



# COUNTY OF HUMBOLDT

## Legislation Text

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File #: 20-1397, Version: 1

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**To:** Board of Supervisors

**From:** Clerk/Recorder

**Agenda Section:** Consent

**SUBJECT:**

Appointment of Special District Directors

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Receive staff report; and
2. Appoint attached slates of individuals to special district governing boards, pursuant to California Elections Code, Sections 10515 and 10517.

**SOURCE OF FUNDING:**

General Fund

Special Districts

**DISCUSSION:**

Humboldt County currently has 47 special districts with elected governing boards, including community services, fire, water, and other districts. Special district boards are typically comprised of five positions, including two-year and four-year positions. In years past, district board terms would expire biennially in odd-numbered years. Even with a recent shift by many special districts to even-numbered year elections, 37 special districts, including 21 community services districts, 13 fire protection districts, one harbor district, and two other districts are participating in this year's even-numbered year election.

The elections process commences with a candidate filing period during which time qualified Humboldt County residents can file candidacy papers to serve on a district board in the jurisdiction in which they live. Pursuant to California Elections Code, Section 10517, when the number of qualified candidates filing for a position exceeds the number of seats available, the county elections official, the Registrar of Voters, will conduct a general district election to fill the available seats. When the number of qualified candidates filing for a seat equals the number of seats available and no petition requesting an election has been filed, California Elections Code, Section 10515(a) directs the officer conducting the election, the Registrar of Voters, to request the supervising authority, the Board of Supervisors, appoint qualified candidates who have filed candidacy papers; the supervising authority will make these appointments in lieu of an election. However, when the number of qualified candidates is fewer than the number of seats available, California Elections Code, Section 10515(b) directs the supervising authority to appoint a person who is qualified as of the date an election would have been held.

The candidacy filing period for the 2020 Presidential General Election was held from July 13, 2020, through August 7, 2020. Attachment 1 summarizes the results of candidacy for the 2020 Presidential General Election. At the close of the filing period, four of the 37 districts received a greater number of candidate filings than seats available for one or more open seats. California Elections Code, Section 10517, directs the Registrar of Voters to conduct a general election to fill the available seats. At the close of the filing period, 26 of the 37 districts received the same number of candidate filings as seats available for one or more open seats. California Elections Code, Section 10515(a), directs the Board of Supervisors to appoint these qualified candidates in lieu of an election. At the close of the filing period, 22 of the 37 districts received fewer candidate filings than seats available for one or more open seats. California Elections Code, Section 10515(b), directs the Board of Supervisors to appointment a person who is qualified as of November 3, 2020, the date the Presidential General Election was held. The Humboldt County Office of Elections notified districts of available seats and requested districts make recommendations to fill available seats; 17 of the districts notified made recommendations (Attachment 2). As of the close of the filing period, seven of the 37 districts still have a vacancy: Phillipsville Community Services District, Riverside Community Services District, Weott Community Services District, Briceland Fire Protection District, Bridgeville Fire Protection District, Telegraph Ridge Fire Protection District, and Willow Creek Fire Protection District.

Of the district nominations received by the Office of Elections, four districts recommended people who do not meet minimum qualifications as prescribed by Government Code, Section 24001, which states “a person is not eligible to a county or district office, unless he or she is a registered voter of the county or district in which the duties of the office are to be exercised at the time that nomination papers are issued to the person or at the time of the appointment of the person.” Districts making out-of-district recommendations include Alderpoint County Water District, Briceland Community Services District, Garberville Sanitary District, and Myers Flat Fire Protection District.

### **Alderpoint County Water District**

Geoffrey M. Davis lives approximately five miles outside of the Alderpoint County Water District and has lived in Alderpoint for 45 years. Mr. Davis has expressed interest in serving on the Alderpoint County Water District board for many years and attends board meetings regularly. The Alderpoint County Water District recommends the Board of Supervisors appoint Mr. Davis to the district board.

### **Briceland Community Services District**

Joaquin M. Courtemache was appointed to the Briceland Community Services District on September 17, 2019, by the Board of Supervisors as an out-of-district appointment. Mr. Courtemanche owns an annexed parcel in the district’s sphere of influence and has a residence that has historically been served by the Briceland Community Services District. No one from within the district jurisdiction filed candidacy or has expressed interest in serving on the district board. The Briceland Community Services District recommends the Board of Supervisors appoint Mr. Courtemanche to the district board.

### **Garberville Sanitary District**

The Garberville Sanitary District recommends the Board of Supervisors make two out-of-district appointments to the district’s board. Dan Thomas was appointed to the Garberville Sanitary District on January 14, 2020, by the Board of supervisors as an out-of-district appointment. Mr. Thomas lives just outside of the district boundary but votes, conducts business, and socializes within the Garberville Sanitary District. Dan has an interest in community service and as a retired engineer with the California Department of Transportation (Caltrans), he has a wealth of knowledge that will benefit the governing board in making decisions. Soran (Rio) Anderson has served on the district board since 2011. Mr. Anderson has served as Board President for two years, is extremely committed to Garberville, and does a great job representing the customers of the district.

Mr. Anderson owns several homes, apartments, and businesses in Garberville, works in Garberville daily, and involves himself in the Garberville community. The Garberville Sanitary District recommends the Board of Supervisors appoint Mr. Thomas and Mr. Anderson to the district board.

**Myers Flat Fire Protection District**

The Myers Flat Fire Protection District continues to struggle to find willing voters that live within the district to serve on the district board. George Monroe has faithfully served on the district board since 2009 and is an asset to the board. The Myers Flat Fire Protection District recommends the Board of Supervisors appoint Mr. Monroe to the district board.

FINANCIAL IMPACT:

There is no financial impact other than staff time to prepare the staff report.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by providing community-appropriate levels of service.

OTHER AGENCY INVOLVEMENT:

Community Services Districts  
Fire Protection Districts  
Water Districts  
Sanitary District  
Harbor District  
Healthcare District

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board of Supervisors could choose to appoint qualified voters from the respective districts other than those listed in Attachment 2.

ATTACHMENTS:

Attachment 1: Candidacy Results Summary  
Attachment 2: District Recommendations

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A  
Meeting of: N/A  
File No.: N/A