



COUNTY OF HUMBOLDT

Legislation Text

File #: 21-1566, **Version:** 1

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. Seven (7) special districts, including four community services districts, two fire protection districts, and one parks district participated in the 2021 Consolidated Districts Election on November 2, 2021.

The elections process commences with a candidate filing period during which 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 (ROV), 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 ROV, to request the supervising authority, the Board of Supervisors (BOS), 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 2021 Consolidated Districts Election was held from July 12, 2021 through August 6, 2021. At the close of the filing period, none of the seven districts received a greater number of candidate filings as seats available for one or more open seats. No races moved to election pursuant to California Code of Elections Code, Section 10517.

At the close of the filing period, three of the seven districts received the same or fewer number of candidate filings as seats available for one or more open seat(s). California Elections Code, Section 10515(a), directs the Board of Supervisors to appoint these qualified candidates in lieu of an election. Attachment 1 summarizes qualified candidates who have filed candidacy papers.

At the close of the filing period, four of the seven districts received fewer candidate filings than seats available for one or more open seat(s). California Elections Code, Section 10515(b), directs the Board of Supervisors to appointment a person who is qualified as of November 2, 2021, the date of the Consolidated Districts Election. The Humboldt County Office of Elections notified districts of the status of available seats. Attachment 1 summarizes candidates who have been nominated by district governing boards; Attachment 2 provides copies of district recommendations for appointment.

Of the district nominations received by the Office of Elections, three of the district-recommended persons 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.” Persons not meeting minimum qualifications include Doug Comstock, who is recommended by Orick Community Services District, but lives outside of the district, and Timothy John Tietz and Christine Lee Valk, who are recommended by Garberville Fire Protection District but live 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.” Both Orick Community Services District and Garberville Fire Protection District have struggled to find willing citizens to serve on these district boards. For this reason, the Office of Elections recommends the Board of Supervisors waive this requirement and appoint these persons who would otherwise be ineligible, pursuant to district recommendation.

As of the close of the filing period, three districts still have one or more vacancy: Orick Community Services District, Orleans Community Services District, and Blue Lake Fire Protection District (Attachment 1). The Office of Elections received no district recommendations to fill these vacancies for your board to consider. Your board can fill these vacancies with qualified individuals or leave the seats vacant.

FINANCIAL IMPACT:

Your Board’s approval of the above recommendations results in no direct impact to the county’s general fund beyond staff time used in gathering information for and preparation of this agenda item.

STRATEGIC FRAMEWORK:

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

OTHER AGENCY INVOLVEMENT:

Community Services Districts

Fire Districts

Parks District

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your board could choose to appoint qualified voters from the respective districts other than those listed in Attachments 1.

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