



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: CEO
Department No.: 012
For Agenda Of: 11/1/2016
Placement: Set Hearing for
11/15/2016
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director(s) Mona Miyasato, County Executive Officer
Contact Info: Michael Allen, Chief Deputy Clerk of the Board of Supervisors
568-2240

SUBJECT: Cachuma Resource Conservation District Board of Directors Appointments in Lieu of Election

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Recommended Actions:

Auditor-Controller Concurrence

As to form: N/A

That the Board of Supervisors on November 1, 2016

- a) Direct the Clerk of the Board or designee to post on November 1, 2016, a notice of vacancy of the Board of Directors of the Cachuma Resource Conservation District pursuant to California Government Code section 54974; and
- b) Set a hearing for November 15, 2016 to consider the appointment of Directors to the Board of Directors of the Cachuma Resource Conservation District in lieu of election pursuant to California Public Resources Code section 9314, as follows:
 - i. Receive and consider additional candidates for the Cachuma Resource Conservation District, should they apply on or before November 15, 2016, or present themselves at the Public Hearing on November 15, 2016, and if none:
 - a. Pursuant to California Public Resources Code section 9314, appoint the following as Directors to the Board of Directors of the Cachuma Resource Conservation District in lieu of election, with terms expiring on November 30, 2018:
 1. Gary Cavaletto;

2. Lee Bettencourt;
 3. Johannah Bradley; and
 4. William Pata; OR
 5. Any other qualified candidate that submits an application on or before November 15, 2016, or that presents themselves at the hearing on November 15, 2016; and
- b. Pursuant to California Public Resources Code section 9314, appoint the following as Directors to the Board of Directors of the Cachuma Resource Conservation District in lieu of election, with terms expiring on November 27, 2020:
1. Dave Hamel; OR
 2. Any other qualified candidate that submits an application on or before November 15, 2016 or that presents themselves at the hearing on November 15, 2016.
- ii) Determine that the appointment of the Directors to the Board of Directors of the Cachuma Resource Conservation District does not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), as the actions are organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and direct staff to file a Notice of Exemption (Attachment B).

Summary Text:

The term of office of the Directors of the Cachuma Resource Conservation District is four years. The expiration of the term of any Director does not constitute a vacancy, and the Director shall hold office until his or her successor has qualified. If additional candidates are interested in being considered they may complete an application available from the Clerk of the Board or on their website at <http://www.countyofsb.org/ceo/cob/boards.sbc> and present themselves for consideration at the hearing on November 15, 2016. If no additional candidates present themselves at the November 15th hearing, and pursuant to Section 9314 of the California Public Resources Code, we recommend that the Board of Supervisors appoint the five qualified applicants listed below as Directors for the Cachuma Resource Conservation District. Each of the applicants has met all qualifications for appointment to the Cachuma Resource Conservation District Board of Directors.

Background:

In 1986, Section 9314 of the California Public Resources Code was amended to allow Resource Conservation Districts to request by resolution that the Board of Supervisors appoint directors to the governing board of their district.

The Board of Directors of the Cachuma Resources Conservation District adopted a resolution requesting that the Board of Supervisors of the County of Santa Barbara appoint the District's directors as provided for in California Public Resources Code Section 9314. Pursuant to Section 9314, the resolution shall remain in effect until rescinded by the Board of Directors of the Cachuma Resource Conservation District, or until a petition requesting the rescission is received by the elections official. The resolution has not been rescinded and remains in effect.

Pursuant to Section 9314 of the California Public Resources Code, we recommend that the Board of Supervisors appoint for the specified terms the five qualified applicants listed below as Directors for the Cachuma Resource Conservation District. Copies of each Application for each of the five Directors requested to be appointed have been included for your consideration (see Attachment A):

Term Ending 11/30/2018

- Gary Cavaletto;
- Lee Bettencourt;
- Johannah Bradley; and
- William Pata

Term Ending 11/27/2020:

- Dave Hamel

A notice of election is not required since the Directors are to be appointed; however, a notice of vacancy is required to be posted pursuant to California Government Code section 54974. Section 54974 requires that a vacancy notice be posted in the office of the Clerk of the Board of the Board of Supervisors of the County of Santa Barbara, the public library with the largest service population within the County of Santa Barbara, and in other places as directed by the Board.

Special Instructions: Please Direct the Clerk of the Board to post on November 1, 2016, a notice of vacancy of the Board of Directors of the Cachuma Resource Conservation District and send a copy of the minute order to the Cachuma Resource Conservation District, Attn: Anne Coates. Thank you.

Attachments:

Attachment A (Applications)

Attachment B (CEQA Notice of Exemption)

Authored by: Mike Allen, 568-2240

cc: Joe Holland
Renee Bischof