

AGENDA

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

**NORTON REGIONAL EVENT CENTER
1601 EAST THIRD STREET, SAN BERNARDINO**

REGULAR MEETING OF JULY 17, 2019

9:00 A.M. – CALL TO ORDER – FLAG SALUTE

ANNOUNCEMENT: Anyone present at the hearing who is involved with any of the changes of organization to be considered and who has made a contribution of more than \$250 in the past twelve (12) months to any member of the Commission will be asked to state for the record the Commission member to whom the contribution has been made and the matter of consideration with which they are involved.

1. **PUBLIC COMMENTS ON CLOSED SESSION**
2. **CONVENE CLOSED SESSION** – Conference Room Adjacent to Event Center Auditorium:
 - Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9(d)(1)) -- San Antonio Heights Association v. County of San Bernardino et al, San Bernardino County Superior Court Case No. CIVDS1715504
 - Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9(d)(1)) -- San Antonio Heights Association v. County of San Bernardino et al, San Bernardino County Superior Court Case No. CIVDS1712771
 - Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)) – C.O.M.E.T. (Citizens of Mentone Empowered Together) v. City of Redlands et al, San Bernardino County Superior Court Case No. CIVDS1906437
3. **RECONVENE PUBLIC SESSION**

CONSENT ITEMS:

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the hearing to discuss the matter.

4. [Approval of Minutes for Regular Meeting of May 15, 2019](#)
5. [Approval of Executive Officer's Expense Report](#)
6. [Ratify Payments as Reconciled and Note Cash Receipts for Months of April and May 2019](#)
7. [Approval of Fiscal Year 2010-11 Financial Records Destruction Pursuant to Commission Policy](#)

8. [Review and Update the Catalog of Enterprise Systems per Government Code Section 6270.5](#)
9. [Update on Service Review for Wrightwood Community Services District](#)
10. [Consideration of Waivers of Conflict of Interest and Retaining Special Counsel for LAFCO 3233 – Reorganization to Include Dissolution of County Service Area 64 and Formation of the Spring Valley Lake Community Services District](#)
11. Consent Items Deferred for Discussion

DISCUSSION ITEMS:

12. [Unaudited Year-End Financial Report for Fiscal Year 2018-19 to include Transfer from Reserves to Services and Supplies](#)
13. [Nominations for CALAFCO Board Member](#)
14. [Candidate Election for Board of Directors to the Special District Risk Management Authority](#)

INFORMATION ITEMS:

15. Legislative Update Report
16. Executive Officer's Oral Report
17. Commissioner Comments
(This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken on off-agenda items unless authorized by law.)
18. Comments from the Public
(By Commission policy, the public comment period is limited to five minutes per person for comments related to other items under the jurisdiction of LAFCO not on the agenda.)

The Commission may adjourn for lunch from 12:00 to 1:30 p.m. The Commission may take action on any item listed in this Agenda whether or not it is listed for Action. In its deliberations, the Commission may make appropriate changes incidental to the above-listed proposals.

Materials related to an item on this Agenda submitted to the Commission or prepared after distribution of the agenda packet will be available for public inspection in the LAFCO office at 1170 West Third Street, Unit 150, San Bernardino, during normal business hours, on the LAFCO website at www.sbclafco.org, and at the hearing.

Current law and Commission policy require the publishing of staff reports prior to the public hearing. These reports contain technical findings, comments, and recommendations of staff. The staff recommendation may be accepted or rejected by the Commission after its own analysis and consideration of public testimony.

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE ABOVE PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE LOCAL AGENCY FORMATION COMMISSION AT, OR PRIOR TO, THE PUBLIC HEARING.

The Political Reform Act requires the disclosure of expenditures for political purposes related to a change of organization or reorganization proposal which has been submitted to the Commission, and contributions in support of or in opposition to such measures, shall be disclosed and reported to the same extent and subject to the same requirements as provided for local initiative measures presented to the electorate (Government Code Section 56700.1). Questions regarding this should be directed to the Fair Political Practices Commission at www.fppc.ca.gov or at 1-866-ASK-FPPC (1-866-275-3772).

A person with a disability may contact the LAFCO office at (909) 388-0480 at least 72-hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

DRAFT - ACTION MINUTES OF THE
LOCAL AGENCY FORMATION COMMISSION
HEARING OF MAY 15, 2019

REGULAR MEETING

9:00 A.M.

MAY 15, 2019

PRESENT:

COMMISSIONERS:

Regular Member	Alternate Member
Jim Bagley	Louisa Amis
Kimberly Cox	Steven Farrell
James Curatalo, Vice Chair	Rick Denison
Dawn Rowe	
Robert Lovingood, Chair	
Larry McCallon	

STAFF:

Samuel Martinez, Executive Officer
Paula de Sousa Mills, LAFCO Legal Counsel
Michael Tuerpe, Project Manager
Jeffrey Lum, LAFCO Analyst
La Trici Jones, Clerk to the Commission
Angerose Schell, Administrative Assistant

ABSENT:

COMMISSIONERS: Janice Rutherford and Acquanetta Warren

9:05 A.M. – CALL TO ORDER – FLAG SALUTE

Chair Robert Lovingood calls the meeting to order and leads the flag salute.

ANNOUNCEMENT OF CONTRIBUTIONS

Chair Lovingood requests those present who are involved with any of the changes of organization to be considered today by the Commission and have made a contribution of more than \$250 within the past 12 months to any member of the Commission to come forward and state for the record their name, the member to whom the contribution was made, and the matter of consideration with which they are involved.

There were none.

ITEM 1. PUBLIC COMMENTS ON CLOSED SESSION

There are no comments.

ITEM 2. CONVENE CLOSED SESSION – Conference Room Adjacent to Event Center Auditorium:

LAFCO Legal Counsel Paula de Sousa Mills states there is no need for the Commission to meet in closed session at this time since there is no update to be reported.

- Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9(d)(1)) -- San Antonio Heights Association v. County of San Bernardino et al, San Bernardino County Superior Court Case No CIVDS1715504
- Conference with Legal Counsel - Existing Litigation (Government Code Section 54956.9(d)(1)) -- San Antonio Heights Association v. County of San Bernardino et al, San Bernardino County Superior Court Case No CIVDS1712771
- Conference with Legal Counsel – Existing Litigation – (Government Code Section 54956.9(d)(1) – C.O.M.E.T. (Citizens of Mentone Empowered Together) v. City of Redlands et al, San Bernardino County Superior Court Case No CIVDS1906437

ITEM 3. RECONVENE PUBLIC SESSION [NOT NEEDED]

ITEM 4. Selection of Chair and Vice Chair

Executive Officer Samuel Martinez states that every year in the month of May, per Commission policy, the Commission selects its Chair and Vice Chair. He states that as of August 2015, there is no limitation as to the number of terms a member of this Commission can serve in these positions. Executive Officer Samuel Martinez opens the nominations for the selection of Chair.

Commissioner Rowe states she would like to nominate Larry McCallon for Chair.

Commissioner Cox seconds the motion.

There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Rowe, and Denison. Noes: None. Abstain: None. Absent: Warren (Denison voting in her stead)

Executive Officer Samuel Martinez opens the nominations for the selection of Vice Chair.

Commissioner Lovingood states he would like to nominate Jim Curatalo for Vice Chair.

Commissioner Cox seconds the motion.

There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Rowe, and Denison. Noes: None. Abstain: None. Absent: Warren (Denison voting in her stead)

CONSENT ITEMS – STAFF RECOMMENDATION APPROVED

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the hearing to discuss the matter.

- ITEM 5. Approval of Minutes for Regular Meeting of April 17, 2019
- ITEM 6. Approval of Executive Officer’s Expense Report
- ITEM 7. Ratify Payments as Reconciled and Note Cash Receipts for Month of March 2019
- ITEM 8. Consent Items Deferred for Discussion

Commissioner Cox moves approval of the consent items, Second by Commissioner McCallon. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Rowe, and Denison. Noes: None. Abstain: None. Absent: Warren (Denison voting in her stead)

PUBLIC HEARING ITEMS:

- ITEM 9. **CONSIDERATION OF: (1) CEQA STATUTORY EXEMPTION FOR LAFCO 3230; AND (2) LAFCO 3230 – SPHERE OF INFLUENCE AMENDMENT FOR COUNTY SERVICE AREA 120 (ZERO SPHERE OF INFLUENCE) - STAFF RECOMMENDATION APPROVED**

Project Manager Michael Tuerpe presents the staff report. He states that this is the sphere of influence amendment for CSA 120, which was initiated by the Commission. He states CSA 120 is located in the northern valley region. He states that the agency was formed in 2009 to consolidate the management operations of two open space zones to the County. He states the reason for going from two zones to a standalone CSA was to have a single purpose entity that could provide for the mitigation and open space purposes for the County in this particular area. He states a year after formation, the Commission is required to initiate a sphere of influence establishment for an agency. He states that at that time (one year later) financial and operational challenges were evident and it took another four years before the County and LAFCO and other groups were able to assemble the proper information in order to provide the Commission with the basis on which to establish a proper sphere of influence. He states those financial challenges and operational challenges and constraints lingered on that the Commission placed conditions on the sphere establishment. He states that the Commission has been presented with a few status reports on CSA 120. He states that, to date, CSA 120 has not been able to satisfy three of the four conditions— all are related to operational and financial aspects of the District. He states that at the June

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2017 hearing the Commission initiated a sphere of influence amendment for CSA 120, with a recommendation that it be adopted as a zero sphere.

He directs the Commission's attention to the slides. He states that the sphere of influence reduction would be to a zero sphere sending a signal that the Commission anticipates that a future change of organization will take place. He states to date, no formal opposition to the designation of a zero sphere for CSA 120 has been received by LAFCO. He states that staff did receive a response by the City of Rancho Cucamonga, which supports the zero sphere designation. He states that he wants to make it clear, that no change in boundary and no change in services will take place, should the Commission go forward with the recommendations in the staff report. He states that this is just sending the Commission's signal that a future change of organization may take place. He states that an application would have to be received by LAFCO, processed, vetted and then presented to the Commission for any change to take effect. He states that the Commission is required by law to make a number of determinations, which are outlined in the staff report. He states that staff looked at the land uses, agricultural and open-space, and the mapping is in the report. He states the capacity of the public facility, and adequacy of the service is in the report as well. He states that there are financial and operational constraints and challenges. He states the need for the public facilities are limited since the area is primarily is open space. He states the economic and social interest is the economic community, San Gabriel community, environmental community, and habitat lands. He states that staff is recommending no change today in the services that CSA 120 provides, which is open space and habitat conservation. He states that by law staff has to consider additional determinations. For environmental review, a statutory exemption is the recommendation from the environmental consultant which recommendation is set forth in an attachment to the staff report. He states that, by law, LAFCO provided the required legal notice and individual notice with declarations included in the administrative file.

He states that staff recommends the Commission take the actions on page one of the staff report and adopt the resolution. He states that staff is available to answer any questions and in attendance there are representatives from County Special Districts Department.

Chair Lovingood asks the Commission if there are any questions.

Vice Chair Curatalo states that he would like to make a comment. He states that this is a very important area to the community of Rancho Cucamonga and surrounding communities. He states that the future of this area is important and the sphere is a planning tool. He states that the community and the different governmental entities and citizens that have an interest have been working together in discussions. He states that he is hopeful that a good conclusion will be arrived at for the ongoing management of this area. He states that he supports this recommendation.

Commissioner Bagley states that in the staff report, the purpose of the zero sphere is to implement an agency change, is that correct?

Mr. Tuerpe states that it is step one. It sends the Commission's signal that a future change of organization may take place.

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Commissioner Bagley states that LAFCOs responsibility is to guide. He asks whether there is a recommendation or is the Commission just sending a message.

Mr. Tuerpe states the Commission directed staff to move forward with a sphere of influence amendment over a year ago, to come back with this matter, and to form a working group. He states that this working group has met once and after this action today the group will continue to meet. Accordingly there is the hope that something will be brought to the Commission at a later date.

Executive Officer Samuel Martinez states to Commissioner Bagley, staff convened the working group and staff will be working with the group in the coming months. He states that staff will have another meeting in June and will probably have more meetings after that to see if there is a path towards a future change of organization.

Commissioner Bagley states that he does not detect there is a mismanagement of funds, but sometimes these conservation areas that are set aside are not really well managed and they become a disaster. He states they are well meaning but end up not really accomplishing anything and other than having land that have issues with it. He indicates that it sounds like this working group is moving towards a solution and states that he hopes the solution is not another special district without a clear purpose.

Executive Officer Samuel Martinez states that the working group is doing its due diligence to make sure that moving forward it will work.

Commissioner Farrell states that he does know if it could be part of this resolution, but asks if the Commission could expect a report about how the working group is progressing on beyond today's decision.

Executive Officer Martinez states that the Commission can add this on as part of the recommendation to come back every six months to report on the working group.

Chair Lovingood states that agrees with Mr. Bagley stating that the Commission will have to carefully watch this agency once it is formed; agencies are often created by someone who is very driven and once they leave the organization, that is where it becomes a challenge.

Chair Lovingood asks if there are any more questions or comments from Commissioners.

There none.

Chair Lovingood asks if there is any public comment.

There are none.

Commissioner Bagley moves the staff recommendation, Second by Commissioner McCallon. The motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Rowe and Denison. Noes: None. Abstain: None. Absent: Warren (Denison voting in her stead)

ITEM 10. CONSIDERATION OF: (1) CEQA STATUTORY EXEMPTION FOR SCHEDULE OF FEES, DEPOSITS AND CHARGES REVISIONS; AND (2) REVIEW AND ADOPTION OF SCHEDULE OF FEES, DEPOSITS AND CHARGES EFFECTIVE JULY 1, 2019 – STAFF RECOMMENDATION APPROVED

Executive Officer Samuel Martinez states that at the April hearing, staff presented the Commission with its recommended changes to the fee schedule. He states the Commission adopted the proposed schedule. He states the proposed schedule was circulated for review and comment to the County, Cities, Towns and all the Independent Special Districts and as of this date, no comments have been received. He states that staff recommends the Commission adopt the revised fee schedule with an effective date of July 1, 2019 and take the actions on page one of the staff report.

Chair Lovingood asks the Commission for questions and comments.

There is none.

Chair Lovingood asks if there is any public comment

There are none.

Commissioner Curatalo moves the staff recommendation, Second by Commissioner Rowe. The motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Rowe and Denison Noes: None. Abstain: None. Absent: Warren (Denison voting in her stead)

ITEM 11. REVIEW AND CONSIDERATION OF AMENDMENTS TO POLICY AND PROCEDURE MANUAL SECTION III – HUMAN RESOURCES - STAFF RECOMMENDATION APPROVED

Executive Officer Samuel Martinez states that as part of the 2019/20 fiscal year budget process in April, staff recommended amendments, related to compensation with a reclassification of the Project Manager to the Senior Analyst position, the reduction of the step advancement from two to one per year, as well as benefits associated with the Executive Officer's automobile and cell phone allowances. He states that all of these policy amendments are outlined in Attachment #1. He states that staff recommends the Commission take the actions on page one of the staff report, provide staff with any additional changes, corrections or amendments to the HR section of the Policy and Procedure Manual as presented.

Chair Lovingood asks the Commission for questions and comments.

Commissioner Cox states that she wants to commend Sam again for his leadership in this area. She states that he has done what many executive leaders loathe to do and that is actually reduce your own compensation. She states that she would like to congratulate Michael on his promotion as it is well deserved.

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Commissioner Bagley states that he would like to echo Commissioner Cox comments. He states to Sam that he appreciates his leadership on this issue reducing a compensation benefit to an actual cost is truly fiscally responsible and its missing in many civic organizations.

Executive Officer Martinez states that he would also like to thank staff.

Chair Lovingood asks if there is any public comment.

There is none.

Commissioner Cox moves the staff recommendation, Second by Commissioner McCallon. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Rowe, and Denison. Noes: None. Abstain: None. Absent: Warren (Denison voting in her stead)

ITEM 12. REVIEW AND ADOPTION OF FINAL BUDGET FOR FISCAL YEAR 2019-20 INCLUDING THE APPROPRIATION FOR INDEPENDENT SPECIAL DISTRICTS, CITIES AND THE COUNTY – STAFF RECOMMENDATION APPROVED

Executive Officer Samuel states that the Commission adopted the 2019/20 proposed budget at last month's hearing. He states that one thing that was changed was that during the April hearing the Commission directed staff to contribute the balance of the net pension liability reserve, so in turn there are no funds in the net pension liability carrying forward into 2019/20, however the 2019/20 budget does allocate the \$42,500 for the annual contribution. He states that the proposed budget was circulated for review to the County, Cities, Towns and all Independent Special Districts and as of this date, no comments have been received. He states that since the 2019/20 budget will be less than the budget for fiscal year 2018/19, Government Code section 56381, requires that the Commission determine that the approval of this budget for the upcoming fiscal year will allow the Commission to fulfill its obligations, therefore staff is recommending that the approval of the final budget include this finding. He states that staff is recommending the Commission adopt the final budget by taking the actions on page one of the staff report.

Chair Lovingood asks the Commission for questions and comments.

There is none.

Chair Lovingood asks if there is any public comment.

There is none.

Commissioner Curatalo moves the staff recommendation, Second by Commissioner Cox. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Rowe and Denison. Noes: None. Abstain: None. Absent: Warren (Denison voting in her stead)

INFORMATION ITEMS:

ITEM 13. LEGISLATIVE ORAL REPORT

Executive Officer Martinez states that at the dais for each Commissioner is a legislative report that outlines the update of the bills that this Commission has supported. He states that AB 1253 is the CALAFCO grant funding that was vetoed last year and its now moving forward. He states this is now in the Assembly Appropriations to be heard on May 16, 2019. He states that AB 1822, the CALAFCO omnibus bill that was first introduced in March and amendments made in April to include the two items that were omitted in the March version, has passed the assembly floor and is now on the side of the Senate. He states that AB 213 and AB 818, the bills that would reinstate funding for inhabited annexations and incorporations, respectively are being heard today as well at the Assembly Appropriations Committee.

ITEM 14. EXECUTIVE OFFICER'S ORAL REPORT

Executive Officer Martinez states that the efforts to incorporate Lake Gregory has started. He states that they filed the notice of intent to file a petition. He states they have six months to get the minimum 25%. He states that once they get that and it has been verified, then they will submit their application to LAFCO. He states that he would also like to remind the Commission that it will not have a June hearing.

ITEM 15. COMMISSIONERS' COMMENTS

Commissioner Cox states that she would like for the special districts reps on the Commission to take a look at the apportionment for special districts. She asks Chairman Lovingood if it is appropriate to convene a working group with the special districts to reevaluate the apportionment for all the special district members in the County.

Executive Officer Martinez states that staff can go back a few years to see what those changes were.

Commissioner Cox states that the Commission has changed it a couple times and would be curious to see what other LAFCOs do in relation to their special districts apportionment. She states that she has not discussed this with the other special district colleagues on the Commission, but when she saw the apportionment this year, compared to the city apportionment, she felt like it would be appropriate to look at it.

Commissioner Curatalo states that he concurs.

Commissioner McCallon states that he wants to thank his colleagues for their confidence in his ability to be chair but wanted the Commission to know that he will not be available for the July meeting due to an overseas trip that was already planned.

Vice-Chair Curatalo thanks Chair Lovingood for his service to the Commission as chair, and congratulates Commissioner McCallon for being selected as the new chair of the LAFCO

Commission. Additionally, he thanks the Commission for allowing him to remain as the Vice-Chair.

ITEM 16. COMMENTS FROM THE PUBLIC

There are none.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE HEARING ADJOURNS AT 10:40 A.M.

ATTEST:

LA TRICI JONES
Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION

Larry McCallon, Chair

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West 3rd Street, Unit 150 San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE : JULY 8, 2019

FROM: SAMUEL MARTINEZ, Executive Officer 

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #5 – APPROVAL OF EXECUTIVE OFFICERS’ EXPENSE REPORTS

RECOMMENDATION:

Approve the Executive Officers’ Expense Report for Procurement Card Purchases from April 23, 2018 to May 22, 2019 and May 23, 2019 to June 24, 2019.

BACKGROUND INFORMATION:

The Commission participates in the County of San Bernardino’s Procurement Card Program to supply the Executive Officer a credit card to provide for payment of routine official costs of Commission activities as authorized by LAFCO Policy and Procedure Manual Section II – Accounting and Financial Policies #3(H). Staff has prepared an itemized report of purchases that covers the billing period of April 23, 2018 through May 22, 2019 and May 23, 2019 to June 24, 2019.

Staff recommends that the Commission approve the Executive Officers’ expense reports as shown on the attachments.

SM/lj

Attachments

**LOCAL AGENCY FORMATION COMMISSION
FOR SAN BERNARDINO COUNTY**

1170 West 3rd Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
E-mail: lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE : JULY 8, 2019

FROM: SAMUEL MARTINEZ, Executive Officer 

TO: LOCAL AGENCY FORMATION COMMISSION

**SUBJECT: AGENDA ITEM #6 - RATIFY PAYMENTS AS RECONCILED FOR
THE MONTHS OF APRIL AND MAY 2019 AND NOTE REVENUE
RECEIPTS**

RECOMMENDATION:

Ratify payments as reconciled for the months of April and May 2019 and note revenue receipts for the same period.

BACKGROUND INFORMATION:

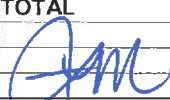

Staff has prepared a reconciliation of warrants issued for payments to various vendors, internal transfers for payments to County Departments, cash receipts and internal transfers for payments of deposits or other charges that cover the period of April 1 through April 30, 2019 and May 1, 2019 through May 31, 2019.

Staff is recommending that the Commission ratify the payments for April and May 2019 as outlined on the attached listings and note the revenues received.

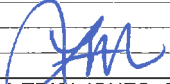

SM/llj

Attachments

MONTH OF APRIL 2019 PAYMENTS PROCESSED						
Document Number	Account	Posting Date	Activity	Reference	Vendor	Amount
1900414314	52002041	4/4/2019	CENTURY LINK - CONFERENCE CALLS	INVOICE 1461567631	CENTURY LINK	\$44.87
1900414310	52002085	4/4/2019	NOTICE OF HEARING SC#438	INVOICE B3234312	DAILY JOURNAL	\$492.80
1900425933	52002085	4/22/2019	NOTICE OF HEARING LAFCO 3232	INVOICE B3234317	DAILY JOURNAL	\$1,847.07
1900412054	52002090	4/2/2019	CLEANING SERVICE	INVOICE 68907	JAN PRO	\$490.00
1900410770	52002090	4/10/2019	HVAC SERVICE	INVOICE UNIT 150	CITY COM	\$325.50
1900425932	52002180	4/22/2019	EDISON UTILITY BILL	INVOICE 2399452309	EDISON	\$358.99
1900424468	52002445	4/18/2019	ADDITIONAL INSURANCE CERTIFICATE -VICTORVILLE	INVOICE 65849	SDRMA	\$47.50
1900414299	52002315	4/4/2019	ARCHIVED RECORDS	INVOICE 0108520	STORETRIEVE	\$64.37
1900430975	52002400	4/24/2019	SAN ANTONIO HEIGHTS ASSN CIVDS1715504	INVOICE 847480	BEST BEST & KRIEGER	\$77.56
1900430980	52002400	4/24/2019	SAN ANTONIO HEIGHTS ASSN	INVOICE 847479	BEST BEST & KRIEGER	\$362.37
1900430982	52002400	4/24/2019	LITIGATION	INVOICE 847481	BEST BEST & KRIEGER	\$450.00
1900430983	52002400	4/24/2019	OTHER SPECIAL COUNSEL	INVOICE 847482	BEST BEST & KRIEGER	\$810.00
1900430988	52002400	4/24/2019	GENERAL LEGAL BILL	INVOICE 847478	BEST BEST & KRIEGER	\$2,637.57
1900424441	52002445/2940	4/18/2019	COMMISSIONER STIPEND & MILEAGE	DENISON 3/20/19	RICK DENISON	\$281.20
1900424443	52002445/2940	4/18/2019	COMMISSIONER STIPEND & MILEAGE	BAGLEY 4/17/19	JAMES BAGLEY	\$304.28
1900424449	52002445/2940	4/18/2019	COMMISSIONER STIPEND & MILEAGE	COX 4/17/19	KIMBERLY COX	\$264.64
1900424452	52002445/2940	4/18/2019	COMMISSIONER STIPEND & MILEAGE	CURATALO 4/17/19	JAMES CURATALO	\$229.00
1900424454	52002445/2940	4/18/2019	COMMISSIONER STIPEND & MILEAGE	FARRELL 4/17/19	STEVEN FARRELL	\$219.95
1900424460	52002445	4/18/2019	COMMISSIONER STIPEND	MCCALLON 4/17/19	LARRY MCCALLON	\$200.00
1900424461	52002445	4/18/2019	COMMISSIONER STIPEND	AMIS 4/17/19	LOUISA AMIS	\$200.00
1900424464	52002445	4/18/2019	COMMISSIONER STIPEND	LVNGOOD 4/17/19	ROBERT LOVINGOOD	\$200.00
1900425925	52002445	4/22/2019	COMMISSIONER STIPEND	ROWE 2/20/2019	DAWN ROWE	\$200.00
1900425927	52002445	4/22/2019	COMMISSIONER STIPEND	ROWE 3/20/2019	DAWN ROWE	\$200.00
1900425930	52002445	4/22/2019	COMMISSIONER STIPEND	ROWE 4/17/2019	DAWN ROWE	\$200.00
1900430261	52002445	4/24/2019	LAFCO CONSULTANT - ROBERT ALDRICH	INVOICE 80	ALDRICH & ASSOCIATES	\$2,175.00
1900414304	52002895	4/4/2019	OFFICE COPIER	INVOICE 33274373	KONICA MINOLTA	\$387.73
1900412036	52002905	4/2/2019	AMORTIZATION PAYMENT 8	INVOICE TENAM8	SBCTA	\$8,448.33
1900412041	52002905	4/2/2019	LAFCO COMMISSION HEARING ROOM RENTAL	INVOICE 735	IVDA	\$405.00
1900410770	52002905	4/10/2019	LAFCO OFFICE RENT & CAM COSTS	INVOICE UNIT 150	CITY COM	\$15,816.81
1900424458	52942940	4/18/2019	COMMISSIONER STIPEND & MILEAGE	WARREN 4/17/19	ACQUANETTA WARREN	\$218.56
1900424459	52002445/2940	4/18/2019	COMMISSIONER STIPEND & MILEAGE	DENISON 4/17/19	RICK DENISON	\$281.20
TOTAL						\$38,240.30
MONTH OF APRIL 2019 INTERNAL TRANSFERS PROCESSED						
100183516	40308500	4/29/2019	INTEREST APPORTIONMENT 3 QTR ENDING 3/31/2019	INTEREST	INTEREST	\$4,396.87
4200030377	40709555	4/25/2019	LAFCO 3216	INDEMNIFICATION	COUNTY FIRE	\$5,418.90
4200028833	52002310	4/2/2019	MAIL SERVICES - HAN	COUNTY MAIL	COUNTY MAIL	\$93.81
4200028836	52002310	4/2/2019	MAIL SERVICES - FLAT	COUNTY MAIL	COUNTY MAIL	\$24.55
4200028839	52002310	4/2/2019	MAIL SERVICES - DEL	COUNTY MAIL	COUNTY MAIL	\$197.40
4200030573	52002323	4/29/2019	2019-20 CALENDARS	ISD	ISD	\$44.00
4200030210	52002415	4/23/2019	2018/2019 COWCAP QTR 4	ATC	ATC	\$2,527.25
4200030319	52002424	4/26/2019	NOTICE OF EXEMPTION, SC#438	COB	COB	\$50.00
4200030326	52002424	4/26/2019	NOTICE OF EXEMPTION, LAFCO 3232	COB	COB	\$50.00
TOTAL						\$12,802.78
MONTH OF APRIL 2019 CASH RECEIPTS						
4200028798	40709545	4/2/2019	LAFCO 3233 SPRING VALLEY LAKE CSD FORMATION	INDIVIDUAL NOTICE	SPECIAL DISTRICTS	\$1,000.00

4200028798	40709555	4/2/2019	LAFCO 3233 SPRING VALLEY LAKE CSD FORMATION	LEGAL DEPOSIT	SPECIAL DISTRICTS	\$2,000.00
4200028798	40709595	4/2/2019	LAFCO 3233 SPRING VALLEY LAKE CSD FORMATION	PROTEST HEARING	SPECIAL DISTRICTS	\$1,500.00
4200028798	40709660	4/2/2019	LAFCO 3233 SPRING VALLEY LAKE CSD FORMATION	ENVIRONMENTAL	SPECIAL DISTRICTS	\$1,000.00
4200028798	40709800	4/2/2019	LAFCO 3233 SPRING VALLEY LAKE CSD FORMATION	LAFCO FEES	SPECIAL DISTRICTS	\$15,000.00
4100849137	40709555	4/24/2019	LAFCO 3229 APPLE VALLEY ANNEXATION	FINAL PROCESSING FEES		\$156.19
4100849137	40759930	4/24/2019	EVWD - COST FOR CD	MISCELLANEOUS	MISCELLANEOUS	\$10.00
TOTAL						\$20,666.19
MONTH OF APRIL 2019 INTERNAL TRANSFERRED RECEIVED						
			NONE			
TOTAL						\$0.00
						
LA TRICI JONES, Clerk to the Commission				7/8/2019		
				DATE		
RECONCILIATION APPROVED BY:						
						
SAMUEL MARTINEZ, Executive Officer				7/8/2019		
				DATE		

MONTH OF MAY 2019 PAYMENTS PROCESSED						
Document Number	Account	Posting Date	Activity	Reference	Vendor	Amount
1900440808	52002085	5/7/2019	NOTICE OF HEARING LAFCO BUDGET 2019-20	INVOICE B3242692	DAILY JOURNAL	\$492.80
1900444500	52002085	5/10/2019	NOTICE OF HEARING LAFCO 3230	INVOICE B3242695	DAILY JOURNAL	\$1,005.36
1900440799	52002090	5/7/2019	LAFCO OFFICE JANITORIAL SERVICE	INVOICE 66362	JAN PRO	\$490.00
1900452249	52002180	5/16/2019	SOUTHERN CALIFORNIA EDISON	INVOICE 2399452309	EDISON	\$277.45
1900440795	52002305	5/7/2019	PAPER SHREDDING/RECYCLING SERVICE	INVOICE 8127219001	SHRED-IT	\$19.25
1900462166	52002305	5/30/2019	LAFCO PETTY CASH	PETTY CASH 5-19	LA TRICI JONES	\$111.53
1900452253	52002400	5/16/2019	BEST BEST & KRIEGER GENERAL INVOICE	INVOICE 848914	BEST BEST & KRIEGER	\$2,212.02
1900452257	52002400	5/16/2019	BEST BEST & KRIEGER - SAN ANTONIO HEIGHTS	INVOICE 848915	BEST BEST & KRIEGER	\$315.50
1900452268	52002400	5/15/2019	BEST BEST & KRIEGER - SAN ANTONIO HEIGHTS	INVOICE 848916	BEST BEST & KRIEGER	\$151.00
1900441348	52002424	5/7/2019	LAFCO ENVIRONMENTAL CONSULTANT	INVOICE 19-3R	TOM DODSON & ASSOCS.	\$1,665.00
1900435805	52002444	5/1/2019	ALARM MONITORING	INVOICE 438694	MIJAC ALARM	\$123.00
1900441346	52002445	5/7/2019	LAFCO CONSULTANT	INVOICE 81	ALDRICH & ASSOCIATES	\$1,950.00
1900452099	52002445/2940	5/16/2019	COMMISSIONER STIPEND AND MILEAGE	BAGLEY 5-15-19	JAMES BAGLEY	\$304.28
1900425101	52002445/2940	5/16/2019	COMMISSIONER STIPEND AND MILEAGE	COX 5-19-19	KIMBERLY COX	\$262.64
1900452106	52002445/2940	5/16/2019	COMMISSIONER STIPEND AND MILEAGE	CURATALO 5-19-19	JAMES CURATALO	\$229.00
1900452112	52002445/2940	5/16/2019	COMMISSIONER STIPEND AND MILEAGE	FARRELL 5-19-19	STEVEN FARRELL	\$219.95
1900452116	52002445/2940	5/16/2019	COMMISSIONER STIPEND AND MILEAGE	DENISON 5-19-19	RICK DENISON	\$281.20
1900452141	52002445	5/16/2019	COMMISSIONER STIPEND	McCALLON 5-19-19	LARRY McCALLON	\$200.00
1900452144	52002445	5/16/2019	COMMISSIONER STIPEND	AMIS 5-19-19	LOUISA AMIS	\$200.00
1900452146	52002445	5/16/2019	COMMISSIONER STIPEND	ROWE 5-19-19	DAWN ROWE	\$200.00
1900452149	52002445	5/16/2019	COMMISSIONER STIPEND	LVNGOOD5-19-19	ROBERT LOVINGOOD	\$200.00
1900455170	52002445	5/21/2019	LAFCO CONSULTANT	INVOICE 82	ALDRICH & ASSOCIATES	\$2,025.00
1900462115	52002445	5/30/2019	COMMISSION MTG VIDEO RECORDING 1-16-19	INVOICE 2065	IEMG	\$225.00
1900452119	52002445	5/30/2019	COMMISSION MTG VIDEO RECORDING 1-21-19	INVOICE 2064	IEMG	\$540.00
1900462122	52002445	5/30/2019	COMMISSION MTG VIDEO RECORDING 2-20-19	INVOICE 2066	IEMG	\$225.00
1900462125	52002445	5/30/2019	COMMISSION MTG VIDEO RECORDING 3-20-19	INVOICE 2067	IEMG	\$225.00
1900462130	52002445	5/30/2019	COMMISSION MTG VIDEO RECORDING 4-17-19	INVOICE 2068	IEMG	\$225.00
1900462134	52002445	5/30/2019	COMMISSION MTG VIDEO RECORDING 5-15-19	INVOICE 2069	IEMG	\$180.00
TOTAL						\$14,554.98
MONTH OF MAY 2019 INTERNAL TRANSFERS PROCESSED						
4200030819	52002310	5/2/2019	MAIL SERVICES - FLAT	COUNTY MAIL	COUNTY MAIL	\$206.90
4200030822	52002310	5/2/2019	MAIL SERVICES - DEL	COUNTY MAIL	COUNTY MAIL	\$216.20
4200030869	52002310	5/2/2019	MAIL SERVICES - HAN	COUNTY MAIL	COUNTY MAIL	\$314.04
4200032668	52002323	5/31/2019	LAFCO ENVELOPE PRINTING	PURCHASING	PURCHASING	\$41.28
4200031920	52002424	5/20/2019	NOTICE OF EXEMPTION - CSA 120	COB	COB	\$50.00
4200031923	52002424	5/20/2019	NOTICE OF EXEMPTION - LAFCO FEES & DEPOSITS	COB	COB	\$50.00
4100866558	52002400	5/1/2019	APRIL 2019 WIRELESS DEVICE	ISD	ISD	\$18.72
4100866559	52002421	5/1/2019	APRIL 2019 DESKTOP SUPPORT SERVICES	ISD	ISD	\$1,346.40
4100866556	52412410	5/1/2019	MAY 2019 2410 EQUAL MONTHLY CHARGES	ISD	ISD	\$1,071.00
4200032049	52002445	5/24/2019	ATC ACCOUNTING SERVICES	ATC	ATC	\$999.60
TOTAL						\$4,314.14
MONTH OF MAY 2019 CASH RECEIPTS						
4100879382	40709545	5/22/2019	LAFCO 3235 REDLANDS	INDIVIDUAL NOTICE	DEPOSIT	\$700.00
4100892534	40709545	5/29/2019	LAFCO 3237 LYTLE CREEK CSD	INDIVIDUAL NOTICE	DEPOSIT	\$1,000.00
4100879382	40709555	5/22/2019	LAFCO 3235 REDLANDS	LEGAL DEPOSIT	DEPOSIT	\$2,000.00

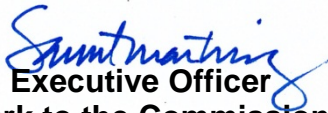
4100892534	40709555	5/29/2019	LAFCO 3237 LYTLE CREEK CSD	LEGAL DEPOSIT	DEPOSIT	\$2,000.00
4100872362	40709555	5/14/2019	LAFCO 3216 CITY OF UPLAND	INDEMNIFICATION	INDEMNIFICATION	\$5,638.87
4100879382	40709660	5/22/2019	LAFCO 3235 REDLANDS	ENVIRONMENTAL	DEPOSIT	\$1,000.00
4100892534	40709660	5/29/2019	LAFCO 3237 LYTLE CREEK CSD	ENVIRONMENTAL	DEPOSIT	\$1,000.00
4100879382	40709800	5/22/2019	LAFCO 3235 REDLANDS	LAFCO FEES	LAFCO FEES	\$5,000.00
4100892534	40709800	5/22/2019	LAFCO 3237 LYTLE CREEK CSD	LAFCO FEES	LAFCO FEES	\$20,000.00
4100892534	40709800	5/29/2019	LAFCO SC#439 & SC#440	LAFCO FEES	LAFCO FEES	\$1,000.00
4100892534	40759930	5/29/2019	PHONE BILL REIMBURSEMENT - SB TRAIN MUSEUM	REIMBURSEMENT	REIMBURSEMENT	\$200.00
TOTAL						\$39,538.87
MONTH OF MAY 2019 INTERNAL TRANSFERRED RECEIVED						
			NONE			
TOTAL						\$0.00
					7/8/2019	
LA TRICI JONES, Clerk to the Commission				DATE		
RECONCILIATION APPROVED BY:						
					7/8/2019	
SAMUEL MARTINEZ, Executive Officer				DATE		

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West 3rd Street, Unit 150 San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE : JULY 8, 2019

FROM: SAMUEL MARTINEZ, Executive Officer
LA TRICI JONES, Clerk to the Commission



TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #7 – APPROVAL OF FISCAL YEAR 2010-11 FINANCIAL
RECORDS DESTRUCTION PURSUANT TO COMMISSION POLICY

RECOMMENDATION:

Staff recommends the Commission direct the Executive Officer, as Records Management Coordinator, to:

1. Destroy the Commission's financial records for Fiscal Year 2010-11 pursuant to the Commission's Records Retention Policy, and
2. Record the items to be destroyed in the Destruction Log along with a copy of the Commission's minute action authorizing destruction.

BACKGROUND INFORMATION:

The Commission's Records Retention Policy states that the Executive Officer, as the Records Management Coordinator, shall present a Commission agenda item once a year related to records to be destroyed.

As part of the Records Retention Policy, the adopted Records Retention Schedule provides for a seven year retention period for all financial records, regardless if the statutes permit a lesser retention period. The records for destruction include expense reports, budgets, billings, accounting reports, budget change proposals, budget change concepts, audits, invoices, fees, receipts, checks, ledgers and registers. In addition, the Fair Political Practices Commission (FPPC) also provides for a seven year retention period for Statements of Economic Interest (FORM 700). The records for destruction will also include the Form 700s for the 2010 and 2011 calendar years.


Staff Recommends the Commission direct the Executive Officer to take the actions listed in the Recommendation above.

Should the Commission have any questions, staff will be happy to answer them before or at the hearing.

SM/lj

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DATE: JULY 10, 2019
FROM: SAMUEL MARTINEZ, Executive Officer 
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item 8: Review and Update the Catalog of Enterprise Systems per Government Code Section 6270.5

RECOMMENDATIONS:

Staff recommends that the Commission take the following actions:

1. Approve the Enterprise Systems Catalog as of July 1, 2019 as identified in this staff report.
2. Direct the Executive Officer to post the Enterprise Systems Catalog as of July 1, 2019 on the LAFCO website.

BACKGROUND:

On October 11, 2015, the State of California enacted Senate Bill 272 (SB 272) which added a section to the California Public Records Act (Government Code Section 6270.5) relating to public records. Section 6270.5 requires local agencies to create a catalog of "Enterprise Systems" and post that catalog on their respective websites with annual updates.

"Enterprise System" is defined as a software application or computer system that collects, stores, exchanges, and analyzes information that the agency uses that is both of the following:

- A multi-departmental system or a system that contains information collected about the public.
- A system of record where the system serves as an original source of data within an agency.

Systems used for security, public safety, and public utilities are not included in the requirements.

ANNUAL UPDATE:

Below is the catalog of “Enterprise Systems”, as prepared by LAFCO staff, as of July 1, 2019:


ENTERPRISE SYSTEMS PURCHASED DIRECTLY BY LAFCO						
Vendor	Product	Purpose	Data Type	Custodian	Data Collection Frequency	Data Update Frequency
CDWG	Adobe Pro	Fillable forms	Document Management	Agency-wide	As needed	As needed
CDWG	Adobe Creative Suite	Records management, fillable forms, graphic design	Document Management	Agency-wide	As needed	As needed
ECS Imaging	Laserfiche	Records Management	LAFCO Proposal Files	Agency-wide	As needed	As needed
ENTERPRISE SYSTEMS PURCHASED OR ACCESSED VIA THE COUNTY OF SAN BERNARDINO						
Vendor	Product	Purpose	Data Type	Custodian	Data Frequency Collection	Data Update Frequency
Blackberry Company	Enterprise Blackberry Exchange Server	Enterprise Blackberry Exchange Server (BES) Software and Infrastructure	Email	Agency-wide	Daily	Daily
County Information Services	PIMS	Property Valuation for the purpose of accessing tax roll data	Tax Roll	Agency-wide	Daily	Daily
County Information Services	sbclafco.org website	LAFCO website	Communications	Agency-wide	As needed	As needed
County Information Services	www.sbclafco.org/FiscalIndicators.aspx website	Fiscal Indicators of public agencies	Graphic display	Agency-wide	Annually	Annually
ESRI	ArcGIS Suite	Mapping, spatial analysis	Geographic Information Systems	Agency-wide	As needed	As needed
Google	Google Earth	Mapping, spatial analysis	Geographic Information Systems	Agency-wide	As needed	As needed
Microsoft	Exchange	Email	Email system	Agency-wide	Daily	Daily
Microsoft	Office Suite	Statutory obligations, General office work	Vendors' or contractors' information	Agency-wide	As needed	As needed
Microsoft	Enterprise Exchange (email)	Enterprise Microsoft Exchange Email Software and Infrastructure	Email	Agency-wide	Daily	Daily
Microsoft	Enterprise SQL Server	Enterprise SQL Server Software and Infrastructure	Databases	Agency-wide	Daily	Daily
Microsoft	Office 365	E-mail system used to send and receive e-mails	Email	Agency-wide	Daily	Daily
SAP	SAP Core Financials and Procurement	Financial Management System that is the integration of manual procedures and computer software from SAP	Financial	Agency-wide	Daily	Daily
ENTERPRISE SYSTEMS ACCESSED VIA THE INLAND EMPIRE MEDIA GROUP						
Vendor	Product	Purpose	Data Type	Custodian	Data Frequency Collection	Data Update Frequency
Adobe	Adobe Flash Player	Catalog LAFCO hearings	Video recordings	Agency-wide	Monthly	Monthly

Staff recommends that the Commission take the actions identified on page 1.

SM/MT

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www.sbclafco.org

DATE : JULY 10, 2019
FROM: SAMUEL MARTINEZ, Executive Officer 
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #9 – Update on Service Review for
Wrightwood Community Services District

RECOMMENDATION:

Staff recommends that the Commission receive and file this update.

BACKGROUND:

The Wrightwood Community Services District formed in July 2017. By law, the Commission is to establish a sphere of influence for a new district within one year. In April 2018, the Commission initiated the sphere establishment for the CSD (San Bernardino County portion), but deferred the service review until July 2019 in order to address fiscal challenges facing the CSD since its formation.

The CSD notified LAFCO staff that its 2017 and 2018 audits are nearing completion (see letter from the CSD attached to this report). The reason for the Commission's deferral of the service review is to address the CSD's fiscal challenges; and a proper service review cannot occur lacking audits. Therefore, staff is deferring this service review with an expectation to present the service review to the Commission by the end of the calendar year.

Of note, the CSD contains territory in San Bernardino and Los Angeles Counties with San Bernardino as the principal county. As agreed to by the San Bernardino and Los Angeles LAFCO executive officers, the intent is for San Bernardino LAFCO to conduct a service review for the CSD, not limited to San Bernardino County since finances are not segregated by county. Then, Los Angeles LAFCO will use this service review as a background document when it considers establishing the CSD's sphere in Los Angeles County.

SM/MT

Attachment

Wrightwood Community Services District
Charting Wrightwood's Destiny for Parks & Rec, Solid Waste and Streetlights
1275 Hwy2, Wrightwood, CA 92397 Mailing Address: POB 218, Wrightwood, CA 92397 Phone: 760 249-3205

June 5, 2019

Michael Tuerpe
Project Manager
San Bernardino County
Local Agency Formation Commission

Dear Mr. Tuerpe,

The Wrightwood Community Services District is in the process of the first annual audit with an expected finish date no later than June 30, 2019. Upon completions, I will send the finished audit to you via email and in person. This audit delay is the result of San Bernardino County Special Districts contacting me in April of 2018 stating that they would do the audit as part of their final audit of CSA-56. After several communications with them as time closed need the state deadline of January 1, 2019, they informed me that they changed their mind, thus resulting with us having to work with the State to extend the deadline and hired Eadie and Payne as our auditor.

Per state requirement, we will have this audit within the next couple weeks and commence with the second year audit in July 2019.

I thank LAFCO for your patience during this timeline challenge.

Sincerely,



Albert Morrissette
General Manager
Wrightwood Community Services District

MICHELLE SCHNIEDER
DIRECTOR

CHUCK FRANKLIN
DIRECTOR


WES ZUBER
PRESIDENT

NATALIE LOPICCOLO
DIRECTOR

LEO HORDYK
VICE-PRESIDENT

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DATE: JULY 8, 2019 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #10 – CONSIDERATION OF WAIVERS OF CONFLICT OF INTEREST AND RETAINING SPECIAL COUNSEL FOR LAFCO 3233 – REORGANIZATION TO INCLUDE DISSOLUTION OF COUNTY SERVICE AREA 64 AND FORMATION OF THE SPRING VALLEY LAKE COMMUNITY SERVICES DISTRICT

RECOMMENDATION:

Staff recommends that the Commission take the following actions:

1. Note the disqualification of Legal Counsel Paula de Sousa Mills of Best Best & Krieger (BB&K) from representation on LAFCO 3233;
2. Not waive conflict of interest to the Town of Apple Valley (affected agency) and the Victor Valley Wastewater Reclamation Authority (interested agency) on using BB&K for legal representation on LAFCO 3233;
3. Retain Ms. Holly Whatley from the law firm of Colantuono, Highsmith & Whatley, PC (CH&W) as Special Counsel for LAFCO 3233 and waive potential conflict; and,
4. Authorize the Executive Officer to sign the Agreement/Conflict Waiver as presented.

BACKGROUND:

LAFCO Legal Counsel Paula de Sousa Mills is a partner in the firm Best Best and Krieger (BB&K). BB&K is Counsel for the Town of Apple Valley and the Victor Valley Wastewater Reclamation Authority, an affected and an interested agency respectively on LAFCO 3233, which is a proposed reorganization to dissolve a county service area and forming a community services district. Pursuant to Commission policy, the issue of waiving conflict of interest is required to be addressed.

As indicated in the Commission's policy on Waiver of Legal Counsel Conflict (see Attachment #1), the Executive Officer and Legal Counsel reviewed the question of the potential for controversy on this proposal and are of the opinion that controversy exists for both agencies. Therefore, a waiver of conflict would not apply.

LAFCO staff has not received a request from BB&K regarding a waiver for either the Town of Apple Valley or the Victor Valley Wastewater Reclamation Authority. It is not clear if they would make such a request. However, in the event they would, staff is seeking direction to not grant a waiver of conflict.

LAFCO staff contacted the firm of Colantuono, Highsmith & Whatley, PC (CH&W) to represent the Commission on this proposal. Ms. Holly Whatley of CH&W has identified that her firm does represent the County of San Bernardino and the San Bernardino County Fire Protection District (County Fire) in other matters, but does not believe that it represents a conflict in their representation of the Commission for LAFCO 3233. LAFCO staff has reviewed this question and believes that a conflict waiver would be appropriate since CH&W's representation for both the County and County Fire are on unrelated matters. CH&W has provided a representation agreement for special counsel services and a written request for conflict waiver (see Attachment #2).

Staff is requesting that the Commission take the actions to:

- 1) Note Ms. de Sousa Mills' disqualification on LAFCO 3233;
- 2) Not grant a waiver of conflict to the affected and interested agencies on LAFCO 3233 that uses BB&K;
- 3) Direct staff to retain the firm of CH&W to represent the Commission in the matter of LAFCO 3233 and waive potential conflict; and,
- 4) Authorize the Executive Officer to sign the informed consent to simultaneous representation and the special counsel services agreement.

Attachments:

1. [Commission Policy on Waiver of Legal Counsel Conflict of Interest](#)
2. [Representation Letter from Holly Whatley Dated July 8, 2019](#)

**Commission Policy on Waiver of
Legal Counsel Conflict of Interest**

Attachment 1

10. **WAIVER OF LAFCO LEGAL COUNSEL CONFLICTS OF INTEREST** (Adopted
May 18, 2005)

Subject to procedures defined below, the Commission authorizes the Executive Officer to waive conflicts of interest under Rule 3.310 of the California Rules of Professional Conduct for LAFCO Counsel's public agency clients.

PROCEDURE:

LAFCO Counsel and the Executive Officer shall discuss each potential conflict and make the following determinations:

- A. Where controversy is identified by either party, no waiver is approved.
- B. Where no controversy is identified, a waiver will be tentatively approved subject to the following:
 - (1) In each case where a waiver is tentatively approved, the Executive Officer shall individually notify the Commission members of his/her proposed decision.
 - (2) In the event the Executive Officer receives no objection from any Commissioner, the waiver is approved.

**Representation Letter from
Holly Whatley Dated
July 8, 2019**

Attachment 2

790 E. Colorado Boulevard, Suite 850
Pasadena, CA 91101-2109
Voice (213) 542-5700
Fax (213) 542-5710

COLANTUONO
HIGHSMITH
WHATLEY, PC

Holly O. Whatley
(213) 542-5704
HWhatley@chwlaw.us

July 8, 2019

VIA ELECTRONIC MAIL

Samuel Martinez
Executive Director
San Bernardino LAFCO
1170 West 3rd Street, Unit 150
San Bernardino, CA 92415-0490

**Re: Special Counsel Services to San Bernardino LAFCO re CSA 64 Proposal
and Written Conflict Waiver**

Dear Sam:

As you asked, I write to propose the terms under which we agree to represent San Bernardino LAFCO ("you" or "LAFCO") regarding a reorganization proposal to dissolve County Service Area 64 and form an independent community services district. This will be our sole project for you; if we can assist you on other matters, please let me know. Colantuono, Highsmith & Whatley, PC and all of its professionals are very pleased to have the opportunity to represent you in this matter.

This letter sets forth the basis upon which our firm will provide legal services to you and bill you for services and costs. The firm maintains a conflict of interest index which lists all clients of our firm and matters in which we represent them. We will not represent any party with an interest that may be adverse to an indexed person without first determining if a professional conflict of interest would arise. We propose to index the following with respect to this matter:

Client:

San Bernardino LAFCO

Affected Local Agencies:

County of San Bernardino

Samuel Martinez
San Bernardino LAFCO
July 8, 2019
Page 2

County Service Area 64
Town of Apple Valley
City of Victorville
Victorville Water District

Interested Local Agencies:

County Service Area 60
San Bernardino County Fire Protection District, and North Desert
Service Zone
Apple Valley Foothill County Water District
Apple Valley Fire Protection District
City of Hesperia
Hesperia Water District
Hesperia Recreation and Park District
Mojave Basin Area Watermaster
Mojave Water Agency
Mojave Desert Resource Conservation District
County Committee on School District Organization
Apple Valley Unified School District
Hesperia Unified School District
Victor Elementary School District
Victor Valley Union High School District
Victor Valley Community College
Victor Valley Wastewater Reclamation Authority

Please let me know if any of these names are incorrect or if there are other parties with an interest in this matter that we should list. Unless we hear from you to the contrary, we will assume that the above listing is accurate and complete.

We have reviewed our files and need to inform you that we currently represent the San Bernardino County Fire Protection District ("Fire District") and the County of San Bernardino ("County") in two lawsuits that challenge whether existing voter-approved special taxes apply to territory later annexed to the Fire District. Those suits are: *Brennan v. Board of Supervisors of San Bernardino County et al.* (SBSC Case No. CIVDS182659) and

Samuel Martinez
San Bernardino LAFCO
July 8, 2019
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Austin v. San Bernardino FPD (SBSC Case No. CIVDS1826749). The trial court in each case ruled in favor of the County and Fire District. Judgment has entered in the *Austin* case and an appeal is expected. The plaintiff has sought reconsideration in the *Brennan* case. The litigation in both matters, thus, remains ongoing. These two lawsuits are unrelated to the matter of reorganizing County Service Area 64 into a community services district. We understand that CSA 64 currently provides water, sewer collection, street sweeping, and parkway maintenance to a planned development called Spring Valley Lake. It does not provide fire protection services and does not propose to do so if converted to a community services district. Thus, our representation of LAFCO in this matter is not directly related to any work we have done or are doing for the County or the Fire District.

I will not be involved in providing advice to the County or Fire District in the two pending cases described above, and the lawyers in our firm working on those cases will not be involved in advising LAFCO on the CSA 64 reorganization.

Nevertheless, because LAFCO on the one hand, and the County and Fire District on the other, may have different interests in the CSA 64 reorganization proposal, the informed written consent of both LAFCO and the County and Fire District are necessary for us to advise LAFCO on the CSA 64 proposal. Absent such consent, attorneys may not simultaneously represent clients whose interests conflict even where one matter is totally unrelated to the other. Specifically, Rule 1.7 of the Rules of Professional Conduct governing the practice of law in California states, in relevant part:

- (a) A lawyer shall not, without the informed written consent of each client and compliance with paragraph (d), represent a client if the representation is directly adverse to another client in the same or a separate matter.
- (b) A lawyer shall not, without informed written consent from each affected client and compliance with paragraph (d), represent a client if there is a significant risk the lawyer's representation of the client will be materially limited by the lawyer's responsibilities to or relationships with another client. . .

LAFCO should give careful thought to the pros and cons of granting the requested waiver. The pros, of course, are that LAFCO will have our assistance and LAFCO can do a courtesy to the County and Fire District by providing its consent. The cons include the risk that we might be perceived to have divided loyalties and provide less than our most

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San Bernardino LAFCO
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vigorous representation of LAFCO. We believe we can provide vigorous and effective representation to LAFCO and the County and Fire District in these unrelated matters, but LAFCO must make that judgment for itself. It should consider consulting independent legal counsel about this request. If LAFCO wishes to provide its written informed consent to our simultaneous representation, please sign as indicated at the end of this letter.

As we have discussed, the nature of the matter makes it impossible for us to precisely estimate the fees you may incur. You will receive monthly statements informing you of the fees and costs incurred during the prior month. We will, of course, do our best to represent you efficiently and without undue expense.

Please make payments payable to Colantuono, Highsmith & Whatley, PC directly to our Grass Valley office at:

Colantuono, Highsmith & Whatley, PC
420 Sierra College Drive, Suite 140
Grass Valley, CA 95945-5091

Our federal employer identification number is 75-3031545.

I will have primary responsibility for your representation, and the firm will use other attorneys and legal assistants in the best exercise of our professional judgment. If you have questions, concerns or criticisms at any time, please contact me at once. Naturally, we expect you to keep us reasonably informed of all significant developments regarding this representation.

We review all statements before they are issued to ensure the amount charged is appropriate. The statement for fees is simply the product of the hours worked multiplied by the hourly rates for the attorneys and legal assistants who did the work.

Our hourly rates are based upon the experience, reputation and ability of the lawyer or legal assistant performing the services, and for 2019 range between \$210 and \$495 per hour for attorneys' time, and between \$135 and \$170 for the time of paralegals and legal assistants. As a courtesy to you, however, we agree to cap our rates at \$275 per hour for advisory services, \$300 per hour for advisory services if such services are reimbursable by third-parties associated with the proposed reorganization and at \$375

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per hour for any litigation services that might be required regarding the proposal. Our rate structure in general and the rates of particular lawyers may be increased from time to time, and are usually adjusted as of the beginning of each calendar year.

It may be necessary to bill you for items such as, but not limited to, authorized travel, long distance telephone calls, filing fees, photocopying, computerized legal research outside the scope of our Westlaw contract and the like. These items are separately itemized on our statement as "disbursements." These amounts will be billed in addition to our fees.

We will send you monthly statements, and expect payment within 30 days of the billing date. If payment is not received within 60 days of the billing date, we reserve the right to charge interest on the unpaid balance at the rate of 1% per month and to terminate our representation.

We rarely have disputes with clients over our fees. Nevertheless, you should be aware that you are entitled to require that any fee dispute be resolved by binding arbitration in Los Angeles or Nevada Counties pursuant to the arbitration rules for legal fee disputes of the respective County Bar Association. We agree that all disputes between us regarding the services rendered or fees charged not resolved via County Bar fee arbitration will be submitted to binding arbitration in Santa Barbara to be conducted by ADR Services, Inc. in accordance with its commercial arbitration rules. **YOU SHOULD REVIEW THIS PARAGRAPH CAREFULLY AND, IF YOU WISH, SEEK INDEPENDENT LEGAL COUNSEL REGARDING IT, AS YOU AND WE ARE AGREEING TO FOREGO SIGNIFICANT RIGHTS IN THE EVENT OF A DISPUTE BETWEEN US, INCLUDING THE RIGHT TO A JURY TRIAL.**

You have the right to terminate our representation at any time. We have the same right, subject to an obligation to give you reasonable notice to arrange alternative representation. In either circumstance, you agree to secure new counsel to represent you as quickly as possible and to cooperate fully in the substitution of the new counsel as counsel of record in any litigation in which we may subsequently agree to represent you. Notwithstanding the termination of our representation, you will remain obligated to pay to us all fees and costs incurred previously.

Samuel Martinez
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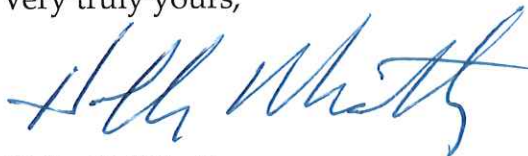
You agree that we may, in our discretion, maintain all or part of your client file in electronic format. The firm may store part or all of your documents using secure cloud storage services. If so, the firm will apply all reasonable methods to maintain the confidentiality of your files, just as it does for your non-digital information. Your data will be password protected and encrypted using currently available technology. Clients requiring information from their files may obtain that information only by written request to us.

You also agree that following termination of our attorney-client relationship, we will not be required to maintain your client file for more than two years. If you ask us to deliver your file to you, you agree that delivery of an electronic version, together with any materials that cannot be saved electronically, satisfies our obligation to release all your client papers and property to you. Two years after termination of our relationship, and after reasonable notice, you agree that we will be free to destroy your client file, including all electronic records. We may also discharge our obligation to maintain your file before two years expire by mailing a copy to you at your address last known to us. You agree that "reasonable notice" means our mailing a notice of our intent to destroy your client file to you at that address.

I apologize for the formality of this letter, but we are required by California law to provide this information to you in writing. We are also required to inform you that we currently maintain professional liability insurance coverage.

Please review the foregoing and, if it meets with your approval, execute it and return it to me. If you have any questions, please feel free to call me at the direct-dial number above. Thank you for the opportunity to represent you!

Very truly yours,



Holly O. Whatley

HOW:how

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On behalf of San Bernardino LAFCO, I consent to the simultaneous representation by Colantuono, Highsmith & Whatley, PC of San Bernardino LAFCO and the County and Fire District as described above.


_____ Date: _____, 2019
Signature
By: _____
Title: _____

On behalf of San Bernardino LAFCO, I agree to retain Colantuono, Highsmith & Whatley, PC to provide legal services as set forth above.

_____ Date: _____, 2019
Signature
By: _____
Title: _____

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE: JULY 10, 2019 
FROM: SAMUEL MARTINEZ, Executive Officer
MICHAEL TUERPE, Project Manager
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #12: Unaudited Year-End Financial Report for
FY 2018-19 to include Transfer from Reserves to Services and
Supplies

RECOMMENDATION:

Staff recommends that the Commission:

1. Note receipt of this report and file.
2. Approve a transfer of \$673 from Account 6000 (Contingencies) to Account 2400 (Legal Counsel) to cover the deficit.
3. Approve a transfer of \$184,963 from Account 6010 (Net Pension Liability Reserve) to Account 9990 (SBCERA Contributions) to provide budget authority for the payment to SBCERA that the Commission authorized in April 2019.

BACKGROUND:

The 2018-19 Fiscal Year has concluded, and staff is presenting the Commission with its year-end financial report. This report includes a review of the financial activities and the presentation of a spreadsheet showing the line item expenditures and receipts for the year. The spreadsheet identifies that total expenditures were within appropriation authority (99.7%) and total revenues essentially met projections (99.6%). With expenditures being one-tenth more than revenues, the result is a cash deficit of \$673. This report requests a transfer from Contingencies to cover the deficit.

Additional information, in narrative form regarding the year-end review, is below.

Expenditures and Reserves

Expenditures are composed of two categories of accounts: 1) Salaries and Benefits, and 2) Services and Supplies. The unaudited Total Expenditures at June 30 was \$1,299,670 (99.7% of Final Budget).

1. Salaries and Benefits (1000 series)

The Salaries and Benefits series of accounts (1000 series) had expenditures of \$824,325 for the year, representing 98.2% of budget authority. No unusual activity related to salaries and benefits occurred during the year.

2. Services and Supplies (2000 and 5000 series)

Expenditures for Services and Supplies (2000 and 5000 series of accounts) ended the year at \$475,375, or 102.5% of budget authority.

The main reason for expenditures exceeding budget authority is due to legal activity related to two proposals totaling roughly \$56,281 for the year, which are outlined below. This has pushed Legal Counsel (Account 2400) to 240% of budget authority. However, the applicants have indemnified LAFCO for these matters, and the reimbursements received have been deposited into Revenue Account 9555.

Status of Ongoing Commission-approved Projects

The following provides an update on expenditures and progress on projects approved by the Commission:

- *Countywide Service Review for Fire/Emergency Medical Response/Ambulance/Dispatch:*

Staff has met with affected parties and their related associations. In March, staff sent a questionnaire and survey to all fire chiefs within the county. Only two agencies have not submitted responses to the questionnaire, but intend to do so. Staff will conduct focused interviews during the summer. Significant sections are complete with the remainder underway.

- *Fiscal Indicators:*

Staff anticipates a late summer release date to include two fiscal years' worth of data.

3. Reserves (6000 series)

With expenditures being one-tenth more than revenues, the result is a cash deficit of \$673. This report requests a transfer from Contingencies (Account 6000) to Account 2400 (Legal Counsel) to cover the deficit.

Additionally, staff recommends a transfer of \$184,963 from Account 6010 (Net Pension Liability Reserve) to Account 9990 (SBCERA Contributions) to provide budget authority for the payment to SBCERA that the Commission authorized in April 2019.

The accounting spreadsheet (Attachment #1) identifies these transfers in red.

Revenues

The Commission has received 99.6% of Total Revenues through the end of the year. Interest gains are above the budgeted amount, and 100% of the mandatory apportionment payments from the County, cities, and independent special districts were received.

The budget projected the receipt of nine proposals; however, four proposals were received during the year. The figure below identifies the number of proposals (four) and service contracts (14) received.

Activity	Budget	Through June	
		No.	% of Budget
Proposals - Agency/LO/RV initiated	9	4	44%
Proposals - Commission initiated	--	2	--
Service Contracts - Commission approval	2	7	350%
Service Contracts - Commission approval for exemption	0	2	--
Service Contracts - Admin (E.O.) approval	4	5	125%
Protest Hearing Deposits	6	0	0%

Cash in Treasury

As of March 31, the Commission's cash in the County Treasury was \$296,704. Below is a breakdown of this amount. The Third Quarter report in April projected a deficit of \$29,889 for the year; fortunately, three proposals were received in the fourth quarter. After accounting for liabilities, and committed and assigned funds, the estimated deficit into FY 2019-20 is \$673.

Additionally, in April the Commission authorized a payment of the entirety of its Net Pension Liability Reserve (\$184,963) to SBCERA as a credit towards LAFCO's net pension liability. This payment occurred in June and is reflected as a debit in Revenue Account 9990.

June 30, 2019 Balance		\$296,704
Cash Balance is composed of the following:		
Committed (constrained to specific purposes)		
Net Pension Liability Reserve (Account 6010) <i>June 2019 payment to SBCERA</i>		0
Compensated Absences Reserve (Account 6030)		97,377
Assigned (intended for specific purposes)		
Contingency (Account 6000), <i>July 2018 increase of \$34,852</i>		50,000
General Reserve (Account 6025), <i>July 2018 increase of \$64,392</i>		150,000
Carryover or (Deficit)		(\$673)

CONCLUSION:

This year's budget has encountered activities, or lack of, that have stressed the Commission's finances. First, significant legal charges were incurred, the vast majority of which are recoverable. Second, the receipt of proposals dropped precipitously to a low level, which results in fewer revenue receipts. The budget anticipated nine proposals for the year; however, four proposals were received. To start 2019-20, one proposal has been received as of this writing

Additionally, in April the Commission authorized a payment of the entirety of its Net Pension Liability Reserve (\$184,963) to SBCERA as a credit towards LAFCO's net pension liability. This will reduce the Commission's net pension liability, and will be reflected in the financial statements.

Staff recommends that the Commission take the actions identified on page 1 of this report and provide any comments on areas of concern and direction to staff for follow-up. Staff will be happy to answer any questions from the Commission prior to or at the hearing.

SM/MT

Attachment:

Spreadsheet of Expenditures, Reserves, and Revenues

7/5/2019

ACCT. #	ACCOUNT NAME	ADOPTED BUDGET MAY 2018	AMENDED BUDGET FINAL	THRU MID-YEAR	THRU 3RD QUARTER	APR	MAY	JUNE	YEAR-END	PERCENT OF BUDGET
2130	Moving Expenses									
2180	Electricity for Office	4,356	4,356	931	2,939	358.99	\$ 277.45		3,576	82%
2182	Electricity			959	-				-	
2195	Reimbursement Services and Supplies									
2245	Other Insurance	9,965	9,965	14,238	14,238	47.50			14,285	143%
	Supplies:									
2305	General Office Expense	5,834	5,834	2,949	4,681	12.93	\$ 223.65		4,918	84%
2308	Credit Card Clearing Account			(2,269)	(3,542)		\$ -	2,266.27	(1,276)	
2309	Visa Temp Card									
2310	Postage - Direct Charge	6,656	6,656	3,547	5,302	315.76	\$ 737.14	766.28	7,121	107%
2315	Records Storage	715	715	298	679	64.37	\$ 64.37		808	113%
2316	Surplus Handling									
2323	Reproduction Services			77	77	44.00	\$ 41.28		162	
2335	Temporary Services		15,000.00	354	699				699	5%
	Consultant & Special Services:									
2400	Legal Counsel	39,300	39,973	54,025	87,166	4,337.50	\$ 2,678.52		94,182	236%
2405	Auditing	11,019	11,019	-	8,000				8,000	73%
2410	Data Processing	12,851	12,851	6,426	9,639	1,071.00	\$ 1,071.00	1,070.00	12,851	100%
2415	COWCAP	10,109	10,109	5,055	7,582	2,527.25			10,109	100%
2420	ISD Other IT Services	225	225	168	225	18.72	\$ 18.72	37.44	300	133%
2421	ISD Direct	18,755	18,755	7,992	10,685	2,692.80	\$ 1,346.40	2,692.80	17,417	93%
2424	Environmental Consultant	7,350	7,350	5,770	8,640	100.00	\$ 1,765.00	100.00	10,605	144%
2444	Security Services	468	468	234	357		\$ 123.00		480	103%
2445	Other Professional Services	43,561	118,561	49,590	81,435	4,775.00	\$ 8,394.60	1,425.00	96,029	81%
2449	Outside Legal (Litigation & Special Counsel)			3,216	3,216				3,216	
2450	Application Development Support	200	200	-	-				-	0%
2460	GIMS Charges	16,170	16,170	13,518	13,518				13,518	84%
	Lease/Purchases:									
2895	Rent/Lease Equipment (copier)	4,800	4,800	2,704	4,483	387.73	\$ 418.05		5,289	110%
2905	Office/Hearing Chamber Rental	99,212	99,212	49,272	73,976	24,670.14	\$ 405.00		99,052	100%
	Travel Related Expenses:									
2940	Private Mileage	6,010	6,010	2,700	4,259	396.83	\$ 297.07		4,952	82%
2941	Conference/Training	5,330	5,330	4,446	5,166		\$ 65.00		5,231	98%

7/5/2019

ACCT. #	ACCOUNT NAME	ADOPTED BUDGET MAY 2018	AMENDED BUDGET FINAL	THRU MID-YEAR	THRU 3RD QUARTER	APR	MAY	JUNE	YEAR-END	PERCENT OF BUDGET
2942	Hotel	7,920	7,920	4,945	5,402		\$ 484.05		5,886	74%
2943	Meals	1,735	1,735	285	351		\$ 46.40	59.00	456	26%
2944	Car Rental	200	200	-	-				-	0%
2945	Air Travel	800	800	259	508	503.88			1,011	126%
2946	Other Travel	400	400	62	104		\$ 18.00		122	30%
	Other Charges:									
5012	Services Out (Staples)	1,200	1,200	264.94	283.29				283	24%
TOTAL SERVICES & SUPPLIES		\$ 373,835	\$ 464,508	\$ 268,829	\$ 397,030	\$ 47,189.68	\$ 21,861.64	\$ 9,264.02	\$ 475,345	102.3%
TOTAL EXPENDITURES		\$ 1,402,440	\$ 1,303,869	\$ 707,905	\$ 1,042,136	\$ 105,669.39	\$ 82,387.45	\$ 69,478.04	\$ 1,299,670	99.7%
RESERVES										
6000	Contingency	\$ 20,442	\$ 49,327	\$ -	\$ -				\$ -	0%
6010	Net Pension Liability Reserve	184,963	-	-	-				-	
6025	General Reserve - Litigation	85,608	150,000	-	-				-	0%
6030	Compensated Absences Reserve	97,377	97,377	-	-				-	0%
TOTAL CONTINGENCIES & RESERVES		\$ 388,390	\$ 296,704	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
TOTAL APPROPRIATION		\$ 1,790,830	\$ 1,600,573	\$ 707,905	\$ 1,042,136	\$ 105,669.39	\$ 82,387.45	\$ 69,478.04	\$ 1,299,670	81.2%

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490

(909) 388-0480 • Fax (909) 388-0481

lafco@lafco.sbcounty.gov

www.sbclafco.org

DATE: JULY 8, 2019 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #13– Nominations for District and County Seats for the CALAFCO Board of Directors

RECOMMENDATION:

Staff recommends that the Commission:

- 1) Nominate Commissioner Kimberly Cox for the District Seat for the CALAFCO Board of Directors;
- 2) Nominate a County Commissioner who may be interested in being the secondary nominee for the County Seat for the CALAFCO Board of Directors; and,
- 3) Authorize the Executive Officer to submit to the CALAFCO Board Election Committee the Nominations Form reflecting the Commission's nomination(s) and coordinate with the nominee(s) on completing the Candidate Resume Form.

BACKGROUND:

As outlined in the attached memo from CALAFCO, there are two positions on the CALAFCO Board of Directors representing the southern region whose terms are expiring at the CALAFCO Annual Conference in October 2019. The first position is for the District member, currently occupied by Commissioner Jo MacKenzie from San Diego LAFCO. Commissioner MacKenzie has indicated her desire to continue in this position. The second position is for the County member, currently occupied by Commissioner Michael Kelley from Imperial LAFCO. Commissioner Kelley has also indicated his desire to continue in this position.

However, it is the southern region's practice to have a secondary nominee as a back-up, in the event of a vacancy, so that a replacement candidate can be appointed to the Board of Directors in a timely manner.

Dr. Cox has expressed her interest to be the secondary nominee for the District seat. Therefore, LAFCO staff recommends that the Commission nominate Dr. Cox for the District Seat on the CALAFCO Board of Directors.

Likewise, if any of this Commission's County members are interested in being the secondary nominee for the County seat, LAFCO staff is also recommending that the Commission nominate the interested County Commissioner for the County Seat on the CALAFCO Board of Directors.

Staff will be happy to answer any questions prior to or at the hearing on the proposed nomination(s).

Attachment: CALAFCO Nomination Packet for 2019-20 Board of Directors

June 25, 2019

To: Local Agency Formation Commission
Members and Alternate Members

From: Shiva Frentzen, Committee Chair
CALAFCO Board Election Committee
CALAFCO Board of Directors

CALAFCO



RE: Nominations for 2019/2020 CALAFCO Board of Directors

Nominations are now open for the fall elections of the CALAFCO Board of Directors. Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal and operational issues that affect us all. The Board meets four to five times each year at alternate sites around the state. Any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat.

CALAFCO's Election Committee is accepting nominations for the following seats on the CALAFCO Board of Directors:

Northern Region

County Member
District Member

Central Region

City Member
Public Member

Coastal Region

City Member
Public Member

Southern Region

County Member
District Member

The election will be conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 31, 2019 at the Hyatt Regency in Sacramento, CA.

Please inform your Commission that the CALAFCO Election Committee is accepting nominations for the above-cited seats until *Monday, September 30, 2019*.

Incumbents are eligible to run for another term. Nominations received by September 30 will be included in the Election Committee's Report and will be on the ballot. The Report will be distributed to LAFCo members no later than October 16, 2019 and ballots made available to Voting Delegates at the Annual Conference. Nominations received after this date will be returned; however, nominations will be permitted from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting an electronic ballot will be made available if requested in advance. **The ballot request must be made no later than Monday, September 30, 2019. Completed absentee ballots must be returned by 8:00 a.m., Monday, October 28, 2019.**

Should your Commission nominate a candidate, the Chair of your Commission must complete the attached Nomination Form and the Candidate's Resume Form, or provide the specified information in another format other than a resume. Commissions may also include a letter of recommendation or resolution in support of their nominee.

The nomination forms and materials must be received by the CALAFCO Executive Director no later than *Monday, September 30, 2019 at 5:00 p.m.* Here is a summary of the deadlines for this year's nomination process:

- **June 26** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 30** – Completed Nomination packet due
- **September 30** – Request for an absentee/electronic ballot due
- **September 30** – Voting delegate name due to CALAFCO
- **October 16** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 16** – Distribution of requested absentee/electronic ballots.
- **October 28** – Absentee ballots due to CALAFCO
- **October 31** - Elections

Returning the nomination form prior to the deadline ensures your nominee is placed on the ballot. Names will be listed in the order nominations were received should there be multiple candidates. Electronic filing of nomination forms and materials is encouraged to facilitate the recruitment process. Please send e-mails with forms and materials to info@calafco.org. Alternatively, nomination forms and materials can be mailed or faxed to the address or fax number below. Please forward nominations to:

CALAFCO Election Committee c/o Executive Director
California Association of Local Agency Formation Commissions
1020 12th Street, Suite 222
Sacramento, California 95814
FAX: 916-442-6535
EMAIL: info@calafco.org

Questions about the election process can be sent to the Chair of the Committee, Shiva Frentzen, at sfrentzen@calafco.org or by calling her at 530-621-5390. You may also contact CALAFCO Executive Director Pamela Miller at pmiller@calafco.org or by calling 916-442-6536.

Members of the 2019/2020 CALAFCO Election Committee are:

Shiva Frentzen, Chair sfrentzen@calafco.org	El Dorado LAFCo (Central Region) 530-621-5390
Josh Susman jsusman@calafco.org	Nevada LAFCo (Northern Region) 530-265-7180
Cheryl Brothers cbrothers@calafco.org	Orange LAFCo (Southern Region) 714-640-5100
Jane Parker jparker@calafco.org	Monterey LAFCo (Coastal Region) 831-883-7570

Attached please find a copy of the CALAFCO Board of Directors Nomination and Election Procedures as well as the current listing of Board Members and corresponding terms of office.

Please consider joining us!

Enclosures

Board of Directors Nomination and Election Procedures and Forms

The procedures for nominations and election of the CALAFCO Board of Directors [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in the CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

1. APPOINTMENT OF AN ELECTION COMMITTEE:

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.⁸
- b. The Board shall appoint one of the members of the Election Committee to serve as Chairman. The CALAFCO Executive Officer shall appoint a CALAFCO staff member to serve as staff for the Election Committee in cooperation with the CALAFCO Executive Director.⁸
- c. Each region shall designate a regional representative to serve as staff liaison to the Election Committee.⁸
- d. Goals of the Committee are to provide oversight of the elections process and to encourage and solicit candidates by region who represent member LAFCoS across the spectrum of geography, size, and urban suburban and rural population if there is an open seat for which no nominations papers have been received close to the deadline.⁸

2. ANNOUNCEMENT TO ALL MEMBER LAFCoS:

- a. No later than three months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFCo for distribution to each commissioner and alternate. The announcement shall include the following:⁸
 - i. A statement clearly indicating which offices are subject to the election.
 - ii. A regional map including LAFCoS listed by region.
 - iii. The dates by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFCo marked "Received too late for Elections Committee action."⁸
 - iv. The names of the Election Committee members with the Committee Chairman's LAFCo address and phone number, and the names and contact information for each of the regional representatives.⁸
 - v. The address to send the nominations forms.
 - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
- b. No later than four months before the annual membership meeting, the Election Committee Chairman shall send an announcement to the Executive Director for distribution to each member LAFCo and for publication in the newsletter and on the web site. The announcement shall include the following:⁸

Key Timeframes for Nominations Process	
<u>Days*</u>	
90	Nomination announcement
30	Nomination deadline
14	Committee report released
<small>*Days prior to annual membership meeting</small>	

- i. A statement clearly indicating which offices are subject to the election.
 - ii. The specific date by which all nominations must be received by the Election Committee. Nominations received after the closing dates shall be returned to the proposing LAFCo marked "Received too late for Election Committee action."⁸
 - iii. The names of the Election Committee members with the Committee Chair's LAFCo address and phone number, and the names and contact information for each of the regional representatives.⁸
 - iv. Requirement that nominated individual must be a commissioner or alternate commissioner from a member in good standing within the region.
- c. A copy of these procedures shall be posted on the web site.

3. THE ELECTION COMMITTEE:

- a. The Election Committee and the regional representatives have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Election Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.⁸
- b. At the close of the nominations the Election Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated seats. Caucus elections must be held prior to the annual membership meeting at the conference. The Executive Director or assigned staff along with a member of the Election Committee shall tally ballots at each caucus and provide the Election Committee the names of the elected Board members and any open seats. In the event of a tie, the staff and Election Committee member shall immediately conduct a run-off ballot of the tied candidates.⁸
- c. Make available sufficient copies of the Committee Report for each Voting Delegate by the beginning of the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Executive Director to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.⁸
- f. Post the candidate statements/resumes organized by region on a bulletin board near the registration desk.
- g. Regional elections shall be conducted as described in Section 4 below. The representative from the Election Committee shall serve as the Presiding Officer for the purpose of the caucus election.⁸
- h. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Election Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.⁸

4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING⁶

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCos requesting an electronic ballot shall do so in writing no later than 30 days prior to the annual meeting.
- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the executive director no later than three days prior to the annual meeting.
- e. LAFCos voting under this provision may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCos voting under this provision may only vote for the candidates nominated by the Election Committee and may not vote in any run-off elections.⁸

5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING:

- a. The Election Committee Chairman, another member of the Election Committee or the Chair's designee (hereafter called the Presiding Officer) shall:⁸
 - i. Review the election procedure with the membership.
 - ii. Present the Election Committee Report (previously distributed).
 - iii. Call for nominations from the floor by category for those seats subject to this election:
 1. For city member.
 2. For county member.
 3. For public member.
 4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a "Candidates Forum". Each candidate shall be given time to make a brief statement for their candidacy.
- e. The Presiding Officer shall then conduct the election:
 - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
 1. Name the nominees and offices for which they are nominated.
 2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.

- ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
 - 1. Poll the LAFCoS in good standing by written ballot.
 - 2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.
 - 3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.⁸
 - 4. With assistance from CALAFCO staff, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
 - 1. The nominee receiving the majority⁶ of votes cast is elected.
 - 2. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).⁶
 - 3. In case of tie votes⁶:
 - a. A second run-off election shall be held with the same two nominees.
 - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.
 - 4. In the case of two vacancies, any candidate receiving a majority of votes cast is elected.⁶
 - a. In the case of no majority for either vacancy, the three nominees receiving the three highest number of votes cast shall face each other in a run-off election.
 - b. In the case of no majority for one vacancy, the two nominees receiving the second and third highest number of votes cast shall face each other in a run-off election.
 - c. In the event of a tie, a second run-off election shall be held with the tied nominees. If there remains a tie after the second run-off election the winner shall be determined by a draw of lots.

6. ADDITIONAL PROCEDURES

- a. For categories where there are more candidates than vacancies, names will be listed in the order nominated.
- b. The Election Committee Chair shall announce and introduce all Board Members elected at the Regional Caucuses at the annual business meeting.⁸
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFCo may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after

election of new board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

7. LOSS OF ELECTION IN HOME LAFCO

Board Members and candidates who lose elections in their home office shall notify the Executive Director within 15 days of the certification of the election.

8. FILLING BOARD VACANCIES

Vacancies on the Board of Directors may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

These policies and procedures were adopted by the CALAFCO Board of Directors on 12 January 2007 and amended on 9 November 2007¹, 8 February 2008², 13 February 2009³, 12 February 2010⁴, 18 February 2011⁵, 29 April 2011⁶, 11 July 2014⁷ and 27 October 2017⁸. They supersede all previous versions of the policies.

CALAFCO Regions

FOUR REGIONS



The counties in each of the four regions consist of the following:

Northern Region

Butte
Colusa
Del Norte
Glenn
Humboldt
Lake
Lassen
Mendocino
Modoc
Nevada
Plumas
Shasta
Sierra
Siskiyou
Sutter
Tehama
Trinity
Yuba

CONTACT: Steve Lucas
Butte LAFCo
slucas@buttecounty.net

Southern Region

Orange
Los Angeles
Imperial
Riverside
San Bernardino
San Diego

CONTACT: Keene Simonds
San Diego LAFCo
keene.simonds@sdcounty.ca.gov

Coastal Region

Alameda
Contra Costa
Marin
Monterey
Napa
San Benito
San Francisco
San Luis Obispo
San Mateo
Santa Barbara
Santa Clara
Santa Cruz
Solano
Sonoma
Ventura

CONTACT: Martha Poyatos
San Mateo LAFCo
mpoyatos@smcgov.org

Central Region

Alpine
Amador
Calaveras
El Dorado
Fresno
Inyo
Kern
Kings
Madera
Mariposa
Merced
Mono
Placer
Sacramento
San Joaquin
Stanislaus
Tulare
Tuolumne
Yolo

CONTACT: Christine Crawford, Yolo LAFCo
christine.crawford@yolocounty.org

Board of Directors 2019/2020 Nominations Form

Nomination to the CALAFCO Board of Directors

In accordance with the Nominations and Election Procedures of CALAFCO,

_____ LAFCo of the _____ Region

Nominates _____

for the (check one) City County Special District Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual Membership Meeting of the Association.

LAFCo Chair

Date

NOTICE OF DEADLINE

Nominations must be received by **September 30, 2019** at 5:00 p.m. to be considered by the Election Committee. Send completed nominations to:
CALAFCO Election Committee
CALAFCO
1020 12th Street, Suite 222
Sacramento, CA 95814

Board of Directors 2019/2020 Candidate Resume Form

Nominated By: _____ LAFCo Date: _____

Region (please check one): Northern Coastal Central Southern

Category (please check one): City County Special District Public

Candidate Name _____

Address _____

Phone Office _____ Mobile _____

e-mail _____

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:


Other Related Activities and Comments:

NOTICE OF DEADLINE

Nominations must be received by **September 30, 2019** at 5:00 p.m. to be considered by the Election Committee. Send completed nominations to:
CALAFCO Election Committee
CALAFCO
1020 12th Street, Suite 222
Sacramento, CA 95814

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE : JULY 8, 2019 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #14: Consideration of Candidate Election for Board of Directors to the Special District Risk Management Authority

RECOMMENDATION:

Staff recommends that the Commission:

1. Select incumbents Sandy A. Seifert-Raffelson and Robert Swan, and another candidate to serve as Directors on the Special District Risk Management Authority Board; and,
2. Authorize the Executive Officer to send-in the signed Official Election Ballot reflecting the Commission's selection and vote.

BACKGROUND:

As a member of the Special District Risk Management Authority (SDRMA), the Commission participates in the elections for its Board members. Included as attachments to this report are the Election Ballot Instructions, the Official Election Ballot, and the SDRMA Board of Directors Candidate's Statements of Qualifications.

The SDRMA Board of Directors is currently composed of seven directors: one director represents the Northern Region, three represent the Central Region, and three represent the Southern Region. Of the seven, three of the directors are up for election this year. The director representing the Northern Region, Sandy Seifert-Raffelson, and one of the three directors representing the Central Region, Robert Swan, are both seeking reelection. However, the director from the Southern Region who is up for election, Mr. Ed Gray from Chino Valley Independent Fire Protection District, is not running for re-election.

The other three candidates who are running for SDRMA Board of Directors are: Jesse D. Claypool from the Honey Lake Valley Resource Conservation District (Northern Region), Patrick O'Rourke from the Redwood Region Economic Development Commission (Northern Region), and James Hamlin from the Burney Water District (Northern Region).

For this election, the Commission may select up to three candidates from a field of five candidates. Staff recommends that the Commission select incumbents Ms. Seifert-Raffelson and Mr. Swan. The Commission has one remaining vote, and staff is recommending that it be cast by choosing anyone from among the remaining three candidates, all of whom are from the Northern Region, in order to maintain a relatively balanced representation of the Board of Directors.

Staff will be happy to answer any questions prior to or at the hearing.

Attachments: SDRMA's Board of Directors Election Ballot Instructions, Official 2019 Election Ballot, and Candidates' Statements of Qualifications

SDRMA'S BOARD OF DIRECTORS ELECTION BALLOT INSTRUCTIONS

Notification of nominations for three (3) seats on the Special District Risk Management Authority's (SDRMA's) Board of Directors was mailed to the membership in January 2019.

On May 2, 2019, SDRMA's Election Committee reviewed the nomination documents submitted by the candidates in accordance with SDRMA's Policy No. 2017-10 Establishing Guidelines for Director Elections. The Election Committee confirmed that five (5) candidates met the qualification requirements and those names are included on the Official Election Ballot.

Enclosed is the Official Election Ballot along with a Statement of Qualifications as submitted by each candidate. Election instructions are as follows:

1. The enclosed Official Election Ballot must be used to ensure the integrity of the balloting process.
2. After selecting up to three (3) candidates, your agency's governing body must approve the enclosed Official Election Ballot at a public meeting. **Ballots containing more than three (3) candidate selections will be considered invalid and not counted.**
3. The signed Official Election Ballot **MUST** be sealed and **received by mail or hand delivery at SDRMA's office on or before 4:30 p.m. on Wednesday, August 21, 2019 to the address below.** A self-addressed, stamped envelope is enclosed. Faxes or electronic transmissions are NOT acceptable.

Special District Risk Management Authority
Election Committee
1112 "I" Street, Suite 300
Sacramento, California 95814

4. The four-year terms for newly elected Directors will begin on January 1, 2020 and terminate on December 31, 2023.

5. Important balloting and election dates are:

August 21, 2019:	Deadline for members to return the signed Official Election Ballot
August 22, 2019:	Ballots are opened and counted
August 23, 2019:	Election results are announced, and candidates notified
September 25, 2019:	Newly elected Directors are introduced at the SDRMA Annual Breakfast to be held in Anaheim at the CSDA Annual Conference
November 6-7, 2019:	Newly elected Directors are invited to attend SDRMA board meeting (Sacramento)
January 2020:	Newly elected Directors are seated, and Board officer elections are held

If you have any questions regarding the election and balloting process, please do not hesitate to call SDRMA's Chief Operating Officer Paul Frydendal at 800.537.7790.



SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY

**OFFICIAL 2019 ELECTION BALLOT
SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY
BOARD OF DIRECTORS**

VOTE FOR ONLY THREE (3) CANDIDATES

Mark each selection directly onto the ballot, voting for no more than three (3) candidates. Each candidate may receive only one (1) vote per ballot. A ballot received with more than three (3) candidates selected will be considered invalid and not counted. All ballots must be sealed and received by mail or hand delivery in the enclosed self-addressed, stamped envelope at SDRMA on or before 4:30 p.m., Wednesday, August 21, 2019. Faxes or electronic transmissions are NOT acceptable.

- BOB SWAN (INCUMBENT)**
Board Member, Groveland Community Services District
- JESSE D. CLAYPOOL**
Board Chair, Honey Lake Valley Resource Conservation District
- PATRICK K. O'ROURKE, MPA/CFRM**
Board Member, Redwood Region Economic Development Commission
- SANDY SEIFERT- RAFFELSON (INCUMBENT)**
Finance Manager/Treasurer, Herlong Public Utility District
- JAMES (Jim) M. HAMLIN**
Board President, Burney Water District

ADOPTED this ____ day of _____, 2019 by the Local Agency Formation Commission for San Bernardino County at a public meeting by the following votes:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST:

APPROVED:

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.

Candidate* Bob Swan

District/Agency Groveland Community Services District (GCSD)

Work Address P.O. Box 350, Groveland, CA 95321

Work Phone (209) 962-7161

Home Phone (408) 398-4731

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

I am a current Board member. I would like to be elected to a second term because:

1. As a board member of Groveland CSD, I am particularly aware of the great value that smaller districts get from SDRMA, and I'd like to continue to do my part to make sure that this important agency continues to operate smoothly and stably into the indefinite future.
2. The insurance market in California (and nationwide) is going through a period of rapid change. The Board and staff are engaged in a major re-evaluation of SDRMA's approach to fulfilling its mission of providing cost-effective risk management services to its members. I believe that it is important to maintain Board continuity in this effort.
3. SDRMA Board members are either board members ("electeds") or employees of a member agency. I think there is value in having a balance between elected and employee Board members. The Board seats that are NOT up for election are currently 3 employees / 1 elected. I'd like to make sure the new Board has at least 2 elected members.

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

1. SDRMA Board Member since 2016. This year (2019), I serve as Secretary. During our "no CEO" period in late 2017 - early 2018, I was a member of the ad hoc Personnel Committee. I am also a member of the Alliance Executive Council, and a backup member of the Legislative Committee.
2. Groveland CSD Board Member since I was appointed in June 2013. For the years 2014-2018, I served as Board President. (We finally implemented mandatory rotation of the office in 2019).
3. Member of the Board of Southside Community Connections, a local nonprofit in Groveland that provides educational, social, and recreational services to seniors, as well as free transportation to those who cannot drive.
4. Board Member (currently Treasurer) of Pine Cone Performers, a local choral and acting group, since 2010.
5. Back during my work life, I was a corporate representative on an IEEE standards committee concerned with wireless networking. It was very educational being on a committee where the members had widely differing (competing) goals.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?
(Response Required)**

History: BS Physics, MS Computer Science. 3 years in USAF. 30 years in the semiconductor industry, first as an engineering manager, later as a business unit manager. Now retired (so I have plenty of time).

Skills, etc.: Very familiar with financial reports, cost accounting, quantitative analysis. Working knowledge of modern computer and communications technology. Managed distributed organizations with up to 150 technical people and up to \$120M in annual sales. Pretty good at listening to different views, and helping to achieve consensus (or, at least, compromise).

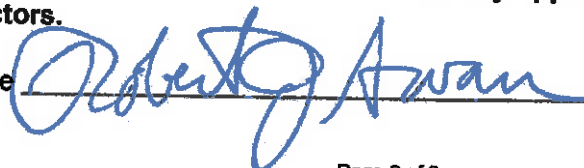
What is your overall vision for SDRMA? (Response Required)

Well, obviously I support our (newly revised) vision statement: "To be the exemplary public agency risk pool of choice for California special districts and other public agencies". In order to achieve this vision, I believe the key issues are:

1. Maintain long term financial stability. This includes ensuring that there is a fair allocation of cost versus risk across the pool membership.
2. Continue to retain / acquire highly qualified staff, and ensure that this is a desirable place to work.
3. Remember who are our target clientele, which in my opinion are small to mid-sized districts with limited options for insurance.
4. In light of ever-evolving California workers-compensation law, expand risk-management training even further than we now provide.
5. Maintain good relations with our re-insurers (who insulate us from catastrophe). In the long run, explore the possibility of joining a "captive" re-insurer to improve stability.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature

 Date 4-24-2019

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?
(Response Required)**

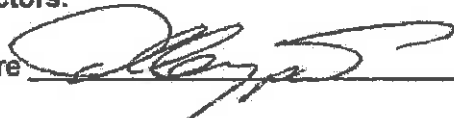
My experience with special districts and governance, belief in the importance of quality governing policies, the ability to work effectively with the other board members and staff and a desire to give back to SDRMA and its membership will be what I bring to the SDRMA Board of Directors.

What is your overall vision for SDRMA? (Response Required)

For SDRMA to continually advance as an industry leader providing affordable solutions for special districts of any size enabling them to be effective within the communities they serve.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature



Date

4-26-19

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.

Candidate* Patrick K. O'Rourke, MPA/CFRM
District/Agency Redwood Region Economic Development Commission (RREDC)
Work Address 520 E Street Eureka, CA 95501
Work Phone 707-445-9651 Home Phone 707-726-6700

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

I have considerable interest, knowledge, and experience in board leadership; board service; and board governance/policy development & oversight in for-profits, nonprofits, a joint powers authority/SDRMA member organization, and as an elected city councilman. I also have considerable experience (as a top-level executive board leader and manager) in organizational risk management and risk mitigation/prevention. I would like to share my knowledge, skills, abilities, and experience in service to SDRMA members, via my service on SDRMA's board of directors. I believe that my knowledge, experience, and dedication to excellence and implementation of best practices in governance and policy development/oversight will serve SDRMA well, and will assist SDRMA in maintaining its "Excellence" accreditation via the California Association of Joint Powers Authorities (CAJPA).

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

Having served in board leadership roles (25+ years in for-profit entities; 25+ years in nonprofit & private/public foundations; and 2+ years in a Joint Powers Authority [SDRMA member organization]), I am well-versed and experienced in board governance; policy development; financial statement analysis and budget review; executive management search/selection, oversight and evaluation; organizational risk management/mitigation; litigation oversight; and best practices in organizational governance. At SDRMA member organization, Redwood Region Economic Development Commission (RREDC), I have served as 2019 Immediate Past Chair; 2018 Board Chair; 2017 Vice Chair; Chair of Executive Committee; and Member of the Loan Committee. I have in-depth knowledge of policy governance (Culver, et al.); I am an advocate for transparency & best practices; and I am knowledgeable & experienced in California's Ralph M. Brown Act and Roberts Rules of Order. I have also served in board governance and board leadership roles in several nonprofit organizations and in both public and private foundations, including as Board Chair (12+ years) and in President & Vice President roles. I have also Chaired Search/Selection committees; Public Relations committees; Fund Development committees; and Finance/Audit committees.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?
(Response Required)**

Besides holding a Master of Public Affairs degree, with a specialty in nonprofit management; having completed all coursework and written/oral exams (all except dissertation) for a PhD in Mass Communication, with a specialty in public relations and a cognate in organizational communication management, I have several other directly-relevant skills/talents/experience including: I am expertly adept at executive-level relationship development and stewardship, and have served as an organizational & industry advocate and liaison working closely with community organizations, local/county/state elected officials, and public/private entities/organizations and foundations. I am expertly adept at financial and operational analysis, and at asset/portfolio management and risk mitigation. I have taught for-credit university courses in corporate leadership; in entrepreneurial leadership research and practice; as well as having published peer-reviewed academic research on leadership in public relations.

What is your overall vision for SDRMA? (Response Required)

My vision for SDRMA would be for SDRMA to continue to add value to its members; operate with the highest ethical practices and transparency; continue in providing excellence in service, education, safety and compliance training; help members to mitigate and reduce risk; provide expedient claims review and response; provide members with state-of-the-art education and information; educate members to minimize losses/risk in member workplaces; and to continue to provide members with comprehensive coverage for property/liability, workers comp, and health benefits.

I would envision SDRMA management and staff enjoying a quality of life that will ensure their happiness and continue an atmosphere of dedicated service to SDRMA members. I would also envision that SDRMA will continue to operate with efficiencies that minimize costs/expenses, continue to enable SDRMA to maintain competitive premium rates, and (when possible) lower organizational and member costs. I would also envision a governing board that embraces and employs best governing practices in all areas of policy development; executive management oversight; financial review/audit; and in investing and spreading portfolio assets to minimize portfolio investment risks and maximize return on investments. Finally, I would envision SDRMA, and its management team/staff, operating in ways that will continue to earn accreditation "Excellence" from the California Association of Joint Powers Authorities (CAJPA).

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature _____

Date _____

3/25/1959 2019

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates No statements are endorsed by SDRMA.

Candidate* Sandy Seifert-Raffelson

District/Agency Herlong Public Utility District

Work Address 447-855 Plumas St., P o Box 115, Herlong, CA 96113

Work Phone (530) 827-3150 Cell Phone (530) 310-4320

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors?

I am a current Board member of SDRMA and feel that I have added my financial background to make better informed decisions for our members. As a Board member, I continue to improve my education of insurance issues and look forward to representing small District's and Northern California as a voice on the SDRMA Board. I feel I am an asset to the Board with my degree in Business and my 30 plus years' experience in accounting and auditing.

I understand the challenges that small District face every day when it comes to managing liability insurance, worker's compensation and health insurance for a few employees with limit revenue and staff. My education and experience give me an appreciation of the importance of risk management services and programs, especially for smaller District that lack expertise with insurance issues on a daily basis.

I feel I am an asset to this Board, and would love a chance to stay on 4 more years!

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization)

While serving on the SDRMA Board, I have been privilege to be Secretary of the Board for two years, and currently the Vice-President. I have served on CSDA's Audit and Financial Committee's for 6 years; I have served on the SDLF Board; Northeastern Rural Health Clinic Board; Fair Board; School and Church boards; 4-H Council and leader for 15 years; and UC Davis Equine Board. In the past 25 years, I have learn that there is no "I" in Board and it can be very rewarding to be part of a team that makes a difference for others.

As part of my many duties working with Herlong PUD, I worked to form the District and was directly involved with LAFCo, Lassen County Board of Supervisors and County Clerk to establish the initial Board of Directors and first Policies for HPUD. I have administered the financial portion of 2 large capital improvement project with USDA as well as worked on the first ever successful water utility privatization project with the US Army and Department of Defense. I am currently working on a 4.2 million grant from California for new infrastructure for the small District HPUD absorb through LAFCo in 2017. I am also the primary administrator of a federal contract for utility services with the Federal Bureau of Prison and the US Army.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

What special skills, talents, or experience (including volunteer experience) do you have?

I have my Bachelor's Degree in Business with a minor in Sociology. I have audited Small Districts for 5 years, worked for a Small District for almost 15 years and have over 30 years of accounting experience. I am a good communicator and organizer. I have served on several Boards and feel I work well within groups or special committee. I am willing to go that extra mile to see things get completed.

I believe in recognition for jobs well done. I encourage incentive programs that get members motivated to participate and strive to do their very best to keep all losses at a minimum and reward those with no losses.

I have completed my Certificate for Special District Board Secretary/Clerk Program in both regular and advance course work through CSDA and co-sponsored by SDRMA. I have completed the CSDA Special District Leadership Academy and Special District Governance Academy. I am in the processes of getting my small District re-certified for their District of Transparency and hope one day to attain our District of Distinction.

I work for a District in Northeastern California that has under gone major changes from a Cooperative Company to a 501c12 Corporation, to finally a Public Utility District. I have worked with LAFCo to become a District. Also our small District consolidated another small District into our District. Through past experience I feel I make a great Board member representing the small districts of Northern California and their unique issues and will make decisions that would help all rural/small districts.

What is your overall vision for SDRMA?

For SDRMA to be at the top of the risk management field and to continue communicating and listening to the needs of all California Special Districts and meeting those needs at a reasonable price that Special Districts can afford. I would like to continue education and rewards for no claims and explore avenues of financial endeavors that will benefit our customers.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature



Date

4/16/19

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.

Candidate* James (Jim) M. Hamlin
District/Agency Burney Water District
Work Address 20222 Hudson St. Burney, Ca. 96013
Work Phone (530) 335-3582 Cell Phone _____

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

Hope to serve and help with decisions being made to both strengthen SDRMA and move into new areas. Our districts are facing new challenges constantly.

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

See Next

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

What special skills, talents, or experience (including volunteer experience) do you have? (Response Required)

September 1972 until January 2014, owned and operated a Insurance brokerage
Sold business and retired.

Board Member of Mayers Memorial Hospital District From 1990 until 2014
Served on the Associal of Hospital Districts for six years.

Served on the board of Burney Water District the previous six years. Current
Serving on Mayers Memorial Hospital Financial Board.

What is your overall vision for SDRMA? (Response Required)

-----SDRMA Board must be strong and protect the concerns of their members. Need
to have a listening ear for the districts that are represented. Need to
use caution when jumping into new areas, not jepordise their strong programs
and beliefs for new programs.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature James M. Hankle Date 3-27-2019