



Agenda Submittal

Agenda #: 22 **Status:** Consent Calendar
Type: Resolution **Department:** County Counsel
File #: 18-743 **Contact:** Dennis Bunting, 784-6140
Agenda date: 10/23/2018 **Final action:** 10/23/2018
Title: Adopt a resolution to appoint Page Baldwin, Jr., and Mark Young for terms to expire December 6, 2019, and Matt Gause for a term to expire December 3, 2021 as Trustees of Reclamation District No. 2084
Governing body: Board of Supervisors
District: All
Attachments: 1. A - Resolution, 2. B - RD 2084 Correspondence, 3. Adopted Resolution, 4. Minute Order

Date	Ver.	Action By	Action	Result
10/23/2018	1	Board of Supervisors	Adopted	

Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to appoint Page Baldwin, Jr., and Mark Young for terms to expire December 6, 2019, and Matt Gause for a term to expire December 3, 2021 as Trustees of Reclamation District No. 2084.

SUMMARY/DISCUSSION:

Reclamation districts are governed by boards of trustees, which are composed of landowners or their legal representatives in the district. As a rule, trustees are elected by mail-ballot elections occurring in odd-numbered years. Once an election is called, a district solicits nominations. If, on the 54th day prior to the election, the number of nominees does not exceed the number of vacancies, the district may cancel the election and ask the board of supervisors to appoint the persons nominated. If no person has been nominated, the district may ask the board of supervisors to appoint any qualified person.

The trustees serve 4 year terms and the terms are staggered: historically every two or four years. (Water Code section 50602.) Under the election statutes, the terms of the trustees expire on the first Friday in December of odd-numbered years. (Elections Code section 10505.)

Reclamation District No. 2084 has a three-member Board of Trustees. Recently, Westervelt Inc. purchased the entire tract [Little Egbert Tract] on which the District is located. On September 20, 2018, prior to the close of escrow and subject to the Board of Supervisors' approval, the Trustees confirmed the reappointment of Page Baldwin, Jr., for a four-year term ending on December 6, 2019, appointed Mark Young to complete the balance of Trustee Robert J. Hilardes' current term ending on December 6, 2019, effective September 21, 2018 on the resignation of Mr. Hilardes, and appointed Matt Gause to complete the balance of Trustee Mark Swall's current term ending December 3, 2021, effective on September 21, 2018 on the resignation of Mr. Swall. Concurrently with the sale of the property, Trustee Baldwin's term expired because it coincided with the appointing authority's ownership of the property and Trustees Hilardes and Swall submitted their resignations, which created three mid-term board vacancies.

Because there is only one landowner within Reclamation District No. 2084, there was no need to publish a notice calling for nominations to replace the trustees pursuant to Water Code section 50731.5, nor is there any reason to hold an election. The landowner requests that the Board approve the appointments of Page Baldwin, Jr., Mark Young and Matt Gause for the following terms:

Page Baldwin, Jr.:	Term to expire December 6, 2019
Mark Young:	Term to expire December 6, 2019
Matt Gause:	Term to expire December 3, 2021

FINANCIAL IMPACT:

The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2018/19 Adopted Budget. There is no other cost to the County involved in making these appointments.

ALTERNATIVES:

The Board could choose not to make these appointments. This option is not recommended as the proposed Trustees were approved by the sole landowner within the District.

OTHER AGENCY INVOLVEMENT:

Reclamation District No. 2084 forwarded the correspondence to the Board of Supervisors.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION