



**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: 2/7/2017
Placement: Departmental
Estimated Tme: 20 MIN.
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director(s) Contact Info: Mona Miyasato, County Executive Officer
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

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Consider the appointment of Directors of the Cachuma Resource Conservation District in lieu of election pursuant to California Public Resources Code section 9314, as follows:
 - i. Appoint four Directors to the Board of the Cachuma Resource Conservation District in lieu of election, with terms expiring on November 27, 2020 from the list of qualified candidates:
 - 1. Gary Cavaletto;
 - 2. Lee Bettencourt;
 - 3. Johannah Bradley
 - 4. Patrick Huguenard
 - 5. Cindy Douglas
 - 6. Bruce Steele
 - 7. James Stollberg,
 - 8. David Hamel, or
 - 9. Any other qualified candidate that submits an application on or before February 3, 2017, or that presents themselves at the hearing on February 7, 2017; and

- ii. Appoint one Director to the Board of the Cachuma Resource Conservation District in lieu of election, to a term expiring on November 30, 2018 from the list of qualified candidates:
 - 1. Gary Cavaletto;
 - 2. Lee Bettencourt;
 - 3. Johannah Bradley
 - 4. Patrick Huguenard
 - 5. Cindy Douglas
 - 6. Bruce Steele
 - 7. James Stollberg,
 - 8. David Hamel, or
 - 9. Any other qualified candidate that submits an application on or before February 3, 2017, or that presents themselves at the hearing on February 7, 2017; and
- b) 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:

In a letter to the Board of Supervisors dated September 15, 2016 (Attachment C), the Cachuma Resource Conservation District (CRCD) requested that the Board make appointments to the CRCD Board pursuant to California Public Resources Code section 9314.

The CRCD had identified five Directors who that applied for appointment; Gary Cavaletto, Lee Bettencourt, Johannah Bradley and William Pata for four year terms ending on November 27, 2020 and David Hamel to fill an unexpired term ending on November 30, 2018. Since that time, Director William Pata has resigned from the Board, so his application for appointment has been withdrawn. Additionally, the County has received applications from four additional qualified candidates; Patrick Huguenard, Cindy Douglas, Bruce Steele and James Stollberg. The Board has the discretion to appoint any of the eight applicants to any of the five Director positions. The applications are included as Attachment A.

The term of office for 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. Pursuant to Section 9314 of the California Public Resources Code, we recommend that the Board of Supervisors appoint five directors from the pool of eight qualified applicants as reflected in Attachment A. Each applicant has met the qualifications for appointment to the Cachuma Resource Conservation District Board of Directors.

Pursuant to California Government Code section 54974, the Clerk of the Board posted a notice of vacancy of the Board of Directors of the Cachuma Resource Conservation District on January 23, 2017. The appointments can be made on or after February 6, 2017. Pursuant to Section 9314 of the California Public Resources Code, staff recommends that the Board of Supervisors appoint, for specified terms, five qualified applicants as Directors for the Cachuma Resource Conservation District.

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.

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: Send a copy of the minute order to the Cachuma Resource Conservation District, Attn: Anna Olsen.

Attachments:

Attachment A – Applications

Attachment B – CEQA Notice of Exemption

Attachment C – Letter from Cachuma Resource Conservation District dated September 15, 2016

Authored by: Mike Allen, 568-2240