



LAFCO

January 5, 2022

TO: Presidents of the Boards of Directors of the Independent Special Districts in San Bernardino County

SUBJECT: Special Districts Selection Committee

Local Agency Formation Commission for San Bernardino County

1170 Highland Street, Unit 130
San Bernardino, CA 92415-0400
909.386.0450 | Fax: 909.386.0451
www.lafco.org

COMMISSIONERS

TERESA A. BROWN
Board Supervisor

WILLIAM L. DAVIS
City Manager

DR. JAMES L. DAVIS
Special District

WALTER C. HAYWARD
Special District

DR. JACQUELINE S. HARRIS
Board Supervisor

ANTHONY M. J. JONES
City Manager

ACQUINETA J. WILSON, Vice Chair
City Member

ALTERNATES

DIETER C. DANNEBERG
Public Member

WILLIAM L. DAVIS
City Member

STEVEN FARRELL
Special District

DAWN ROWE
Board Supervisor

EXECUTIVE OFFICER

SAMUEL MARTINEZ

LEGAL COUNSEL

PAULA DE SOUSA

This letter officially opens the nomination period for the positions of one Regular Special District member and the Alternate Special District member on the Local Agency Formation Commission (LAFCO) for San Bernardino County. The regular voting member position is currently held by Jim Curatalo (Cucamonga Valley Water District) and the alternate voting member is currently held by Steven Farrell (Crestline Village Water District). The terms of office are scheduled to expire May 2, 2022 pursuant to the provisions of Government Code §56334. The nomination period for these positions will be 35 days, opening on Monday, January 10, 2022, and ending at 5:00 p.m. on Monday, February 14, 2022.

Per LAFCO's procedures, the original nomination form for each position:

- Requires a board vote, with the name of each voting Board Member outlined, and certifying signature with date.
- Must be received in the LAFCO office by 5:00 p.m. on **February 14, 2022**, via mail, fax, or email scan.
 - If a copy of the nomination form is provided by fax or email by the February 14 deadline, LAFCO must receive the original signed copy by 5:00 p.m. on **February 21**, or the nomination will be declared invalid.

Enclosed with this letter are sample nomination forms for the positions outlining the date of the action and District Board vote.

At the end of the nomination period, LAFCO staff will prepare and send, by certified mail, to each independent special district a ballot with the candidates nominated and the voting instructions. If only a single candidate is nominated for either position, pursuant to the provisions of Government Code §56332(f)(2), that candidate shall be deemed selected with no further vote required.

A long-standing policy of the Selection Committee is to encourage balanced geographic representation with valley, desert and mountain districts seated on the Commission as voting or alternate members. The positions up for nomination are now represented by the valley and mountain areas and represent county water districts. A copy of the Policy Statement is attached for your information.

Please let me know if you have any questions concerning the nomination process. You may contact me at the address listed above, by email at smartinez@lafco.sbcounty.gov, or by phone at (909) 388-0480.

Sincerely,



SAMUEL MARTINEZ
Executive Officer

SM/as

Enclosures:

- 1) Regular and Alternate Member Nomination Forms
- 2) Policy Statement

**NOMINATION FOR
REGULAR SPECIAL DISTRICT MEMBER
OF THE
LOCAL AGENCY FORMATION COMMISSION**

The _____
(Name of District)

hereby nominates the following person for the position on the Local Agency
Formation Commission

(Name of Nominee) **REGULAR SPECIAL DISTRICT MEMBER**

I, _____, do hereby certify that at a
(Name of President or Designee of District)
scheduled meeting of _____, the Board of Directors voted to
nominate the above-identified candidate for the Regular Special District Member
of the Local Agency Formation Commission of San Bernardino County, by the
following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

District President/Authorized Board Member

Dated: _____

Attach – Letter of Interest or Resume of Nominee

**NOMINATION FOR
ALTERNATE SPECIAL DISTRICT MEMBER
OF THE
LOCAL AGENCY FORMATION COMMISSION**

The _____
(Name of District)

hereby nominates the following person for the position on the Local Agency

Formation Commission

(Name of Nominee) **ALTERNATE SPECIAL DISTRICT MEMBER**

I, _____, do hereby certify that at a
(Name of President or Designee of District)

scheduled meeting of _____ the Board of Directors voted to
nominate the above-identified candidate for the Alternate Special District Member
of the Local Agency Formation Commission of San Bernardino County, by the
following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

District President/Authorized Board Member

Dated: _____

Attach – Letter of Interest or Resume of Nominee

SECTION VI **SPECIAL DISTRICTS**

CHAPTER 1: INTRODUCTION AND POLICIES

INTRODUCTION:

In 1975 the San Bernardino LAFCO received a request from the independent special districts within the County to approve the seating of Special Districts on the Commission pursuant to the provisions of the Knox-Nisbet Act (the predecessor of the Cortese-Knox-Hertzberg Reorganization Act of 2000). The original rules and regulations were adopted concurrent with an order for representation on the Commission by Independent Special Districts in 1976. As a function of the seating of Special Districts within San Bernardino County an inventory of the existing functions and classes of service were to be determined. The process that was undertaken at that time was that the Commission would:

1. Classify the various types of services which customarily are or can be provided within a single function of a special district.
2. Require existing districts to file written statements with the commission specifying the functions or classes of service provided by such district.
3. Establish the nature, location, and extent of any functions or classes of service provided by existing districts
4. Determine that, except as otherwise authorized by such rules and regulations, no new or different function or class of service shall be provided by any existing district.

Once the inventory was completed, the rules and regulations did not apply to the extension or enlargement, within the boundaries of an existing district, of any function or service which the commission, pursuant to these rules and regulations, has established as currently being provided by such special district. A listing of the Special Districts and the authorized functions and services was historically identified as the "Exhibit A" but is now outlined in Chapter 3 of the Special Districts Section of the Manual.

The San Bernardino County Special Districts Association has historically offered its services to work with the special districts and San Bernardino LAFCO to provide assistance and coordination, to act as a forum to air and discuss problems affecting all special districts, and to provide a forum for the review of candidates for the Special District seats on the Commission.

POLICIES:

1. METHOD OF SELECTION (Amended April 17, 2002)

An Independent Special Districts Selection Committee shall be composed of the presiding officers of the legislative body of each independent special district located wholly within the County of San Bernardino and those containing territory within said County representing 50% or more of the assessed value of taxable property of each district. The Selection Committee shall appoint all independent special district representatives and alternate. Each member of the Selection Committee shall be entitled to one vote for each independent special district for which they are presiding officer. The meetings of the Selection Committee shall be in accordance with the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Government Code Section 56000 et seq.

2. SPECIAL DISTRICT REPRESENTATIVES (Amended April 17, 2002)

It is the policy of San Bernardino LAFCO that special district representatives and alternate should represent districts located in the San Bernardino Valley area, the desert area, and the mountain area. Inasmuch as possible, they should not represent agencies that provide like service, (i.e., they should represent fire protection service, water service, sewer service, cemetery service, etc.). They shall be chosen as provided by the provisions within Government Code Section 56000 et seq.

3. ALTERNATIVE FUNDING FORMULA (Adopted by Special District Vote July 2002; Amended by Special District Vote March 2, 2010)

Pursuant to authority provided by Government Code Section 56381, the Independent Special Districts, by majority vote, have determined an Alternative Funding Formula to the Independent Special Districts' mandatory share of the LAFCO net operating costs as follows:

- A. Healthcare (Hospital) Districts shall be limited to payment of \$1,500 regardless of Total Revenue.
- B. Those districts with Total Revenue of more than \$50,000,000 shall pay \$30,000.
- C. Those districts with Total Revenue of between \$20,000,000 to \$50,000,000 shall pay \$20,000.
- D. Those districts with Total Revenue of between \$5,000,000 to \$20,000,000 shall pay \$10,000.

*San Bernardino LAFCO Policy and Procedure Manual
Section VI – Special Districts*

- E. Those districts with Total Revenue of between \$2,000,000 to \$5,000,000 shall contribute an amount not to exceed \$5,000.
- F. Those districts with Total Revenue of less than \$2,000,000 shall be apportioned an amount to be determined by the ratio of each district's Total Revenue as compared to the Total Revenues whose share does not exceed \$5,000.

4. CONVERSION TO ALL MAIL BALLOTING FOR SPECIAL DISTRICT SELECTION COMMITTEE BUSINESS (Adopted by Special District Vote April 2008; November 15, 2017)

The business of the Special District Selection Committee shall be routinely conducted by mail. The procedures for such processing are outlined in Government Code Section 56332(f).

5. SELECTION OF INDEPENDENT SPECIAL DISTRICT REPRESENTATIVES (REGULAR AND ALTERNATE) TO THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD (Adopted November 15, 2017)

Effective July 1, 2018, the redevelopment oversight boards in each county in the State of California will be consolidated into one seven-member board (Health & Safety Code § 34179(j)). One of the members of the consolidated board "may be appointed by the independent special district selection committee established under Government Code Section 56332 for the types of special districts that are eligible to receive property tax revenues pursuant to the redevelopment agency (RDA) dissolution law. The Auditor-Controller/Treasurer/Tax Collector for San Bernardino County has requested that such representatives (regular and alternate) be selected.

Only the agencies that receive RDA funding are deemed eligible agencies for the purposes of appointing a special district representative and alternate to the countywide redevelopment oversight board per Health and Safety Code Section 34179(j)(3) and must be members of the Special Districts Selection Committee for San Bernardino County per Government Code Section 56332. In addition, eligibility requires special districts that have territory in the territorial jurisdiction of a former RDA and are eligible to receive property tax residual for the Redevelopment Property Tax Trust Fund (RPTTF) may serve on the new Oversight Board. In San Bernardino County, the committee members for the RPTTF-qualifying districts are:

- Apple Valley Fire Protection District
- Barstow Cemetery District
- Bear Valley Community Health Care
- Big Bear Airport District
- Big Bear Municipal Water District

*San Bernardino LAFCO Policy and Procedure Manual
Section VI – Special Districts*

Chino Basin Water Conservation District
Chino Valley Independent FPD
Crestline-Lake Arrowhead Water Agency
Hesperia Park and Recreation District
Hi-Desert Water District
Inland Empire Resource Conservation
Inland Empire Utilities Agency
Lake Arrowhead Community Services District
Mojave Desert Resource Conservation District
Mojave Water Agency
Monte Vista County Water District
Morongo Basin Healthcare District (formerly known as the Hi-Desert Memorial Hospital District)
San Bernardino Valley Water Conservation District
San Bernardino Mountains Community Healthcare District
San Bernardino Valley Municipal Water District
Twentynine Palms Public Cemetery District
West Valley Water District
Yucaipa Valley Water District

The San Bernardino LAFCO Executive Officer is responsible for conducting the business of the Special Districts Selection Committee for the RPTTF-qualifying appointment and pursuant to local procedures the committee's business shall be conducted by mail to nominate and appoint a representative and alternate. Elections by mail shall be conducted in accordance with Government Code Section 56332(f). The independent special district members appointed to the consolidated redevelopment oversight board shall be appointed by a majority of those RPTTF-qualifying committee members voting once a quorum has been established. The terms of office for regular and alternate committee members shall be staggered by action of the Oversight Board following its reorganization in July 2018.