

TRINITY LOCAL AGENCY FORMATION COMMISSION

June 21, 2022 at 4:00 p.m.

Trinity County Library Meeting Room

351 Main Street, Weaverville

AGENDA

This meeting will be conducted through a hybrid combination of in-person and/or virtual attendance in accordance with Government Code Section 54953(e) et seq. (AB 361).

Join Zoom Meeting:

<https://us02web.zoom.us/j/84393317666?pwd=eWR2TWg4bFc1MFhWVUNQazNSbUQxUT09>

Meeting ID: 843 9331 7666

Passcode: 740955

Call in: 1 (669) 900-6833

1. CALL TO ORDER/ROLL CALL

A. Roll Call

2. PRESENTATIONS/ANNOUNCEMENTS

None

3. CONSENT CALENDAR

A. Approval of Minutes from the April 19, 2022 Commission Meeting

B. Authorizing Teleconferencing of Meetings in accordance with AB 361

4. PUBLIC COMMENT OPPORTUNITY

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

5. PUBLIC HEARINGS

A. Final Budget for Fiscal Year 2022-23 (Potential Action)

6. NEW BUSINESS

A. Proposed Mountain Communities Healthcare District Ambulance Services By Contract Outside District Boundaries (Potential Action)

The Commission will consider a proposal by the Mountain Communities Healthcare District (MCHD) to provide administrative, professional, and technical staffing support ("Managing Support") to sustain ambulance services by agreement with the Trinity Life Support Community Services District (TLSCSD) within the boundary of the TLSCSD.

7. OLD BUSINESS

A. Expiring Commissioner Terms Update (Information Only)

8. EXECUTIVE OFFICER'S REPORT/CORRESPONDENCE

9. COMMISSIONER'S COMMENTS

10. ADJOURNMENT

The next LAFCo meeting is scheduled for August 16, 2022, at 4:00 p.m. at the Trinity County Library Meeting Room in Weaverville.

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 provide public testimony and submit written comments to the Commission. All written materials received by staff before 12:00 p.m. on the day of the meeting will be distributed to the Commission. If you wish to submit written material at the meeting, please supply 10 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 on the LAFCo website trinitylafco.org.

Contact LAFCo Staff. For additional information please contact colette@trinitylafco.org or kathy@trinitylafco.org.

TRINITY LOCAL AGENCY FORMATION COMMISSION

April 19, 2022

Trinity County Library Meeting Room

MINUTES

HYBRID – In-Person and Virtual Teleconference

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

1. CALL TO ORDER/ROLL CALL

A. Chair Groves called the meeting to order at 4:06 p.m.

Members present: Commissioners Evan Barrow (arrived 4:22), Jeremy Brown, Anna Burke, Pat Frost, Keith Groves, Andrew Johnson, and Joseph Kasper (arrived 4:10).

Members absent: Commissioners Jill Cox, Liam Gogan.

Staff Present: Colette Santsche, Executive Officer, Kathy Bull Administrator/Clerk.

2. PRESENTATIONS/ANNOUNCEMENTS

No presentations were presented.

3. CONSENT CALENDAR

A. Approval of Minutes from the February 1, 2022 Commission Meeting

Motion to approve Consent Calendar 3.A. was presented by Commissioner Johnson, seconded by Commissioner Frost and passed by the following votes:

Ayes: Brown, Burke, Frost, Groves, Johnson

Noes: None

Abstain: None

Absent: Barrow, Cox, Gogan, Kasper

B. Authorizing Teleconferencing of Meetings in accordance with AB 361

Motion to approve Consent Calendar 3.B. was presented by Commissioner Brown, seconded by Commissioner Johnson and passed by the following votes:

Ayes: Brown, Burke, Frost, Groves, Johnson

Noes: None

Abstain: None

Absent: Barrow, Cox, Gogan, Kasper

4. PUBLIC COMMENT OPPORTUNITY

There were no comments received from the public.

5. PUBLIC HEARINGS

A. Ruth Lake CSD MSR/SOI Update – Continued from February 1, 2022

Ms. Santsche explained that the Commission reviewed a preliminary MSR/SOI draft at the previous meeting. Since the February 1st meeting, staff had coordinated with the Ruth Lake CSD staff for edits which were incorporated in the updated MSR/SOI. A joint meeting took place on March 29th with Ruth Lake CSD and the Southern Trinity Volunteer Fire Department to discuss current fire and rescue services and the support structure and funding needed to sustain those services. Staff also coordinated with the Humboldt Bay Municipal Water District for changes mentioned in a letter provided at the February 1st meeting. Staff recommended the sphere of influence be amended to be coterminous with

the Ruth Lake CSD boundary.

The Chair asked for public comments. John Friedenbach, Humboldt Bay Municipal Water District General Manager thanked staff for the thorough job that was completed. There were no further public comments.

Motion to approve Ruth Lake CSD MSR/SOI Update as submitted was presented by Commissioner Kasper, seconded by Commissioner Burke and passed by the following votes:

Ayes: Brown, Burke, Groves, Johnson, Kasper

Noes: None

Abstain: None

Absent: Barrow, Cox, Gogan

B. Proposed Budget for Fiscal Year 2022-23

Ms. Santsche explained staff is proposing a 3% increase to member contributions. The small increase is expected to reduce reliance on reserves. There were minor questions which were answered by staff.

Motion to approve the Proposed Budget for Fiscal Year 2022-23 was presented by Commissioner Johnson, seconded by Commissioner Kasper and passed by the following votes:

Ayes: Barrow, Brown, Burke, Groves, Johnson, Kasper

Noes: None

Abstain: None

Absent: Cox, Gogan

6. **NEW BUSINESS**

There was no new business to report.

7. **OLD BUSINESS**

A. Expiring Commissioner Terms Update

Ms. Santsche explained an Independent Special District Selection Committee meeting is scheduled after the Commission meeting for purposes of appointing special district members to LAFCo. Only one nominee had been received which was for Joseph Kasper and it is anticipated a nominee for alternate will be received and both seats confirmed. There is also a vacancy for the alternate public member that has remained opened. Staff will provide another newspaper posting to try and generate interest in the position.

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

A. CALAFCO Quarterly (February 2022)

The quarterly report was provided to the Commission and Ms. Santsche stated the Commission would be provided with any updates.

B. Submittal of Form 700

A brief reminder to the Commissioners that submittal of Form 700 was due.

9. **COMMISSIONERS' COMMENTS**

Commissioner Brown had a few questions regarding establishing potential funding sources to support public safety including the Sheriff's Department. Ms. Santsche explained the County

has the authority to levy a countywide sales tax measure (similar to Measure Z in Humboldt County), or a County Service Area (CSA) could be formed which would be a dependent district governed by the Board of Supervisors for which a funding source such as a special tax or special assessment could be levied. Incorporation was also discussed.

10. **ADJOURNMENT**

There being no further business, Chair Groves adjourned the meeting at 4:54 p.m.

ATTEST:

APPROVED:

Kathy Bull
Administrator/Clerk

Keith Groves
Chair

DATE: _____

DATE: _____



AGENDA ITEM 3.B.

MEETING: June 21, 2022
TO: Trinity LAFCo Commissioners
FROM: Colette Santsche, Executive Officer & Kathy Bull, Administrator/Clerk
SUBJECT: Authorizing Teleconferencing of Meetings in accordance with AB 361

BACKGROUND

The Legislature approved as an urgency matter AB 361, which was signed by the Governor on September 16, 2021, which amends the Brown Act to allow continued public meetings flexibility following the Governor's Executive Orders expiration. The AB 361 modified meeting rules allowing remote meeting access can only be used in the event there is a Governor issued state of emergency. The Governor's COVID-19 state of emergency satisfies this requirement. If the Commission desires to continue to offer remote meeting access for Commissioners, the Commission will need to formally vote and adopt a resolution at a future meeting finding that the provisions of AB 361 exist. In addition, AB 361 requires the Commission to continually evaluate the COVID-19 emergency and determine if teleconference access at meetings will continue due the circumstances of the state of the emergency and facts related to the potential risks to the health and safety of meeting attendees.

DISCUSSION

AB 361 allows legislative bodies to continue to utilize remote/virtual platforms for meetings during a declared state of emergency by the Governor via Government Code § 54953(e) et seq. Based on the above criteria, the Commission will need to adopt Resolution No. 2022-05 to allow continued remote teleconference meetings. In addition, AB 361 requires the Commission to continually evaluate the COVID-19 emergency and determine if remote teleconference meetings will continue due the circumstances of the state of the emergency and facts related to the potential risks to the health and safety of meeting attendees.

RECOMMENDATION

It is recommended that the Commission adopt Resolution No. 2022-05, authorizing remote teleconference meetings of the Commission pursuant to the Assembly Bill No. 361, and authorize staff to continue conducting LAFCo meetings using a combination in-person and/or virtual as deemed safe and practical, and return with extension resolutions for the Commission's consideration for each meeting as warranted. Alternately, the Commission could choose not to adopt the resolution as proposed, thereby returning to in-person public meetings only.

Attachments:
Resolution No. 2022-05

Colette Santsche, Executive Officer/e-mail: colette@trinitylafco.org
Kathy Bull, Clerk Administrator/e-mail: kathy@trinitylafco.org



RESOLUTION NUMBER 2022-05

DECLARING ITS INTENT TO CONTINUE REMOTE TELECONFERENCE MEETINGS DUE TO THE GOVERNOR'S PROCLAMATION OF STATE EMERGENCY AND STATE REGULATIONS RELATED TO PHYSICAL DISTANCING DUE TO THE THREAT OF COVID-19

WHEREAS, the Trinity Local Agency Formation Commission, hereinafter referred to as the "Commission," is committed to preserving and promoting public access and participation in meetings of the Commission; and

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

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

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

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

NOW THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED as follows:

1. The Executive Officer is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings of the Commission in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act for remote teleconference meetings.
2. The Executive Officer is hereby directed to continue to monitor the conditions and health and safety conditions related to COVID-19, the status of the Governor's state of emergency, the local orders related to physical distancing, and the state regulations related to social distancing, and present to the Commission at its next regularly scheduled meeting the related information and recommendations for remote meetings pursuant to the provisions of Government Code

section 54953(e)(3) and to extend the time during which the Commission may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

THE FOREGOING RESOLUTION was introduced at a public meeting of the Trinity LAFCo Commission on the 21st day of June 2022, and adopted by the following roll call vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

ATTEST:

APPROVED:

Kathy Bull
Administrator/Clerk

Keith Groves
Chair



AGENDA ITEM 5.A.

MEETING: June 21, 2022
TO: Trinity LAFCo Commissioners
FROM: Colette Santsche, Executive Officer & Kathy Bull, Administrator/Clerk
SUBJECT: Final Budget for Fiscal Year 2022-23

BACKGROUND

Local Agency Formation Commissions (LAFcos) are responsible for annually adopting a proposed budget by May 1st and a final budget by June 15th in accordance with Government Code Section 56381. State law specifies the proposed and final budgets shall, at a minimum, be equal to the budget adopted for the previous fiscal year unless LAFCo finds the reduced costs will nevertheless allow the agency to fulfill its prescribed regulatory and planning duties.

A Public Hearing on the Proposed Budget for Fiscal Year 2022-23 was held on April 19, 2022, adopted by Resolution 2022-04 and distributed to local funding agencies and the County. No written comments have been received regarding the proposed Final Budget.

DISCUSSION

Funding Sources:

Trinity LAFCo's annual operating expenses are principally funded through appropriations from the County and Special Districts, in addition to application fees. Each fiscal year, after the Commission adopts the final budget, the County Auditor-Controller apportions operating expenses between the County and the independent special districts. Statutory authority allows the County Auditor-Controller to collect the amounts apportioned.

Operating Expenses:

The proposed operating expenses reflect the anticipated staffing services, daily operational needs, and preparation of municipal service reviews and sphere of influence updates. No changes in operating expenses are proposed from the prior fiscal year.

Operating Revenues:

Staff is proposing an approximate 3% increase to contributions from local funding agencies in Fiscal Year 2022-23 to reduce reliance on reserves needed to balance the operational budget.

RECOMMENDATION

Staff recommends the Commission approve the Final Budget for Fiscal Year 2022-23 referenced in Resolution 2022-06 as outlined in Exhibit A with any requested changes; and direct staff to forward the final budget to local funding agencies and the County Auditor-Controller.

Attachments:

A. Trinity LAFCo FY 2022-23 Final Budget

B. Resolution 2022-06

Trinity LAFCo Budget

Fund No. 270-0100
Department No. 8270

Categories	Acct #	FY 2019/20 Budget Adjustments	FY 2019/20 Year End Actual	FY 2020/21 Adopted Budget	FY 2020/21 Year End Actual	FY 2021/22 Adopted Budget	FY 2021/22 YTD (Q1-Q3) Actual	FY 2022/23 Final Budget
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REVENUES:

Interest	6601	-	1,671	-	543	-	234	-
LAFCo Fees (Applications)	8404	-	1,216	5,000	2,925	5,000	-	5,000
Cont From Other Agencies:								
County	9282	14,000	14,000	14,000	14,000	14,000	14,000	14,500
Indep Spec Districts	9285	14,000	13,450	14,000	10,494	14,000	16,965	14,500
TOTAL Revenues		\$ 28,000	\$ 30,337	\$ 33,000	\$ 27,962	\$ 33,000	\$ 31,200	\$ 34,000

EXPENDITURES:

Memberships	2240	1,500	1,075	1,500	1,185	1,500	1,185	1,500
Office	2260	600	655	600	121	600	146	600
Professional & Specialized:	2300	40,800	39,837	45,800	33,198	45,800	23,580	45,800
- Staffing services		25,000	24,985	25,000	20,084	25,000	11,724	25,000
- MSR/SOI		15,000	11,732	15,000	12,428	15,000	11,824	15,000
- Applications		-	2,839	5,000	686	5,000	-	5,000
- Legal Counsel		500	-	500	-	500	-	500
- Web Service		300	282	300	-	300	32	300
Publications & Legal Notices	2500	500	947	500	333	500	140	500
Transportation & Travel	2750	1,500	406	1,500	115	1,500	148	1,500
Training	2756	-	-	-	-	-	-	-
Contrib to Non LAF Agency	3200	-	-	-	-	-	-	-
Transfer Out		-	-	-	-	-	-	-
TOTAL Expenditures		\$ 44,900	\$ 42,921	\$ 49,900	\$ 34,951	\$ 49,900	\$ 25,198	\$ 49,900

Operating Difference		\$ (16,900)	\$ (12,584)	\$ (16,900)	\$ (6,989)	\$ (16,900)	\$ 6,001	\$ (15,900)
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(Negative Balance Indicates Use of Reserves)

FUND BALANCE/RESERVES

Beginning Year Fund Balance				\$96,576		\$ 89,587		
Ending Year Fund Balance			\$ 96,576		\$ 89,587			
Assigned/Designated Reserve Funds	\$90,000							
Litigation Defense:	\$ 60,000							
Special Legal Counsel:	\$ 10,000							
Unanticipated Sp. Studies:	\$ 20,000							



RESOLUTION NO. 2022-06

ADOPTING A FINAL BUDGET FOR FISCAL YEAR 2022-23

WHEREAS, the Trinity Local Agency Formation Commission is required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to annually adopt a Proposed Budget by May 1st and a Final Budget by June 15th; and

WHEREAS, the Commission adopted a Proposed Budget for Fiscal Year 2022-23 at a noticed public hearing on April 19, 2022; and

WHEREAS, the Commission staff circulated for review and comment the Proposed Budget to each of the funding agencies who contribute to the budget; and

WHEREAS, the Final Budget for Fiscal Year 2022-23 was presented to the Commission in the manner provided by law at its public hearing on June 21, 2022; and

WHEREAS, the Commission determined the overall operating costs provided in Final Budget will allow the Commission to fulfill its regulatory and planning responsibilities.

NOW THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED as follows:

1. The Final Budget for Fiscal Year 2022-23 as outlined in Exhibit A is approved.
2. The adopted Final Budget for Fiscal Year 2022-23 shall be circulated to local funding agencies and the Trinity County Auditor-Controller as required under Government Code Section 56381(a).
3. The Trinity County Auditor-Controller is authorized to apportion the budget as specified in Government Code Section 56381(b) and request payment from the County and each Special District no later than July 1, 2022 as specified in Government Code 56381(c).

THE FOREGOING RESOLUTION was introduced at a public hearing of the Trinity LAFCo Commission on the 21st day of June, 2022, and adopted by the following roll call vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

ATTEST:

APPROVED:

Kathy Bull
Administrator/Clerk

Keith Groves
Chair



AGENDA ITEM 6.A.

MEETING: June 21, 2022
TO: Trinity LAFCo Commissioners
FROM: Colette Santsche, Executive Officer & Kathy Bull, Administrator/Clerk
SUBJECT: Proposed Mountain Communities Healthcare District Ambulance Services By Contract Outside District Boundaries

BACKGROUND

Section 56133 of the California Government Code requires special districts to request and receive written approval from LAFCo before entering into agreements to provide new or extended services outside their jurisdictional boundaries. The Commission may authorize a district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence “to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory”.

DISCUSSION

Trinity LAFCo has received an application filed by the Mountain Communities Healthcare District (MCHD) to provide administrative, professional, and technical staffing support (“Managing Support”) to sustain ambulance services by agreement with the Trinity Life Support Community Services District (TLSCSD) within the boundary of the TLSCSD. An agreement between MCHD and TLSCSD is included as Attachment A. A figure showing the jurisdictional boundaries of MCHD and TLSCSD is included as Attachment B.

The principal reasons for the proposal are to: 1) maintain ongoing ambulance services to the entire TLSCSD service area; and 2) allow MCHD to participate in administration and management of ambulance services currently administered and managed by TLSCSD. Due to financial viability of TLSCSD, MCHD would hire TLS employees and manage the ambulance service in the TLSCSD service area. TLSCSD would retain all real property, equipment assets, taxes, and billing prior to the agreed upon date. This partnership will continue to provide services to the entire TLSCSD area. While the two District boundaries are very similar, they are not identical. This will not negatively impact past or current coverage areas.

TLSCSD is critically struggling to be financially viable to the point that making payroll is in question, thus jeopardizing ambulance services in Trinity County. TLSCSD was formed in 2021. Proceedings for the formation were initiated by Trinity County Life Support by resolution of the Trinity County Board of Supervisors. A similar proposal was previously approved by LAFCo in 2019. This initial proposal was conditionally approved on receiving voter approval of a special tax at a rate of \$83 per year for each improved parcel and \$48 per year for each unimproved parcel within the district, generating approximately \$677,000 per year. At the March 3, 2020

general election, voters approved Measure D, Creation of EMS Service District, but rejected Measure E, Parcel Tax for EMS Service District. Due to the lack of voter support for the tax measure, the district formation was terminated. Following termination, an amended proposal was submitted to LAFCo that proposed a reduced special tax at a flat rate of \$45 per year for each parcel developed with residential or commercial uses. Parcels that are undeveloped or have minor improvements would not be charged. This would generate approximately \$258,000 per year, which is 62% less than the original request. It was hoped that the reduced amount would stop deficit spending at current service level, allowing the ambulance service to continue with existing staff and shift structure, while seeking alternative funding for improvements.

After numerous discussions between MCHD administration and TLSCSD management and Board of Directors, it has been determined that a partnership offers the best opportunity for success. The managing support agreement allows for TLSCSD to maintain all their real property, assets including ambulances, collectible taxes, and all past accounts receivable. MCHD will hire all TLSCSD employees that apply and pass the pre-employment requirements. At this time, all 17 current employees of TLSCSD have applied to work for MCHD. MCHD will create an Ambulance Services department that is managed by current management at TLSCSD. All staff is going to receive significant wage increases including some increases as much as \$6-\$8 more per hour. We believe that this will help with recruitment and retention moving forward. Furthermore, MCHD will use its current HR department, billing department, finance department, administration, and other resources that is already in place to provide better economies of scale.

MCHD's federal designation as a Critical Access Hospital could leverage increased financial opportunities. MCHD has the ability as a Critical Access Hospital to use cost-based accounting and include ambulance services on its cost report. This federal designation allows for better reimbursement depending on expenses versus revenues. MCHD also has the ability to better negotiate insurance rates. Finally, MCHD currently has approximately one year cash on hand to help safeguard against any unforeseen problems and provide financial stability throughout the transition. It is also the intention of TLSCSD and MCHD to provide better employee and ambulance facilities, more up to date ambulances, more EMT and paramedic staff, and better services overall. The information provided by the two districts indicates that through this agreement ambulance services can be sustained and improved and that hospital services will not be affected.

A condition of approval is recommended that would require MCHD to apply to LAFCo within one year to activate its latent power to provide ambulance services¹. Furthermore, it is recommended that as part of this application that consolidation with TLSCSD be pursued, resulting in the transfer of all remaining assets to the MCHD as successor. Consolidation would require MCHD annex the remaining TLSCSD territory so that the existing TLSCSD Special Tax can be transferred to and continue to be collected by MCHD.

¹ MCHD was formed in 2006 to provide all powers listed in Section 32121 of the California Health and Safety Code, except the power to acquire, maintain, and operate ambulances or ambulance services. The formation documents further note that if this power is desired at a later date, then the District may request that the Commission add it as an authorized power.

The consolidation of these two districts would likely result in service efficiencies. As described above, MCHD indicates that its existing human resources, billing, and finance departments, and management staff provide functionally similar services and have expertise and capacity to carry out the same services for ambulance activities. There are similarities between the skills and training for pre-hospital care emergency medical technicians and paramedics and some emergency department and other hospital staffing. There are likely many opportunities an economy of scale relating to shared ongoing training and there may be other opportunities for cross-staffing when needed; the maintenance, certification, and possible sharing of equipment; and the purchase and management of medical supplies. As a result, a consolidation between these two districts which have similar boundaries and purposes would likely result in service efficiencies and benefits.

RECOMMENDATION

Staff recommends the Commission approve the provision of ambulance services by contract outside Mountain Community Healthcare District's boundaries referenced in Resolution 2022-07 and as outlined in Attachment B, with any requested changes. It is recommended that the approval include the following condition:

- Mountain Communities Healthcare District (MCHD) shall apply to LAFCo within one year for activation of latent powers to provide ambulance services in accordance with California Government Code Section 56824.10 et seq. As part of this application, the following changes of organization/reorganization are recommended to be submitted with a Plan for Services and Municipal Service Review:
 - Sphere of Influence Amendment and Annexation of areas served outside agency boundaries; and
 - Consolidation of remaining services provided by Trinity Life Support Community Services District (TLSCSD), including the transfer of remaining assets of TLSCSD and the transfer of the current special tax for ambulance services to MCHD.

Attachments:

- A. Agreement between MCHD and TLSCSD
- B. Figure of MCHD and TLSCSD boundaries
- C. Resolution 2022-07

AGREEMENT FOR MANAGING AGENCY SERVICES

This Agreement for Managing Agency Services (“**Agreement**”) is entered by and between the Trinity Life Support Community Service District, a general law district organized under the laws of California (“**TLSCSD**”) and the Mountain Communities Healthcare District (“**MCHD**”) a California Local Health Care District, effective as of July 1, 2022 (“**Effective Date**”). TLSCSD and MCHD are collectively referred to herein as the “**Member Agencies**”.

RECITALS

WHEREAS, TLSCSD provides ambulance services to a portion of Trinity County, State of California (“**Services**”); and

WHEREAS, TLSCSD’s current revenues are insufficient relative to its operating costs; specifically staffing and payroll; and

WHEREAS, TLSCSD’s Board of Directors (“**TLSCSD Board**”) are concerned TLSCSD may be unable to continue providing the Services; and

WHEREAS, it is in the best interests of the voters within the respective boundaries of the Member Agencies that the Services be provided; and

WHEREAS, MCHD has the current capacity to manage or assume some of TLSCSD’s operations to allow continuity of the Services; and

WHEREAS, it is in the best interests of the Member Agencies for MCHD to manage or assume some of TLSCSD’s operations; and

WHEREAS, to allow continuity of the Services, TLSCSD has elected to contract with MCHD to provide administrative, professional, and technical staffing support (“**Managing Support**”) to TLSCSD and to otherwise authorize MCMD to act.

NOW THEREFORE, TLSCSD and MCHD agree as follows:

SECTION 1: OBLIGATIONS1.1 TLSCSD:

- 1.1.1 Provide service levels to ensure effective ambulance coverage within the boundaries of TLSCSD as outlined in district formation application to LAFCO and approved by voters in November 2020 (e.g., minimum two 24/7 staffed ambulances; one in Hayfork, one in Weaverville, with the goal of two, but at least one providing advanced life support (ALS) staffing).

- 1.1.2 Provide jail and juvenile hall emergency medical transports at no or reduced cost, as contracted with the County of Trinity.
- 1.1.3 Maintain current contract in good standing with the Local Emergency Medical Services Agency for the operation of basic and advanced life support ambulances within the County of Trinity.
- 1.1.4 Cooperatively with MCHD manage all agreements entered into by TLSCSD.
- 1.1.5 Prepare, maintain and compile TLSCSD financial records.
- 1.1.6 Provide and maintain all necessary equipment to provide ambulance service, including but not limited to ambulances, existing medical equipment, radios, and ambulance stations (collectively, “**Assets**”).
- 1.1.7 Provide and maintain property and vehicle insurance as required by law and in accordance with MCHD requirements and reasonable discretion.

1.2 MCHD:

- 1.2.1 MCHD, will be responsible for the hiring and maintenance of all ambulance staff, as a department of the hospital, with all payroll and related employee expense, and medical equipment and supplies necessary for the provision of Services.
- 1.2.2 Manage ambulance service billing and receipts
- 1.2.3 Manage ground and air alliance membership program
- 1.2.4 Subject to the terms and conditions of this Agreement, MCHD will provide the Managing Support to TLSCSD for the oversight of the Services.
- 1.2.5 MCHD, in its sole discretion, will determine the timing, amount, and scope of Managing Support necessary or convenient (or both) for the oversight of the Services; the specific elements of Managing Support may include, but are not limited to, the following, none of which MCHD is obligated herein to provide:
 - a. Negotiate and recommend the award of all necessary agreements for TLSCSD and the Services, subject to approval by the TLSCSD Board;
 - b. Cooperatively with TLSCSD manage all agreements entered into by TLSCSD;
 - c. Coordinate and implement TLSCSD projects and programs related to the Services;

- d. Provide for the maintenance and management of such personal property as may be owned or controlled by the TLSCSD unless the administration of that property is more appropriately managed in another manner;
- e. Manage and oversee all purchasing and billing activities of TLSCSD;
- f. Manage and oversee all operational aspects of the Services, including, without limitation, scheduling, computer systems, equipment acquisition and surrender, equipment maintenance and update, dispatch, accounts payable, and accounts receivable;
- g. Report to the TLSCSD Board regarding operational, financial, and other aspects of the Services;
- h. Negotiate or facilitate, or both, coordination and interaction with other entities involved in or related to the Services;
- i. Pursue additional revenue sources for the Services on behalf of and for TLSCSD, subject to TLSCSD Board direction and approval;
- j. Respond to other related administrative and operational activities as directed by the TLSCSD Board or as determined appropriate by the MCHD Board in its good faith discretion.

1.2.6 Notwithstanding anything in this Agreement to the contrary, MCHD may in its name or otherwise and in collaboration with TLSCSD provide all or a portion of the Services, or other medical transport services similar to the Services, using the Assets or MCHD's own real property or personal property, or both, without liability to TLSCSD.

SECTION 2.0: EXCLUSIONS

- 2.1 Notwithstanding anything in this Agreement to the contrary, MCHD will have no obligation to perform or provide any of the following:
- a. Recover or manage any TLSCSD account receivable existing as of the date of this Agreement.
 - b. Obtain or maintain director and officer insurance, or liability insurance, for the TLSCSD Board or any of its members.
 - c. Take title to any of the Assets.
 - d. Obtain or maintain insurance of any type relative to or concerning the Assets.
- 2.2 MCHD will not serve as the custodian of any money of TLSCSD, and will not serve as the Controller or Treasurer of TLSCSD. MCHD will have none of the

powers, duties, or obligations specified in California Government Code 6505.5 relative to the monies of TLSCSD.

SECTION 3.0: TERM

- 3.1 The term of this Agreement will commence on the Effective Date, and will terminate on the date that is five (5) years after the Effective Date (“**Anniversary Date**”) if either TLSCSD or MCHD provides written notice to the other terminating this Agreement within 90 days of the Anniversary Date; if neither TLSCSD or MCHD provide written notice to the other electing to terminate this Agreement on the Anniversary Date, then this Agreement will continue on a month-to-month basis until terminated as provided below.
- 3.2 Either TLSCSD or MCHD may terminate this Agreement after the Anniversary Date for any or no reason by giving the other party at least 30 days’ prior written notice.
- 3.3 Notwithstanding anything in this Agreement to the contrary, MCHD may terminate this Agreement for any or no reason effective immediately upon delivery of written notice to the then-President of the TLSCSD Board, or if none, to any member of the TLSCSD Board, or if the TLSCSD Board then has no members, to the Executive Director of the Trinity County Local Agency Formation Commission (LAFCO).

SECTION 4: COMPENSATION; VEHICLE PURCHASES

- 4.1 MCHD will have the right to charge, collect and retain all fee income and other compensation generated by or relating to all Services provided on and after the date of this Agreement; except, however, MCHD will have no right collect, manage, or retain any tax or assessment revenue of TLSCSD. The provisions of this Section 4.1 will survive the termination of this Agreement.
- 4.2 For the next three fiscal years during the term of this Agreement (i.e., FY 2022-23, 2023-24 and 2024-25), TLSCSD will purchase one (1) new ambulance per year conforming to the reasonable specifications determined by MCHD.

SECTION 5: EMPLOYEES

Notwithstanding anything herein to the contrary, as of the Effective Date and continuing thereafter, MCHD may offer employment to any past, present, or future TLSCSD employee, without liability to TLSCSD, including, without limitation, any claims of TLSCSD alleging interference by MCHD with TLSCSD’s business practices.

SECTION 6: WAIVER

TLSCSD hereby waives: (i) any right of TLSCSD to enforce any prohibition or restriction as to the extent of MCHD’s powers to enter into this Agreement or provide the Managing Support or provide

or assist in the provision of the Services, and (ii) all damages of TLSCSD relating to any alleged ultra vires act of MCHD pertaining to this Agreement.

SECTION 7: NOTICE

Addresses of the parties to the Agreement for the purpose of formal communications related to the Agreement are as follows:

MCHD:

Mountain Communities Healthcare District
60 Easter Avenue
Weaverville, CA 96093
Attn: Chief Executive Officer

TLSCSD:

Trinity Life Support Community Service District
610 Washington Street
PO Box 2907
Weaverville, CA 96093

SECTION 8: SUCCESSOR STATUTES

All statutes cited herein will be deemed to include amendments and/or successor statutes to the cited statutes as they presently exist.

SECTION 9: AGREEMENT COMPLETE

This Agreement constitutes the full and complete Agreement of the parties, superseding and incorporating all prior oral and written agreements relating to the subject matter of this Agreement.

SECTION 10: COUNTERPARTS

This Agreement may be executed in counterparts, each of which will constitute an original and all of which together will constitute one and the same agreement.


SECTION 11: SEVERABILITY

If any one or more of the terms, provisions, promises, covenants, or conditions of this Agreement, were to any extent, adjudged invalid, unenforceable, void, or voidable for any reason whatsoever by a court of competent jurisdiction, each and all of the remaining terms, provisions, promises, covenants,

and conditions of this Agreement will not be affected and will be valid and enforceable to the fullest extent permitted by law.


“MCHD”:

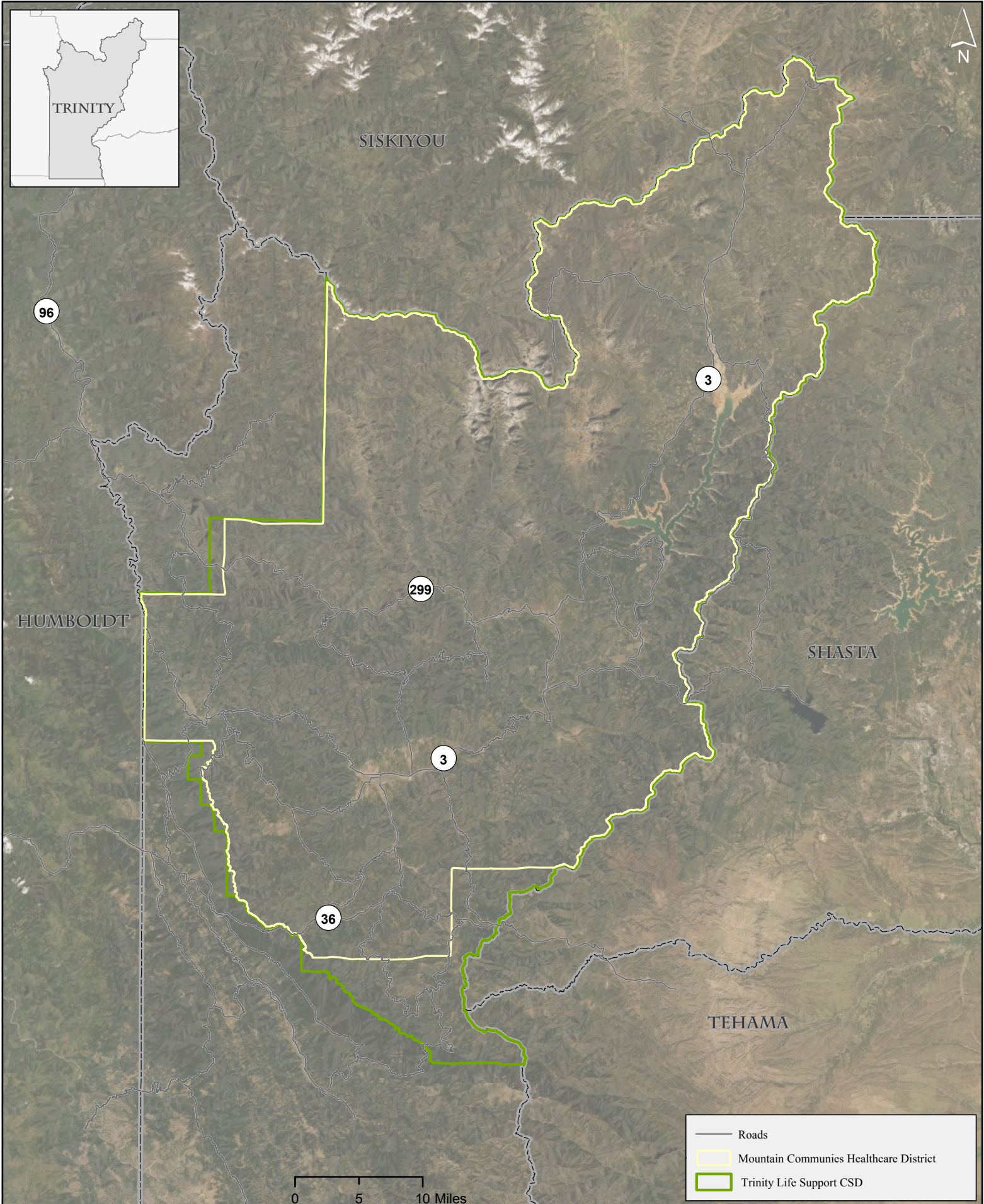
MOUNTAIN COMMUNITIES HEALTH CARE DISTRICT,
a California medical services district

By: 
Name: Armon ROGERS
Title: CEO

“TLSCSD”:

TRINITY LIFE SUPPORT COMMUNITY SERVICE DISTRICT
a general law district organized under the laws of California

By: 
Name: Scott Alvord
Title: President TLS Board



Trinity LAFCo MCHD and TLSCSD Boundaries

Attachment

Packet Page 22 **B**

Date: 6/9/2022

**RESOLUTION NO. 2022-07**

**AUTHORIZING THE MOUNTAIN COMMUNITIES HEALTHCARE
DISTRICT TO PROVIDE ADMINISTRATIVE, PROFESSIONAL, AND
TECHNICAL STAFFING SUPPORT (“MANAGING SUPPORT”) TO
SUSTAIN AMBULANCE SERVICES BY AGREEMENT WITH THE
TRINITY LIFE SUPPORT COMMUNITY SERVICES DISTRICT
(TLSCSD) WITHIN THE BOUNDARY OF THE TLSCSD**

WHEREAS, the Trinity Local Agency Formation Commission, hereinafter referred to as the “Commission”, is responsible for authorizing special districts to provide new or extended services by contract or agreement outside its jurisdictional boundaries and outside its sphere of influence “to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory” pursuant to California Government Code Section 56133; and

WHEREAS, the Commission received an application from the Mountain Communities Healthcare District (MCHD) requestion authorizations to provide administrative, professional, and technical staffing support (“Managing Support”) to sustain ambulance services by agreement with the Trinity Life Support Community Services District (TLSCSD) within the boundary of the TLSCSD; and

WHEREAS, the Executive Officer’s report and recommendations were presented to the Commission in the form and manner prescribed by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on June 21, 2022.

NOW THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED as follows:

1. The Commission, as Lead Agency, finds the proposal is exempt from further review under the California Environmental Quality Act pursuant to Title 14 California Code of Regulations Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment given it does not involve development or a change in the manner for which an existing service is provided.
2. The Commission has considered the factors determined to be relevant to this proposal, including, but not limited to, the sphere of influence, available management and services capacity, and other factors specified in Government Code Section 56133, and as described in the staff report.
3. The Commission hereby authorizes the MCHD to provide Managing Support to sustain ambulance services by agreement with the TLSCSD within the boundary of the TLSCSD subject to the following condition:

- Mountain Communities Healthcare District (MCHD) shall apply to LAFCo within one year for activation of latent powers to provide ambulance services in accordance with California Government Code Section 56824.10 et seq. As part of this application, the following changes of organization/reorganization are recommended to be submitted with a Plan for Services and Municipal Service Review:
 - Sphere of Influence Amendment and Annexation of areas served outside agency boundaries; and
 - Consolidation of remaining services provided by Trinity Life Support Community Services District (TLSCSD), including the transfer of remaining assets of TLSCSD and the transfer of the current special tax for ambulance services to MCHD.

PASSED AND ADOPTED at a public hearing of the Trinity Local Agency Formation Commission on the 21st day of June 2022, by the following roll call vote:

AYES:
NOES:
ABSTAINS:
ABSENT:

ATTEST:

APPROVED:

Kathy Bull
Administrator/Clerk

Keith Groves
Chair



AGENDA ITEM 7.A.

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

BACKGROUND

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

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

The term of office for each member pursuant to CKH Act § 56334 is four years and until the appointment and qualification of a successor. There are no term limits. Pursuant to CKH Act § 56332, Special Districts Members are appointed by the Independent Special District Selection Committee.

DISCUSSION

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

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

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

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

Designation	Current Member	Term of Office
County – Regular Member	Jill Cox	Annual Appointment
County – Regular Member	Liam Gogan	Annual Appointment
County – Regular Member	Keith Groves, Chair	Annual Appointment
County – Alternate Member	Jeremy Brown	Annual Appointment
Special District – Regular Member (Seat 1)	Andrew Johnson	4/30/2024
Special District – Regular Member (Seat 2)	Joseph Kasper	4/30/2022
Special District – Alternate	Pat Frost	4/30/2022
Public Member	Evan Barrow	4/30/2023
Public Member	Anna C. Burke	4/30/2025
Public Member – Alternate	VACANT	4/30/2023

RECOMMENDATION

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

Attachments:

Combined notice and agenda sent to all independent special districts



Date: May 10, 2022

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

Cc: District General Managers/Clerks

From: Colette Santsche, LAFCo Executive Officer

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

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

Meeting Date: June 21, 2022 (after the LAFCo meeting)
Time: 5:30 PM -- *Light food and refreshments will be provided*
Location: Trinity County Library Meeting Room, 351 Main Street, Weaverville
Teleconference: Meeting Link Option:
<https://us02web.zoom.us/j/82529918669?pwd=Y01sVk1ESGIJRzIUdW1iNFRxNzV0dz09>
Meeting ID: 825 2991 8669
Passcode: 815282
Phone: 1 669 900 6833

The AGENDA for the Selection Committee meeting is attached.

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

REQUEST TO INDEPENDENT SPECIAL DISTRICT MANAGERS AND/OR CLERKS

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

FOR MORE INFORMATION

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

Colette Santsche, Executive Officer/e-mail: colette@trinitylafco.org
Kathy Bull, Clerk Administrator/e-mail: kathy@trinitylafco.org

BACKGROUND AND SUMMARY

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

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

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

- Joseph Kasper, Lewiston CSD

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

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

SPECIAL DISTRICT REPRESENTATION ON LAFCO AND SEATING DESIGNATIONS

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

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

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

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

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

INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE MEMBERSHIP

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

Enterprise Districts:

Lewiston CSD

Mountain Communities Healthcare
District (Trinity Hospital)

Ruth Lake CSD

Trinity PUD

Weaverville CSD

Weaverville Sanitary District

Non-Enterprise Districts:

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

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

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

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

SELECTION COMMITTEE MEETING PROCEDURES

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

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

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

TERMS OF OFFICE FOR LAFCO MEMBERS

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

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

DISQUALIFICATION ON PROPOSALS AFFECTING THE DISTRICT

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

INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE

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

Trinity County Library Meeting Room
351 Main Street, Weaverville

AGENDA

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

Meeting Link:

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

Meeting ID: 825 2991 8669

Passcode: 815282

Phone: 1 669 900 6833

1. CALL TO ORDER AND WELCOME

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

2. PUBLIC COMMENT OPPORTUNITY

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

3. PRESENTATION/ANNOUNCEMENTS

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

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

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

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

Trinity LAFCo received one nomination for the Regular Member position:

- Joseph Kasper, Lewiston CSD (nominating resolution attached)

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

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

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

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

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

7. COMMITTEE COMMENTS/ANNOUNCEMENTS

8. NEXT STEPS

Notice of member selection and seating

9. ADJOURNMENT

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

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

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

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

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

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

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

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

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

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

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

AYES:
NOES:
ABSTAINS:
ABSENT:

Date

NAME
Independent Special District Selection Committee

ATTEST:

Date

Colette Santsche
LAFCo Executive Officer

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

District Name: Lewiston Community Services District

Address: PO Box 164

Telephone: 530-778-3018

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

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

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

Noes: Ø

Abstain: Ø

Absent: Ø

Katie Quinn
Signature of Board ~~President~~ Clerk

KATIE Quinn
Printed Name

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

Attachment C