be extended to the affected territory;

(2) The level and range of those services;

(3) An indication of when those services can feasibly be extended to the affected territory;

(4) An indication of the 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.

(6) Any additional information required by the Commission or the Executive Officer relevant to the specific application (§56653).

(c) An application shall not be deemed filed until plan of service information is received and accepted as complete by the Executive Officer.

3.2.2 Agency Review of Plan of Service

(a) The Plan of Service submittal shall include a written statement by the agency of its intent to provide services within the estimated timeframe, including a description of the applicant's requirements to fund infrastructure or take other measures. The agency statement shall demonstrate that areas within the district can be served, or will continue to be served, at the same or higher level of service and will not result in

significant negative fiscal, service, capacity or other impacts (within the special district).

(b) If the agency cannot provide the latter guarantees, then the applicant or agency or applicant shall provide a written justification for project approval despite anticipated negative impacts.

(c) In the event that the agency will provide service by expanding its service capabilities in the future, the Commission will consider plans for such expansion and the agency's progress toward implementation of such plans in its review of the proposal. LAFCo may require a full description of any such plan. The Commission will evaluate such documentation and may make determinations pursuant to §56668. The Commission may also impose conditions related to progress toward completion of any such plans.

3.3 COORDINATION OF APPLICATIONS

3.3.1 LAFCo encourages consolidated applications when related changes of organization are expected for adjacent territories. Applicants are strongly encouraged to include the adjacent territory and combine applications where possible.

(a) If the applicants choose to proceed with separate proposals, each applicant will provide a map that indicates the location, size and boundaries of adjacent applications.

(b) LAFCo will consider related applications at the same hearing when feasible, and may modify boundaries, including the addition of adjacent parcels, to encourage the orderly formation and development of local agencies based upon local conditions and circumstances (§56001, §56300, §56301).

3.3.2 If a project site can be anticipated to require one or more additional changes of organization that are timely and not part of the submitted application, LAFCo shall require that the application be filed as a reorganization.

3.3.3 Agencies shall comply fully with the Commission's requests for information necessary to prepare studies or process an application (§56378, §56386).

3.4 SPHERES OF INFLUENCE

3.4.1 Carefully considered, up-to-date sphere of influence determinations are critical to LAFCo's responsibility to assure orderly growth and development and prevent sprawl within their jurisdictions.

3.4.2 Staff shall identify needed updates of spheres of influence each year as part of the annual work plan and budget deliberations. Pursuant to 56425(g) spheres of influence are reviewed and updated as necessary, every 5 years, based on a review of municipal services and changes that have occurred in local conditions since the last review. Due to limited funding capabilities it is the policy of the Commission to conduct Municipal Service Reviews and Sphere of Influence updates primarily when accompanied by other applications. Further justification for this policy is the limited growth experienced by special districts in Trinity County.

3.4.3 Definitions:

(a) "Sphere of Influence" is defined at Government Code Section **56076** and is the plan for the probable physical boundaries and service area of a local agency, as determined by the commission.

(b) "Coterminous Sphere" is an area identical to the boundaries of a district and includes only lands which are within the boundaries of the agency.

(c) "Zero Sphere of Influence" includes no territory and means that no territory will be served by the agency in the future. A zero sphere implies that a change of organization of that agency's services is planned within the time frame of the sphere.

(d) "Update of a sphere" shall mean LAFCo's periodic overall review and modification of the sphere of an agency in light of changes since the last update as required by Section 56425 (g).

(e) "Substantial Sphere Amendment" is a change in the sphere which is characterized by one or more of the following: plans for extension of service into the area with new infrastructure or substantial improvements to existing infrastructure (such as new water transmission or distribution lines, new sewer collection or transmission lines, fire flow, lift stations, etc.), or when a significant change in population is anticipated with annexation.

(f) "Minor sphere amendment" is a sphere amendment limited to small areas or single parcels with a negligible change or no change in population. Re-alignment of an existing sphere to property lines, or certain extensions of service in very limited areas to correct pre-existing health and safety hazards might be considered minor sphere amendments.

3.4.4 Amendments to a sphere of influence will generally be processed concurrently with proceedings for boundary change requests (annexations, etc.).

3.4.5 Spheres of influence shall be consistent with the plans of other relevant service providers, in addition to the plans of the district for which the sphere is being amended, updated or adopted.

3.4.6 Individual requests from landowners to be included or excluded from a sphere of influence will be considered in light of overall service plans and the need for the effective and efficient delivery of services.

3.4.7 Sphere Applications or Requests for Amendment of a Sphere of Influence:

- (a) Shall state the time frame for anticipated annexation.
- (b) Shall identify infrastructure needed and/or planned for services and the constraints on developing the infrastructure (e.g. securing water rights, state or federal regulatory processes. permits, etc.).
- (c) Shall generally describe financing plans and potential fiscal considerations related to providing future services.
- (d) Shall generally describe the anticipated need for services & facilities, including services provided by agencies other than the agency that will later annex.
- (e) Shall describe any provisions for preservation of open space and agriculture lands

3.4.8 Costs for processing a sphere review or any change to a sphere are paid by the party requesting the review or change.

3.4.9 Agreements between neighboring local agencies with regard to preservation of agriculture and open space lands, as appropriate, are encouraged by LAFCO. Such agreements may be incorporated by the Commission into its conditions of approval, or may be required as a condition precedent to approval of an application by the Commission.

3.4.10 Agreements between landowners and local agencies with regard to preservation of agricultural and open space lands are encouraged by LAFCo.

3.4.11 County land use designations, zoning and other regulations continue to apply to lands within a city's sphere until annexation is completed. Annexation is not complete until the annexation documents are recorded, or on a date after recording the boundary change if so specified by LAFCo. [Note: When these policies and procedures were adopted there were no incorporated communities within Trinity County.]

3.4.12 LAFCo encourages developed land in a city's sphere to annex to the city.

3.4.13 LAFCo has sole discretion to determine the sphere of influence for each local agency, and may initiate sphere review, update, amendment, and other changes. LAFCo may approve, disapprove, modify, amend, and add conditions in its review and determination of spheres of influence.

3.4.14 Each agency subject to a review of its sphere shall be invited to participate/communicate/engage with LAFCo staff to compile information, identify agency goals, discuss options for the sphere update, etc.

3.4.15 The sphere of influence of each local agency shall include those lands that a special district intends to annex and serve in the foreseeable future (i.e. ten years).

3.4.16 Areas included or excluded from sphere determinations generally follow parcel lines, lines of assessment or lines of ownership. In Trinity County section lines are generally appropriate for most districts.

3.4.17 Determinations of spheres of influence, sphere amendments and updates shall have a 10 year planning horizon and shall be consistent with agency plans for that time frame.

3.4.18 LAFCo may exclude lands from a sphere of influence that will not need services within a 10 year planning horizon.

3.4.19 A sphere shall be consistent with the district's plans for providing future public services within ten years.

3.4.20 LAFCo will encourage infill and development within a district's existing boundaries and within the existing sphere of influence.

3.4.21 LAFCo may remove land that is open space, agriculture or other areas that may be determined to be inappropriate to receive development-supporting services such as water, sewer, and/or structural fire protection, within 10 years, particularly when the landowner requests removal from the sphere of influence.

3.4.22 LAFCo may remove land from the sphere of influence where the agency is incapable of providing service within a 10 year time frame.

3.4.23 With respect to time frames indicated in these policies, individual sphere applications will be reviewed by LAFCo on a case-by-case basis.

3.4.24 A decision by a local agency to identify land in their planning documents or an Environmental Impact Report as a potential sphere of influence area does not constrain the future actions by the local agency to apply for a sphere amendment for a smaller/different geographic area.

3.4.25 Cities, if any, are encouraged to adopt policies to buffer agricultural areas from developing areas or urban uses at the time sphere amendments are proposed. Buffer areas to protect the physical and economic viability of agricultural lands shall be located within the city.

3.4.26 An agreement among a city, if any, the county and landowners regarding agricultural buffers to protect the physical and economic viability of agricultural lands is required prior to LAFCo approval of proposals for annexation or reorganization.

Section 4: SERVICE BY CONTRACT OUTSIDE OF AGENCY BOUNDARIES & DELEGATION OF AUTHORITY TO EXECUTIVE OFFICER

4.1.1 Requests for extensions of service beyond the boundaries of the providing agency shall be considered and acted upon by the Commission pursuant to the provisions of Government Code Section 56133.

4.1.2 Government Code 56133 permits approval of extension requests to be delegated by the Commission to the Executive Officer.

4.1.3 It is the policy of the Commission to delegate to the Executive Officer the authority to issue written approval for extension of service requests under the following conditions:

- (a) There is an impending threat to the public health and safety of the residents of the affected territory and the affected agency or landowners have submitted documentation of such to the satisfaction of the Executive Officer; and
- (b) The Executive Officer has notified any alternate service provider that has filed a map and a statement of its service capabilities with the Commission; and
- (c) The Executive Officer has provided notice to the Trinity County Environmental Health Department of the request and has provided such agency a reasonable amount of time to review and comment upon such request.
- (d) The delegation of authority as referenced herein shall only apply to requests for extension of services that are within the Sphere of Influence of the affected agency.
- (e) Should the Executive Officer determine, for any reason, to not exercise her/his delegated authority, the Executive Officer shall process the request consistent with the directives of Government Code Section 56133.

4.1.4 Except as otherwise stated herein, requests for extension shall be processed consistent with Section 56133.

4.1.5 As a condition of approval the Commission may require the completion of the annexation within a specified time frame or may impose other conditions as necessary.

Section 5: CONDUCTING AUTHORITY PROCEEDINGS

5.1.1 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.

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

Section 6: CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE

6.1.1 Conflict of Interest

The Political Reform Act, §81000 et.seq. requires each state and local government agency to adopt and promulgate a Conflict of Interest Code. The Fair Political Practices Commission (FPPC) has adopted a regulation, 2 California Code of Regulations §18730, which contains the terms of a standard Conflict of Interest Code. This standard Code can be incorporated by reference and may be amended by the FPPC after public notice and hearings to confirm to amendments in the Political Reform Act. The terms of 2 California Code of Regulations §18730 and any amendments to it duly adopted by the FPPC, are hereby incorporated by reference.

Pursuant to section 4 of the standard code, persons serving in Designated Positions must file statements of economic interest:

Commissioners and Alternate Commissioners
Executive Officer
Legal Counsel
Consultants*

*The disclosure by consultants is subject to the following limitation: The LAFCo consultant filing a Designated Position, is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

Subject to the definitions set forth in the Political Reform Act and applicable regulations, disclosure shall be made in the following Disclosure Categories:

- 1) All sources of income, including gifts;
- 2) Interests in real property located in whole or in part within, or not more than two (2) miles outside, the boundaries of Trinity County; and
- 3) Investments and business positions in business entities located in or doing business in Trinity County.

6.1.2 Financial Disclosure

Pursuant to §56700.1, expenditures for political purposes related to an application must be disclosed. All applicants, including individual property owners and other representatives who are a party to a proceeding, are required to submit a financial disclosure statement as part of any application package [§84308]. Disclosure must be made in the same manner as disclosures for local initiative measures presented to the electorate.

Any applicant or an agent of an applicant who has made business or campaign contributions totaling \$250 or more to any Commissioner (regular or alternate) in the past twelve months, must disclose that fact for the official record of the Commission

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§84308(d). The disclosure of any such contribution (including amount of contribution and name of recipient Commissioner/s) must be made: (1) in writing and delivered to the Executive Officer prior to the hearing on the matter; or (2) by oral declaration made at the time the hearing on the matter is opened.

LAFCo members are disqualified and are not able to participate in any proceeding involving an "entitlement for use" if, within the 12 months preceding the LAFCo decision, the Commissioner received \$250 or more in campaign contributions from the applicant, and agent of the applicant or any financially interested person who actively supports or opposes the LAFCo decision on the matter.



AGENDA ITEM 7.A.

MEETING: December 10, 2019

TO: Trinity LAFCo Commissioners

FROM: Colette Metz Santsche, Executive Officer and Kathy Bull, Administrator/Clerk

SUBJECT: Trinity Life Support CSD Formation Status Report

BACKGROUND:

Trinity LAFCo approved the formation of the Trinity Life Support Community Services District (CSD) on September 17, 2019, subject to the terms and conditions as stated in LAFCo Resolution #19-03. The Commission authorized former Executive Officer John Jelich to conduct a protest hearing on behalf of the Commission, which was held on October 22, 2019. The meeting minutes for the Protest Hearing are attached.

DISCUSSION:

Protest Hearings are required by the CKH Act and to determine if an election will be required (if more than 25% of registered voters submit a valid protest) or if the formation will be abandoned (if more than 50% of registered voters submit a valid protest). In this particular proposal, an election is required to confirm the CSD formation (majority voter approval) and to approve a special tax (two thirds voter approval). However, a Protest Hearing was still required to allow for possible majority protest. However, no written protests were received prior to or at the Protest Hearing. Since no protests were received, the election will be held in March and if approved by voters, the formation will proceed.

RECOMMENDATION:

It is recommended the Commission accept the minutes into the official record.

Attachment: Protest Hearing Minutes

**TRINITY LOCAL AGENCY FORMATION COMMISSION
CONDUCTING AUTHORITY
October 22, 2019 at 4:00 p.m.
Trinity County Life Support,
Conference Room
Weaverville**

MINUTES

1. CALL TO ORDER

Executive Officer Jelich called the meeting to order at 4:00 p.m. Staff present:
Executive Officer John Jelich.

Also in attendance: Kathy Ratliff, Administrator, Trinity County Life Support.

2. WITHDRAWN OR CONTINUED ITEMS - None.

NEW BUSINESS

3. Trinity Life Support CSD Formation - PROTEST HEARING

Public hearing to consider protests affecting formation of Trinity Life Support CSD.

The formation was initiated by resolution of the Trinity County Board of Supervisors on behalf of Trinity County Life Support and submitted to the Trinity Local Agency Formation Commission (LAFCO) for consideration to form a special district for the purpose of providing ambulance service to the same area currently served by Trinity County Life Support. Trinity LAFCO approved the district formation on September 17, 2019, subject to the terms and conditions as stated in LAFCO Resolution #19-03, which includes a full and complete description of the annexation and is available for review at the LAFCO Office (next to Planning Department), at 61-A Airport Road, Weaverville.

Executive Officer Jelich advised that notice was provided in the Trinity Journal on September 25, 2019 and posted at both the Trinity County Courthouse and at the notice location at Trinity County Life Support, the location for the public hearing. The agendas were also posted at the same locations. This public hearing is required by law. Its general purpose is to determine if an election will be required (if more than 25% of registered voters submit a valid protest) or if the formation will be abandoned (if more than 50% of registered voters submit a valid protest). In this particular formation, the Trinity LAFCO Commission has determined that an election will be required; however, this hearing is still required.

He summarized the LAFCO resolution (LAFCO Res. No.19-03), specifically the terms and conditions, approving the formation, including the Commission's requirement for an election to 1) form the district; 2) require approval of an assessment as a condition of district formation; and 3) appointment of the initial board of directors. He also stated

the appropriation limit (as approved by voters and totaling approximately \$677,000) and the property tax exchange (there will be none). The resolution also includes findings and determinations contained in Government Code, Sections 57115 – 57120. These pertain to a description of the affected area; terms and conditions of the formation, and including the need for an election by registered voters within the proposed district. The vote required to form the district is one-half of the registered voters within the proposed district boundaries. The vote required to approve the assessment is two-thirds of the registered voters within the proposed district boundaries. The assessment, if approved by voters, would be applied to each parcel within the district, regardless of use, as \$83 per improved parcel; and \$48 per unimproved parcel. The regular assessment roll will be used.

Prior to this public hearing no protests of any type (no letters, petitions or any other notifications) were received by Trinity LAFCO.

E.O. Jelichich opened public hearing. No written protests received. There were no public comments. Public hearing closed.

E.O. Jelichich stated that since no protests have been received, he advised that the election will be held in March and if approved by voters, the formation will proceed.

4. ADJOURNMENT

Meeting adjourned at 4:15 p.m.