

**WRIGHTWOOD
COMMUNITY
SERVICES DISTRICT
February 22, 2022
SPECIAL
BOARD MEETING**



WRIGHTWOOD COMMUNITY SERVICES DISTRICT

P.O. Box 218 Wrightwood, CA 92397

Special Meeting of the Board of Directors
Tuesday, February 22, 2022 – 7:00 pm
Wrightwood Community Building
1275 State Highway 2, Wrightwood, CA

Agenda

Special Notice of Teleconference Accessibility

Pursuant to the provisions of Assembly Bill 361, which amended certain provisions of the Brown Act regarding teleconference meetings during periods of statewide emergencies, and as a precaution to our Board of Directors, District staff, and general public as a result of the ongoing COVID-19 pandemic, Wrightwood Community Services District will hold this meeting of its Board of Directors both in-person at the above location and via teleconference. The public may participate in the meeting by physical attendance or by teleconference as follows:

For best results please use your computer and click on the link;

Join the meeting virtually by video or phone

<https://us02web.zoom.us/j/9998961711>

Dial -in# +1 (669)900-6833

Meeting ID: 999 896 1711

7:00 PM – Call to Order

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. Public Comments: *Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought to participate in the above-agenized public meeting, should be directed to the Chair at any time prior to the meeting. Under this item, any member of the public wishing to directly address the Board on any item of interest that is not within the subject matter jurisdiction of the Board may do so now. However, the Board is prohibited by law from taking any action on any item not appearing on the agenda unless the action is otherwise authorized by the Brown Act. Any member of the public wishing to directly address the Board on any item listed on the agenda may do so when the item is being considered by the Board. Pursuant to Section 2.3.2 of Ordinance No 2021-1 adopted by the Board on March 2, 2021, the Chair may limit each speaker to a comment period of three (3) minutes or less.*
5. Fire Protection Feasibility Report
 - a. Presentation of Report by Kathleen Rollings-McDonald
 - b. General Counsel Recommendation
 - c. Board Discussion and Possible Action

Wrightwood Community Services District

THE VISION

To empower our community to have local control by serving as a platform for community discussion, cohesion and action in the areas of parks and recreation, street lighting, solid waste and recycling and wastewater planning and engineering.

To promote and grow a vibrant parks and recreation department for our community.

To maintain and enhance our current infrastructure

To economize our solid waste process and maximize our efficiency in executing them

To protect our natural resources through evaluating community wastewater needs

To meet all these ends in a fiscally responsible manner

6. Directors Comments
7. Recess to Closed Session
Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation pursuant to Government Code
Section 54956.9(d)(2): One Potential Case
8. Return to Open Session – Announcement of Reportable Actions
9. Future Regular Board Meeting: Tuesday, March 1, 2022 – 5:30pm
10. Adjournment

**Wrightwood Community
Services District**

The Mission

To provide local governance in the areas of parks and recreation, street lighting, solid waste and recycling and waste water planning and engineering in a fiscally responsible manner.

Members of the Community can access the full Fire Feasibility Report and our Agenda by visiting our website at, Wrightwoodcsd.org and clicking on the Board Meeting Agenda Link at the bottom of the page. You will find both the Agenda and the Fire Feasibility Report. The link to the Zoom meeting is on the Agenda which you will be able to access from your computer by clicking on the link in blue.

Item 5
Fire Feasibility Report
Discussion and Possible
Action



Item 5a

Presentation of Report By Kathleen Rollings-McDonald



Item 5b

General Counsel Recommendation



BRUNICK, MCELHANEY & KENNEDY

PROFESSIONAL LAW CORPORATION

1839 COMMERCENTER WEST

SAN BERNARDINO, CALIFORNIA 92408

TELEPHONE: (909) 889-8301

FAX: (909) 388-1889

WILLIAM J. BRUNICK
LELAND P. MCELHANEY
STEVEN M. KENNEDY

MAILING ADDRESS:

POST OFFICE BOX 13130

SAN BERNARDINO, CALIFORNIA 92423-3130

February 22, 2022

TO: Board of Directors
WRIGHTWOOD COMMUNITY SERVICES DISTRICT

FROM: Steven M. Kennedy, General Counsel

RE: Fire Protection Feasibility Report

Recommendation:

That the Board receive and file the Fire Protection Feasibility Report prepared by Kathleen Rollings-McDonald, accept the findings and recommendations set forth therein, and take formal action to NOT pursue the District's activation of fire protection and emergency medical response services.

Background:

At its duly noticed and agendaized regular Board meeting held on April 6, 2021, the Board received a report from Kathleen Rollings-McDonald, the former Executive Officer of the San Bernardino County Local Agency Formation Commission ("LAFCO") and now an independent contractor with Rollings & McDonald Consulting ("R&M"), regarding the financial feasibility of the District applying to LAFCO for activation of the District's latent snow removal powers. That report determined that it was not financially feasible for the District to assume such powers. As a result of that report, the District has not filed any such application with LAFCO.

At the meeting of April 6, 2021, the Board also considered a duly noticed and agendaized item to commission other reports from R&M to determine the feasibility of potentially seeking LAFCO activation of other latent powers available to the District. President Hordyk reported that Ultimate Internet Access, Inc. ("UIA"), would donate \$10,000 toward the payment of the costs for such reports. UIA is an internet service provider headquartered in Ontario and has no financial interest whatsoever in whether the District pursues activation of its fire protection and emergency response services within its jurisdictional boundaries. The Board voted to accept the donation from UIA for the preparation of additional feasibility studies from R&M.

WCSD Board of Directors
February 22, 2022
Page Two

At its duly noticed and agendaized regular Board meeting of December 7, 2021, the Board received the Fire Protection Feasibility Report ("the Report") from R&M. The Report finds in no uncertain terms that it is not financially feasible for the District to provide fire protection and emergency response services and recommends that the District not pursue activation of such powers by LAFCO. The Report has been posted on the District website for public review since December of 2021 and was agendaized again for discussion at the Board's regular meetings of January 4 and February 1, 2022, for the purpose of scheduling a special Board meeting so that Ms. Rollings-McDonald could attend, either physically or remotely, to present the Report and respond to any questions from the Board. That special Board meeting was set for February 22, 2022.

In light of the findings contained in the Report, it is strongly recommended that the Board not pursue LAFCO activation of the District's fire protection and emergency medical response services. While the public testimony received by the Board at its meeting on February 1, 2022, was overwhelmingly opposed to the District pursuing such powers - and unfortunately occasionally crossed over into being personally combative and possibly even defamatory towards individual directors - it is my sincere hope that those members of the public will come to understand and appreciate the precedential value and significant public benefit achieved by the Board for commissioning and potentially formally accepting into its official records an independent report from an unimpeachable consultant paid for by donated monies unencumbered with a personal financial interest that made express and seemingly-incontrovertible findings and reached a definitive and determinative conclusion *completely and entirely consistent with their own position*.

cc: Tamie Keen, WCSD Acting General Manager

Item 5c

Board Discussion And Possible Action



Item 6

Director's Comments



Item 7

Recess to Closed Session
Conference with Legal Counsel –
Significant Exposure to Litigation
pursuant to Government Code Section
54956.9(d)(2): One Potential Case



Item 8

Return to Open Session Announcement of Reportable Action



Future Regular Board
Meeting
March 1, 2022 – 5:30pm



Item 10

Adjournment

