



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Clerk, Recorder and Assessor
Department No.: 062
For Agenda Of: 09/19/2017
Placement: Administrative
Estimated Time: n/a
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director(s) Contact Info: Joseph E. Holland, County Clerk Recorder and Assessor, Registrar of Voters
Renee Bischof (805) 696-8953

SUBJECT: Santa Rita Hills Community Services District Directors to be identified and appointed by the Board of Supervisors

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) In order to facilitate the appointment process required by California Elections Code § 10515, direct the Clerk of the Board to outreach registered voters of the Santa Rita Hills Community Services District with applications for appointment to Santa Rita Hills Community Services District Board of Directors; and
- b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), because it consists of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Summary Text:

Pursuant to California Elections Code § 10515(b), if no person has filed a declaration of candidacy for an office, the supervising authority shall appoint any person to the office who is qualified on the date when the election would have been held. The person(s) appointed shall take office and serve exactly as if elected. "Attachment A" lists vacated seats for the Santa Rita Hills Community Services District where no candidates filed. Your Board is requested to direct the Clerk of the Board to outreach registered voters of the District with applications for appointment to the District's Board of Directors, in order to facilitate the appointment process. At a later time, if applications are received, your Board will be asked to review the applications and appoint directors who are qualified as of the date the election would have been held, November 7, 2017.

Background:

On June 6, 2017 the Board of Supervisors took action to call, provide for and give notice of an election on November 7, 2017 to elect three Directors of the Santa Rita Hills Community Services District. There are no directors on the Santa Rita Hills Community Services District and this election was to provide for a quorum on the District board.

The County Elections Official published a Notice of Election which provided that qualified candidates could file a Declaration of Candidacy from July 17, 2017 through August 11, 2017 in accordance with the time period set forth in California Elections Code Section 10510.

A qualified Candidate must be:

18 years old and a citizen of the state at the time of his or her election or appointment;

A registered voter of the district at which he or she is seeking election;

Not convicted of designated crimes as specified in the Constitution and laws of the State; and,

Not convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury or conspiracy to commit any of these crimes.

E.C. §201; G.C. §§ 1020, 1021, 24001, 61040(a)

For purposes of this section, “conviction of a felony” includes a conviction of a felony in this state and a conviction under the laws of any other state, the United States, or any foreign government or country of a crime that, if committed in this state, would be a felony, and for which the person has not received a pardon from the Governor of this state, the governor or other officer authorized to grant pardons in another state, the President of the United States, or the officer of the foreign government or country authorized to grant pardons in that foreign jurisdiction.

E.C. §20

As 5:00 PM on August 11, 2017, no candidate had filed a Declaration of Candidacy for the Santa Rita Hills Community Services District Special Vacancy Election.

**Special Instructions: Please send a copy of the minute order to the Elections Division,
Attn: Hector Gonzalez-Loera**

Attachments: “Attachment A”

Authored by: Hector Gonzalez-Loera

cc: Joseph E. Holland, Renee Bischof, Heather McCaslin