

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-E

Meeting Date: February 8, 2011

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Consider Appointing a District Representative to Run for Nomination as an Independent Special District Representative Alternate Position on the Local Agency Formation Commission of Monterey County

Detailed Description: The Board of Directors is requested to consider appointing a District representative to run for nomination as an Independent Special District Representative alternate position on the Local Agency Formation Commission of Monterey County (LAFCO).

On January 12, 2011, the LAFCO sent a letter calling for nominations for the selection of Alternate LAFCO Commissioner along with a nomination form and candidate statement form. All nominations are due to LAFCO by 5:00 pm February 15, 2011.

Independent Special Districts have two voting representatives and one alternate representative on the LAFCO. The Regular Member positions are currently filled by Don Champion, North Monterey County Fire Protection District; and Graig Stephens, Soledad Community Health Care District. The Alternate Member position, filled until recently, is open for nominations to fill the position for the remainder of the four-year term that expires in May 2012.

The Independent Special District Selection Committee appoints qualified LAFCO representatives to four-year terms. A qualified representative includes board members of a legislative body of each of the 43 Independent Special District legislative bodies in Monterey County, located wholly within the County of Monterey, and those containing territory within the County representing 50% or more of the assessed value of taxable property of each district.

After the nominations are received, LAFCO will mail ballots to the Independent Special Districts which must be signed by the presiding officer or designee from each Independent Special District.

Prior Committee or Board Action: None.


Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact: ___ Yes X No

Funding Source/Recap: None.

LOCAL AGENCY FORMATION COMMISSION
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KATE McKENNA, AICP
Executive Officer

DATE: January 12, 2011
TO: Members of the Independent Special District Selection Committee
FROM: Kate McKenna, AICP, Executive Officer 
SUBJECT: Call for Nominations for the Selection of Alternate LAFCO Commissioner
(Due February 15, 2011)

Please forward this letter and attachments to qualified candidates serving on your Board of Directors, and request nominees to submit their papers (Attachments 1 and 2) to the LAFCO office by February 15, 2011 at 5:00 p.m.

I am writing to request nominations to fill the remainder of a four-year term for the Alternate Independent Special District representative on the Local Agency Formation Commission of Monterey County (LAFCO). The term expires in May 2012. The Alternate Member may participate in Commission deliberations, and may vote in the absence of either of the two Regular Members. Currently, your Regular Member Special District representatives on LAFCO are Don Champion (North Monterey County Fire Protection District) and Graig Stephens (Soledad Community Health Care District).

Any person qualified to serve as an Independent Special District representative to LAFCO may submit a nomination. Nominations are submitted by individuals, not by their Board of Directors. The main qualification is to be a board member of a legislative body of one of the 43 Independent Special District legislative bodies in Monterey County, located wholly within the County of Monterey, or containing territory within the County representing 50% or more of the assessed value of taxable property of each district. Please note that the board member cannot also be a member of a city or county legislative body.

Other criteria address the composition of district representatives on LAFCO: To the extent possible, it is desirable that district Commissioners "represent a broad cross-

section of services and County geography...” Also, at no time shall the three district Commissioners “come from agencies that provide like services...”

To submit a nomination, please complete and return Attachments 1 and 2 to the LAFCO office by February 15. I’ll review and verify the qualifications of each nominee. If only one qualified nomination is received, that person will be seated as the Alternate Member without an election. If more than one qualified nomination is received, I’ll prepare a ballot and conduct an election on your behalf.

These procedures are in accordance with State law and a selection process adopted by the Independent Special District Selection Committee in 2002 (see Attachment 3). The Selection Committee is comprised of the presiding officer (Board Chair) or designee from each of the 43 independent special districts. The main duty of the Selection Committee is to select three representatives to serve on LAFCO for four-year terms.

It is a privilege to assist the Independent Special Districts in this selection process. Please contact me if you have questions or would like more information.

Attachments

1. Nomination Form to Declare Candidacy
2. Candidate Statement for Ballot
3. Selection Process and Criteria

Attachment 1

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE

**NOMINATION FORM TO DECLARE CANDIDACY AND
REQUEST NAME ON BALLOT FOR THE LAFCO ALTERNATE POSITION**

Due Date: February 15, 2011

Nominations will be considered to fill the remainder of a four-year term for the Alternate seat for an Independent Special District Commissioner on the Local Agency Formation Commission of Monterey County. The term will expire in May 2012. The Alternate Member may participate in Commission deliberations, and may vote in the absence of a Regular Member.

Nomination Deadline and Process:

Nominations must be received in the Local Agency Formation Commission Office by **February 15, 2011** at 5:00 p.m. Qualified persons may submit their own nominations (no Board action is needed). Please submit this Nomination Form (Attachment 1) and a Candidate Statement (Attachment 2). You may email the completed forms to mckennak@monterey.lafco.ca.gov OR fax them to 831-754-5831 OR mail them to P.O. Box 1369, Salinas, CA 93902 OR hand-deliver them to 132 W. Gabilan Street, Suite 102 in Salinas.

Nomination Statement:

"I, _____, hereby declare myself a candidate for the election to the position of Alternate Commissioner of the LAFCO of Monterey County. I am an elected or appointed Monterey County Independent Special District board member residing within the county and not a member of a legislative body of a city or county. If elected, I will qualify and accept the office of Alternate LAFCO Commissioner for which I am selected and serve to the best of my ability. I request my name be placed on the official ballot of the Independent Special District Selection Committee for the LAFCO Alternate position."

Nominee Information:

Name: _____

Address: _____

Phone and e-mail: _____

District represented: _____

Your position with the district: _____

Number of years as a district board member: _____

Reasons for wanting to be elected a LAFCO Commissioner: _____

Qualifications and background: _____

Attachment 2

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE

CANDIDATE STATEMENT FOR BALLOT

Due Date: February 15, 2011

Each nominee for the position of Alternate Independent Special District LAFCO Commissioner is requested to complete this brief statement about his or her candidacy. Each statement may include qualifications, background, and any other pertinent information. All statements received will be included with the ballots sent to the Independent Special Districts.

Process and Deadline:

Please return this Candidate Statement (Attachment 2) and the Nomination Form (Attachment 1) to the LAFCO office by **February 15, 2011** at 5:00 p.m. You may email the completed forms to mckennak@monterey.lafco.ca.gov OR fax them to 831-754-5838 OR mail them to P.O. Box 1369, Salinas, CA 93902 OR hand-deliver them to 132 West Gabilan Street in Salinas.

Candidate's Statement:

Signed: _____
Name (Printed): _____
District: _____
Date: _____

Attachment 3

Independent Special District Selection Committee Commissioner Selection Process and Criteria

Approved by the Independent Special Districts of Monterey County on June 13, 2002

Special District Representation. Pursuant to California Government Code Section 56325, independent special districts (ISD) shall have two representatives plus one alternate on the Local Agency Formation Commission (LAFCO) of Monterey County.

Purpose of ISD Selection Committee. The primary purpose of the Independent Special District Selection Committee (ISDSC) shall be to appoint two regular and one alternate special district representatives to LAFCO. Meetings of the ISDSC shall be in accordance with the Government Code Section 56332.

Method of Selection of ISD Members to LAFCO. The ISDSC shall be comprised of the presiding officer of the legislative body of each of the 42 ISD legislative bodies in Monterey County, located wholly within the County of Monterey, and those containing territory within said county representing 50% or more of the assessed value of taxable property of each district. If the presiding officer of an ISD is unable to attend a meeting of the ISD, the legislative body of the district may appoint one of its members in the presiding officer's place. Each ISDSC member shall be entitled to one vote for each ISD of which he or she is the presiding officer or designated ISD representative, for each position or issue being considered. A majority of the 42 ISDs (22) shall constitute a quorum for the conduct of business. Only those ISDSC members or their appointed alternates present at scheduled ISDSC meetings shall be eligible to vote. The ISDSC may also from time to time determine to conduct voting using mail ballots. Mail ballots shall be completed and signed only by ISDSC members or their designated alternates.

Term of Office. Other than the initial ISD LAFCO representatives, the term of office for the Commissioners appointed by the ISDSC shall be four years and until the appointment and qualification of a successor (Government Code Section 56334). Every officer whose term has expired shall continue to discharge his or her duties until a successor has qualified. A member's term of office on LAFCO will cease immediately if he or she ceases to occupy a special district seat. The Government Code also provides that a member may be removed at any time and without cause upon a majority vote of the ISDSC.

Composition of ISD Commissioners on LAFCO. To the extent possible, it is desirable that the two ISD Commissioners on LAFCO represent a broad cross-section of services and County geography of the 42 eligible ISDs. At no time shall the two regular and one alternate ISD LAFCO Commissioners come from agencies that provide like services (i.e., fire protection, cemeteries, community services districts, recreation and park districts, health care districts, etc.) Any election that would result in the two regular ISD members being from agencies that provide like service shall be immediately deemed invalid, and a subsequent ballot will be prepared excluding the conflicting class of candidates.

Nominations. Any person qualified to serve as an ISD representative to LAFCO shall be qualified to submit a nomination, which shall be accompanied by a brief resume on a form provided by the ISDSC.

Sequential Balloting. If there is more than one LAFCO position to fill, sequential balloting will be held in the following order using a ballot with names of all eligible nominees:

- (1) Full term, regular member
- (2) Partial term, regular member
- (3) Alternate member

If a candidate is elected to a position, his or her name will be crossed out on the subsequent ballots.

Initial Elections (May-June 2002). The initial positions for the ISD Commissioners shall consist of two regular members and one alternate member. Sequential balloting shall be held to determine the selections for each position.

Round one of the initial balloting shall consist of all qualified nominees. After the ballots are counted, the candidate with the majority vote shall be elected as a full term regular ISD Commissioner with a 4-year term.

The second round of the initial balloting shall consist of all the remaining qualified candidates, excluding any candidate from a district providing like service of the ISD Commissioner elected in the first round of balloting. After the ballots are counted, the candidate with the majority vote shall be elected as a full term regular ISD Commissioner with a 2-year term.

The third round of the initial balloting shall consist of all the remaining qualified candidates, excluding any candidate from a district providing like service of the two ISD Commissioners elected in the first and second rounds of balloting. After the ballots are counted, the candidate with the majority vote shall be elected as the alternate ISD Commissioner with a 2-year term.

In any round of voting where no one candidate receives a majority vote, the top three candidates with the most votes will be entered into a subsequent round of voting. More than three persons will be entered if necessary because of a tie vote. If no one candidate receives a majority vote, the top two candidates will be entered into another round of voting. The person receiving the majority of votes will be elected to the position.

Subsequent Elections. If a vacancy occurs in one of the ISD full term regular member positions, the alternate member shall automatically fill the vacated full term position for the remainder of the existing term. As additional vacancies occur in the full term and/or alternate member positions, the ISDSC shall elect new ISD Commissioners, ensuring that at all times the three ISD positions are filled by Commissioners from districts providing different services. If more than one vacancy exists at the same time, the ISDSC shall use sequential balloting to elect the new Commissioners.