

**RESOLUTION OF THE SANTA BARBARA COUNTY INDEPENDENT
SPECIAL DISTRICT SELECTION COMMITTEE ADOPTING RULES AND
PROCEDURES FOR SELECTING LAFCO COMMISSIONERS**

SELECTION COMMITTEE BYLAWS

Whereas, the Independent Special District Selection Committee elects the special district members, which includes the alternate member, of the Local Agency Formation Commission ("LAFCO") and

Whereas, the Selection Committee is formed and operates pursuant to Government Code Section 56332, a copy of which is attached, and

Whereas, the Selection Committee hereby adopts these Selection Committee Bylaws for the orderly and proper conduct of Committee business,

Now, therefore, it is hereby resolved and determined by the Selection Committee as follows.

1. **Independent Special District Selection Committee (SDSC).** The Selection Committee consists of the presiding officer of each independent special district. However, if the presiding officer is unable to attend a meeting, the district legislative body may appoint in writing one of its members to attend in the presiding officer's place.

Each member of the committee shall be entitled to one vote for each independent special district of which he or she is the presiding officer or representative.

2. **Meetings.** As set forth in the Government Code the LAFCO Executive Officer shall call and give notice of Selection Committee meetings. The Executive Officer shall prepare and retain records of Selection Committee proceedings.

Pursuant to Government Code section 56332(b), the Executive Officer shall call and give written notice of a Selection Committee meeting under either of the following circumstances:

(a) Whenever a vacancy exists among the members or alternate members representing independent special districts upon the commission.

(b) Upon receipt of a written request by one or more members of the selection committee representing districts having 10 percent or more of the assessed value of taxable property within the county, as shown on the last equalized county assessment roll.

The Executive Officer shall consult with the Chair and/or Vice Chair of the Selection Committee in determining when to schedule Selection Committee meetings and the contents of the agenda for the meeting.

3. **Quorum.** Members representing a majority of the eligible districts shall constitute a quorum. (Gov. Code § 56322.) A majority of any quorum present at any meeting shall be sufficient for the Selection Committee to take any action, unless otherwise required by law.

Each member of the Selection Committee shall register with the Executive Officer upon arriving at the meeting and shall be entitled to one vote for each eligible district for which they are the presiding officer or designated representative.

4. **Brown Act.** The Selection Committee is subject to the Brown Act, Government Code section 54950 *et. seq.* that governs open meetings for local government bodies. All meetings of the Selection Committee shall be conducted in accordance with this Act, including the preparation of agendas, which shall be posted at least 72 hours prior to any meeting at the following locations:

A County Administration Building, 105 East Anapamu Street, Santa Barbara where other agendas are posted for public view

B. Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria where other agendas are posted for public view

C.: Additional notification MAY be posted at special district offices and on electronic media.

5. **Selection of Officers.** The Selection Committee shall choose from eligible members a Chair who is the Presiding Officer of the Committee and a Vice Chair. If the Chair is not able to preside over a meeting, the Vice Chairman shall do so.

The Chair and Vice Chair will remain in those positions as long as they are members of Selection Committee and until the Selection Committee selects their replacements.

Each Selection Committee meeting shall have an item early on the agenda for the "Retention or Selection of Chair and/or Vice Chair" in recognition of the fact that the Selection Committee is composed of the presiding officer of each special district (or designated representative), and those positions tend to be filled by different district board members from year to year,

6. **Scheduling Selection Committee meetings.** LAFCO Commissioners serve four- year terms of office that end on March 1. The following schedule will be used for filling vacancies on the Commission recognizing that these times are directory and not mandatory.

a) On or about November 1, four months (sixteen weeks) prior to the expiration of a special district member or alternate special district member term of office,

the Executive Officer shall notify all independent special districts of the forth coming vacancy and invite nominations for the position.

b) That notice shall also establish a date for a Selection Committee meeting at which time the vacancy will be filled. If possible the Selection Committee meeting shall be held not less than two and a half months (ten weeks) after the notice of upcoming vacancy is mailed to each special district.

c) The notice of upcoming vacancy will establish a deadline for the submittal of nominations, said deadline being not less than one and a half months (six weeks) after the notice is mailed.

d) When nominations are received, they should be copied and mailed to the presiding officer of each special district not less than two months (four weeks) prior to the Selection Committee meeting at which time they are to be considered.

e) If a member's seat becomes vacant before the end of his or her term the vacancy shall be filed by the Special District Selection Committee as provided by law.

7. **Nominations.** Each nomination shall be submitted to the LAFCO Executive Officer on a Selection Committee nomination form. Nominations may include any additional materials the nominee wishes to have distributed to voting members. Nominations may be made by individual board members or by an independent special district board.

Each nomination shall indicate the position being sought, either regular member or alternate member. If there are two vacancies and an individual wishes to be considered for both, separate nomination forms must be submitted for each position.

8. **Filling a Mid-Term Vacancy.** If a regular member resigns or leaves office before the end of his/her term, the Executive Officer shall notify all special districts and schedule a meeting of the Selection Committee to make an appointment to fill the remainder of that term.

9. **Conduct of Elections at Selection Committee meetings.** Elections to fill vacancies shall be by written ballot. Voting representatives must be present at the time votes are cast. Any ballot that is not signed shall not be counted. This vote shall be a public record.

- a) A separate vote for each position to be filled shall occur.
- b) Prior to the election, nominees or their representatives will be allowed to make brief comments supporting their election.
- c) Election shall be by a majority of those voting, and not by a plurality. In the event that a nominee does not receive a majority of votes cast, a runoff


election shall be held between the two nominees receiving the highest number of votes.

10. **Conduct of Elections Where Meeting is Not Feasible.** If a quorum is not present at a properly noticed Selection Committee meeting, the preferred option is to attempt to convene a meeting on another date. If the attempt to convene a second meeting is not successful, the Executive Officer shall pursuant to Government Code section 56332(c) proceed to conduct the election by a mail-in ballot, as provided by law.

- a) The Executive Officer shall notify each known nominee that a mail-in ballot will be held and provide them with at least three working days to submit additional information to be distributed with the ballot, if they wish.
- b) Information about nominees that is distributed with mailed ballots should be the same as that distributed initially with nominations, however, any candidate may amend their statements or provide additional information to go with the mailed ballot should they choose to do so.
- c) Separate ballots will be mailed for each position to be filled. The Executive Officer shall announce a deadline for the submittal of mail-in ballots which shall be at least two weeks after the ballots are mailed.
- d) Each ballot shall be signed and dated. Any ballot not signed and dated or received after the deadline shall be disqualified and not be counted.


11. **Results of Election.** The LAFCO Executive Officer shall inform in writing all special districts of the results of the elections that are conducted to fill special district members on the Commission.

PASSED AND ADOPTED by the Independent Special District Selection Committee of Santa Barbara County, California, this 22nd day of February, 2010 by a show of hands in which a majority of those voting approved these Bylaws.



Michael Damron, Chair
Independent Special District Selection Committee

ATTEST:



Bob Braitman
LAFCO Executive Officer and ex officio
Clerk of the Special Districts Selection Committee

G.C. Section 56325 Regarding Commission Composition

(c) Two presiding officers or members of legislative bodies of independent special districts selected by the independent special district selection committee pursuant to Section 56332. The independent special district selection committee shall also designate a presiding officer or member of the legislative body of an independent special district as an alternative member who shall be appointed and serve pursuant to Section 56332. The independent special district selection committee is encouraged to make selections that fairly represent the diversity of the independent special districts in the county, with respect to population and geography.

G.C. 56332 Regarding Special District Selection Committee

(a) The independent special district selection committee shall consist of the presiding officer of the legislative body of each independent special district. However, if the presiding officer of an independent special district is unable to attend a meeting of the independent special district selection committee, the legislative body of the district may appoint one of its members to attend the meeting of the selection committee in the presiding officer's place. Those districts shall include districts located wholly within the county and those containing territory within the county representing 50 percent or more of the assessed value of taxable property of the district, as shown on the last equalized county assessment roll. Each member of the committee shall be entitled to one vote for each independent special district of which he or she is the presiding officer. Members representing a majority of the eligible districts shall constitute a quorum.

(b) The executive officer shall call and give written notice of all meetings of the members of the selection committee. A meeting shall be called and held under either of the following circumstances:

(1) Whenever a vacancy exists among the members or alternate members representing independent special districts upon the commission.

(2) Upon receipt of a written request by one or more members of the selection committee representing districts having 10 percent or more of the assessed value of taxable property within the county, as shown on the last equalized county assessment roll.

(c) (1) If the executive officer determines that a meeting of the special district selection committee, for the purpose of selecting the special district representatives or for filling a vacancy, is not feasible, the executive officer may conduct the business of the committee in writing, as provided in this subdivision. The executive officer may call for nominations to be submitted in writing within 30 days. At the end of the nominating period, the executive officer shall prepare and deliver, or send by certified mail, to each independent special district one ballot and voting instructions.

(2) As an alternative to the delivery or certified mail, the executive officer, with the prior concurrence of the district, may transmit the ballot and voting instructions by electronic mail, provided that the executive officer shall retain written evidence of the receipt of that material.

(3) The ballot shall include the names of all nominees and the office for which each was nominated. The districts shall return the ballots to the executive officer by the date specified in the voting instructions, which date shall be at least 30 days from the date on which the executive officer mailed the ballots to the districts.

(4) If the executive officer has transmitted the ballot and voting instructions by electronic mail, the districts may return the ballots to the executive officer by electronic mail, provided that the executive officer retains written evidence of the receipt of the ballot.

(5) Any ballot received by the executive officer after the specified date is invalid. The executive officer shall announce the results of the election within seven days of the specified date.

(d) The selection committee shall appoint two regular members and one alternate member to the commission. The members so appointed shall be elected or appointed special district officers residing within the county but shall not be members of the legislative body of a city or county. If one of the regular district members is absent from a commission meeting or disqualifies himself or herself from participating in a meeting, the alternate district member may serve and vote in place of the regular district member for that meeting. The representation by a regular district member who is a special district officer shall not disqualify, or be cause for disqualification of, the member from acting on a proposal affecting the special district. The special district selection committee may, at the time it appoints a member or alternate, provide that the member or alternate is disqualified from voting on proposals affecting the district of which the member is a representative.

(e) If the office of a regular district member becomes vacant, the alternate member may serve and vote in place of the former regular district member until the appointment and qualification of a regular district member to fill the vacancy.