



COUNTY OF HUMBOLDT

Legislation Text

File #: 18-1440, Version: 1

To: Board of Supervisors

From: Clerk/Recorder

SUBJECT:

Appointment of Special District Directors

RECOMMENDATION(S):

That the Board of Supervisors receive staff report; and appoint attached slates of individuals to special district governing boards, pursuant to California Elections Code, Sections 10515 and 10517.

SOURCE OF FUNDING:

General Fund and 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, 15 special districts, including eight community services districts, four fire protection districts, one sanitary district, one harbor district, and one healthcare district 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 2018 Statewide General Election was held from July 16, 2018 through August 10, 2018. At the close of the filing period, five of the 15 districts received a greater number of candidate filings as 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. Attachment 1 summarizes district seats that moved to election. At the close of the filing period, seven of the 15 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. Attachment 2 summarizes qualified candidates who have filed candidacy papers. At the close of the filing period, five of the 15 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 appoint a person who is qualified as of November 6, 2018, the date the Statewide General Election was held. The Humboldt County Office of Elections notified districts of the status of available seats. Attachment 3 summarizes candidates who have been nominated by district governing boards; Attachment 4 provides copies of district correspondence requesting appointment. As of the close of the filing period, 1 of the 15 districts still have a vacancy: Weott Community Services District.

Of the district nominations received by the Office of Elections, one of the district-recommended persons does 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.” The person not meeting minimum qualifications include Richard Wayne Thompson, who is recommended by Garberville Sanitary District but lives outside of the district. Pursuant to Government Code, Section 24001, the Board of Supervisors may waive this requirement “if it finds that the best interests of the county or district will be served.” Garberville Sanitary District has struggled to find willing citizens to serve on this district board. For this reason, the Office of Elections recommends the Board of Supervisors waive this requirement and appoint Richard Wayne Thompson who would otherwise be eligible, pursuant to district recommendation.

FINANCIAL IMPACT:

None

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: Races Moved to Election

Attachment 2: Appointments in Lieu

Attachment 3: Other Appointments

Attachment 4: District Correspondence Requesting Appointment

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A