

Patrick Jones
County Member

Irwin Fust
Special District Member

Pamelyn Morgan
City Member Alternate

Mary Rickert
County Member Alternate

Stan Neutze
City Member

Vacant
Special District Member

Michael Dacquisto
City Member



Larry Russell
Public Member

Kevin W. Crye
County Member

Fred Ryness
Special District Alternate

Agenda Item 5.a.

Katharine Ann Campbell
Public Member Alternate

George Williamson
Executive Officer

James M. Underwood
General Counsel

Kathy Bull
Manager

MINUTES

Protest Hearings November 29, 2022 Shasta Community Service District Fire Station #56

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

1. CALL TO ORDER

Mr. Williamson, Executive Officer called the meeting to order at 4:00 p.m. at the Shasta Community Service District Fire Station #56, 10644 High Street, Shasta, California. Staff present included; Executive Officer George Williamson and Office Manager Kathy Bull. Commissioner Russell and General Counsel Underwood were in the audience.

2. PUBLIC COMMENT

No public comments were provided.

3. PROTEST HEARING # 1 Shasta Community Services District (CSD) Fire Services Divestiture and Successor Agency Designation

The Shasta LAFCO Executive Officer will conduct the protest hearings as follows:

a. Describe the proposal and hearing purpose

Mr. Williamson explained that Shasta CSD had submitted an application to remove fire services only, with no change to the Keswick area and was approved at the October 6, 2022 Commission meeting. The purpose for the hearing is to determine if there is sufficient protest. If there is less than 25% protest, the Commission action stands and moves forward. If there is over 25% and up to 50% than it goes to election by registered voters in the district. If 50% plus one majority protest, Than Commission action is terminated.

b. Summarize Shasta LAFCO Resolution approving divestiture/successor agency designation.

Mr. Williamson provided information regarding the 30-day reconsideration period after the action taken at the October 6, 2022 Commission meeting.

Mr. Williamson allowed questions. Following were the most significant questions:

Commission Russell asked Mr. Williamson to clarify if the volunteer fire fighters would be administered by CAL Fire. Mr. Williamson responded, if the Shasta Fire Protection Department (FPD) was formed, they would become the successor agency.

Question - Has the Commission gotten and protests on Hearing #1 to date. Answer – No, there have not been any protests to date.

Question - she had signed the petition to create a fired district and heard that the signatures can be used for an election. Answer - That is still to be determined. If there are insufficient protests then it is reported back to the Commission and send the actions of the Commission to the County. There is a provision in the Health and Safety Code and said he would finish the answer in Hearing #2.

Question - Is there a designated spot for the fire hall. Answer – The fire hall stands, it will be decided who it goes to.

- c. Open the hearing
Mr. Williamson opened the public hearing.
- d. Receive any oral or written protests, objections, or evidence
There were no oral or written protests received.
- e. Note all written protests received prior to the hearing
There were no oral or written protests received prior to the hearing.
- f. Close the hearing
Mr. Williamson closed the public hearing.
- g. Determine the value of written protests filed and not withdrawn
Mr. Williamson determined that the value of written protests filed and not withdrawn is insufficient.

4. PROTEST HEARING #2 Shasta Fire Protection District (FPD) Formation

The Shasta LAFCO Executive Officer will conduct the protest hearings as follows:

- a. Describe the proposal and hearing purpose
Mr. Williamson explained that an application for the Shasta FPD formation was submitted by petition. LAFCO received approximately 350 signatures on the formation petition, which was given to the County Registrar for registered voters verification. There were 304 valid registered voter signatures verified. The purpose for the hearing is to determine if there is sufficient protest. The formation of a district is subject to election. If there is not sufficient protest, and Commission action terminated, LAFCO will send documentation to the County Supervisors and call for an election. The Cortese Knox-Herzberg Act says the formation is subject to election but the election is held under the Health and Safety Code and the Fire Protection District Law of 1987 and administered by the County. If 50% plus one majority protest, then Commission action is terminated
- b. Summarize Shasta LAFCO Resolution approving the formation
Mr. Williamson provided information regarding the 30-day reconsideration period after the action taken at the October 6, 2022 Commission meeting.

Mr. Williamson allowed questions. Following were the most significant questions:

Question – A citizen had signed the petition to create a fire district and heard that the signatures can be used for an election. Can the signatures be used to forgo a special election. Answer - That is determined by the County in their administration of the Health and Safety Code. A district formation goes to election and in addition to the ballot item on formation, a second item would be on electing board directors. Because this would be a small district only three board directors would be required.

Question – It sounds like there could be additional support if there are 304 signatures now, what is the threshold to get to 50% plus. Answer – For the petitions, there are approximately 860 registered voters in the proposed district, so over 430.

Question – You can forgo the election with 50% plus signatures with the possibility of additional petition signers. Answer – For the petitions, that is the understanding of what is in the statutes.

Whatever additional petitions received with insufficient protests would be sent to the County to be verified.

Question – When will you know how many signatures and how long is needed to get remaining signatures. Answer – We are going to get this step done and then have the Commission validate the protests on Thursday and work with County staff after that.

Question – In the meantime people should still gather signatures and I assume it's premature to ask about bookkeepers. Answer – it suggested looking in the budget packet there is items regarding bookkeepers and audits. Rich Vietheer, Shasta County Assistant Auditor provided information regarding provisions in the government code that require the County to charge for new districts and staff has met with the proponents to find ways to save money.

Question - Has the Commission gotten and protests on Hearing #2 to date. Answer – No, there have not been any protests to date.

- c. Open the hearing
Mr. Williamson opened the public hearing.
- d. Receive any oral or written protests, objections, or evidence
There were no oral or written protests received.
- e. Note all written protests received prior to the hearing
There were no oral or written protests received prior to the hearing.
- f. Close the hearing
Mr. Williamson closed the public hearing.
- g. Determine the value of written protests filed and not withdrawn
Mr. Williamson determined that the value of written protests filed and not withdrawn is insufficient.

5. REPORT TO COMMISSION

The next regular meeting of the Commission will be held on December 1, 2022, at 9:00 a.m. at City of Anderson Council Chambers. The Executive Officer will present the results of the protest hearing at that meeting.

6. ADJOURNMENT

There being no further business, Executive Officer George Williamson adjourned the meeting at 5:02 p.m.

ATTEST:

APPROVED:

Kathy Bull
Acting Clerk to the Commission

George Williamson
Executive Officer

DATE: _____

DATE: _____