

DISTRICT RESOLUTION NO. 36-19

SUPPORTING SPECIAL DISTRICT REPRESENTATION ON THE TUOLUMNE COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO) AND APPROVING RELATED ACTIONS

WHEREAS, Local Agency Formation Commissions (LAFCO) were established by state legislature in 1963 as regulatory agencies in each California county to ensure the orderly formation and development of local agencies, which is now provided for in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CA Government Code Section 56000 et seq.); and

WHEREAS, among other regulatory powers, LAFCOs are responsible for approving, establishing, expanding, reorganizing and, in limited circumstances, dissolving cities and special districts within their respective counties; and

WHEREAS, LAFCOs are required to be made of two county representatives, two city representatives and one public member; and

WHEREAS, in 1972, state law made it possible for LAFCOs to expand their membership by adding two independent special district representatives, which can be achieved through a process set forth in CA Government Code Section 56332; and

WHEREAS, Tuolumne County LAFCO currently does not have independent special district representation; and

WHEREAS, since Tuolumne County LAFCO directly impacts operations, existence and growth of independent special districts within the County, including the Groveland Community Services District (District), it is important that special districts gain representation on the Tuolumne County LAFCO; and

WHEREAS, if special districts gain representation on the Tuolumne County LAFCO, they will be required to share a portion (up to one-third) of the total Tuolumne County LAFCO costs; and

WHEREAS, many independent special districts in Tuolumne County met beginning on May 3, 2018 and following which, resolutions supporting the concept and initiating the process of special district membership on Tuolumne County LAFCO was submitted to the County by a majority of districts; and

WHEREAS, in accordance with California Government Code 56332.5, Tuolumne County LAFCO on April 8, 2019 adopted the Resolution of Intention, Resolution 296, forming the independent special district selection committee and adopting related determinations; and

WHEREAS, during a meeting of the Special District Selection Committee held on May 29, 2019, a tentative agreement was reached among participating Districts reaffirming the intent of gaining special district representation on Tuolumne County LAFCO, payment of associated costs, voting requirements once on LAFCO and special district member selection and rotation; and

WHEREAS, it is in the best interest of the District to initiate formal action as required by Tuolumne County LAFCO Resolution of Intention 296, in collaboration with other independent special districts to complete the process of gaining special district representation.

NOW, THEREFORE, BE IT RESOLVED, by the District Board of Directors that:

- 1) Adoption of this Resolution shall serve as an affirmative vote in representation on the Special District Selection Committee, that the District accepts independent special district representation on the Tuolumne County LAFCO; and
- 2) The Board President is authorized to represent the District as the Special District Selection Committee representative in all procedural processes required to gain and implement special district representation on Tuolumne County LAFCO; and.

- 3) The independent special districts accept the default LAFCO budget apportionment of one-third share of costs. The special districts agree to fund their one-third share of the 201920 LAFCO costs as follows:
- (a) Tuolumne Utilities District - \$8500
 - (b) Groveland Community Services District - \$4,200
 - (c) Twain Harte Community Services District - \$2,200
 - (d) Jamestown and Tuolumne City Sanitary Districts - \$1000 each
 - (e) Fire Districts - \$500 each
 - (f) Cemetery Districts and Tuolumne County Resource Conservation District – at the percentage of district revenue to total special district revenue countywide.

The initial allocations listed above shall be adjusted proportionally based on changes to the Tuolumne County LAFCO budget annually or as otherwise agreed by a vote of the majority of the special district selection committee.

- 4) Special district members serving on the Tuolumne County LAFCO shall not be disqualified from voting on proposals affecting their own special districts.
- 5) This Resolution shall serve as the District's official nomination of [Director/Board President/Board Member] Director Janice Kwiatkowski as the District's initial candidate for potential appointment to the Tuolumne County LAFCO by the Special District Selection Committee, and [Director/Board President/Board Member] Director Spencer Edwards as the District's alternate candidate.
- 6) Upon enlargement of the commission to include independent special districts, the term for one new special district member, selected from any independent special district in Tuolumne County, shall coincide with the term of the existing commission member who holds the office represented by the original two-year term on the commission. The term of the second new special district member coincides with the term of the existing commission member who holds the office represented by the original four-year term on the commission. This second special district member shall be from the Tuolumne Utilities District, Groveland Community Services District, or Twain Harte Community Services District, and this commission position shall then rotate consecutively to the next agency in the above listed order following each term.
- 7) The use of US mail or email ballots is desired to conduct the special district member selection process.

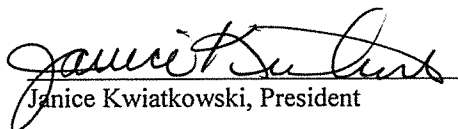
WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Groveland Community Services District on August 13, 2019, by the following vote:

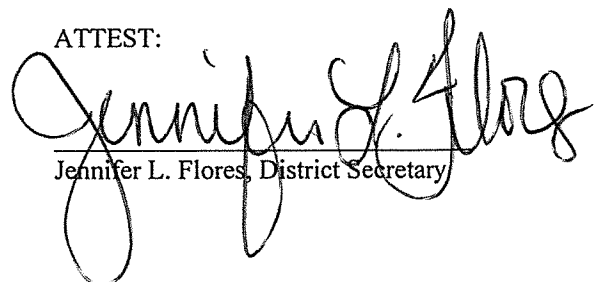
AYES: Director's Edwards, Kwiatkowski, Armstrong and Mora

NOES:

ABSENT: Director Swan

ABSTAIN:


Janice Kwiatkowski, President

ATTEST:

Jennifer L. Flores, District Secretary