

Livermore Area Recreation and Park District

Staff Report

TO: Chair Pierpont and Board of Directors

FROM: Mathew L. Fuzie, General Manager

PREPARED BY: Linda VanBuskirk, Executive Assistant to the General Manager

DATE: March 10, 2021

SUBJECT: Nomination for the Alternate Special District Member on LAFCo

RECOMMENDATION: That the Board of Directors approve Resolution No. ____, nominating a member of the Board to run for the Alternate Special District seat for the upcoming election to the Local Agency Formation Commission (LAFCo) Board of Directors.

BACKGROUND: The District received the attached letter, dated February 8, 2021, from Alameda Local Agency Formation Commission (LAFCo) announcing a vacancy for the Alternate Special District seat on LAFCo. The seat may be filled with an elected director of either an enterprise or non-enterprise special district (LARPD is a non-enterprise special district), who must also meet eligibility requirements that are attached to the letter. Candidate nominations are due Friday, May 7, 2021. The incumbent, Georgean Vonheeder-Leopold, from the Dublin San Ramon Services District, has indicated that she plans to seek re-election.

This item is designed to check to see if the Board wishes to nominate one of their own members and affirm that nomination with a resolution of support, or determine that there is no interest by any members of the Board and take no action.

Lastly, the selection to LAFCo for this position is delegated by LAFCo to the Independent Special District Selection Committee (ISDSC), made up of the chairs of the Boards of the members of the Alameda County Special Districts Association (ACSDA). This election is scheduled to take place on Wednesday, May 12, 2021 at 10 a.m., after the regular Alameda County Special District Association meeting. The chair, or their designee, should plan to attend to cast the vote representing the District. In the past, our Board's liaison to ACSDA, Maryalice Faltings, has been designated by the chair to vote on behalf of the District. Staff asks the chair to make this determination and provide direction as to whether the chair wishes to attend that meeting and cast the vote, or if the chair wishes to designate Director Faltings to represent the District for the vote in this election.

The attached letter and information was provided by LAFCo.

ATTACHMENT: LAFCo Letter Dated Feb. 8, 2021 with attachments





Alameda Local Agency Formation Commission

February 8, 2021

Board Presidents
Independent Special District Selection Committee

SUBJECT: Alameda LAFCO – Notice of Alternate Special District Seat Term Expiration

Dear Committee Members:

This letter serves as notice that the term of the Alternate Special District Member on the Alameda Local Agency Formation Commission (LAFCO) will expire on May 3, 2021 (the first Monday of May). Therefore, Alameda LAFCO, in conjunction with the Alameda County Chapter of the California Special District Association, is calling a meeting of the Alameda County Independent Special District Selection Committee (ISDSC) for **Wednesday, May 12, 2021 at 10:00 A.M.**, after the regular Alameda County Special District Association meeting. Candidate nominations are due **Friday, May 7, 2021**. Please note that the incumbent, Georgean Vonheeder-Leopold, has indicated that she plans to seek re-election.

Alameda LAFCO’s mission is to work for the citizens and government agencies of Alameda County by encouraging efficient municipal services, balancing infrastructure needs for sustainable growth, and conserving the environment and public resources such as prime agricultural and open space land. Being on LAFCO offers an opportunity for special districts to have a voice in governmental reorganization issues potentially affecting them, as well as the County overall. The independent special districts in Alameda County have had two regular seats and one alternate seat on Alameda LAFCO since July 1994.

The purpose of the ISDSC is to elect special district members to LAFCO. The ISDSC consists of the presiding officers of the legislative bodies of each independent special district in Alameda County. Pursuant to Government Code Section 56322, and the ISDSC rules, a district’s Board may appoint one of its members to attend the meeting if the presiding officer is unable to attend. For your information, enclosed are the ISDSC rules (Attachment 1) and Government Code Section 56322 (Attachment 2).

For this election each independent special district is entitled to nominate one Board Member. For the alternate seat, nominees can be from either enterprise or non-enterprise districts. The nominees must meet the eligibility requirements outlined in Section VI of the ISDSC’s rules. A nomination and voting delegate form is enclosed for your use (Attachment 3). Eligible nominees may circulate a statement of qualifications prior to or at the May 12th ISDSC meeting.

Per the ISDSC’s rules, any district nominating, a candidate must ratify that nomination by Board resolution. Furthermore, upon nomination, the nominating district must provide written notice to all other districts of their candidate selection. No resolution is needed from a district that does not wish to nominate a candidate. Attached is a list of each district’s contact information (Attachment 4).

Administrative Office
Rachel Jones, Executive Officer
224 West Winton Avenue, Suite 110
Oakland, Hayward 94544
T: 510.670.6267
www.acgov.org/lafco

David Haubert, Regular
County of Alameda

Nate Miley, Regular
County of Alameda

Wilma Chan, Alternate
County of Alameda

Vacant, Regular
City Member

Vacant, Regular
City Member

Vacant, Alternate
City Member

Ralph Johnson, Regular
Castro Valley Sanitary District

Ayn Wieskamp, Regular
East Bay Regional Park District

Geogean Vonheeder-Leopold, Alternate
Dublin San Ramon Services District

Sblend Sblendorio, Regular
Public Member

Vacant, Alternate
Public Member

Friday, May 7, 2021

Nominations are due from each district. Please complete and return the attached form to Alameda LAFCO. Please note that pursuant to Government Code Section 56332, "if only one candidate is nominated for a vacant seat, that candidate shall be deemed selected, with no further proceedings."

Friday, May 7, 2021

Each district submits the name of the presiding officer or designee who will be voting at the May 12th meeting. Please complete and return the attached form to Alameda LAFCO.

Before, Wednesday, May 12, 2021

All nominating agencies must ratify their district's nominee via board resolution and send notice of the nomination to the presiding officers of all the other districts (see attached contact information). Please submit a copy of the resolution to Alameda LAFCO.

Wednesday, May 12, 2021

The ISDSC's meeting location or meeting link will be provided by **Friday, May 7, 2021**.

Should you have any questions, please contact me directly by telephone at 510.670.6267 or by e-mail at rachel.jones@acgov.org.

Sincerely,



Rachel Jones
Executive Officer

Attachments:

1. ISDSC Rules
2. Government Code Section 56332
3. Nomination and Voting Delegate Form
4. Special District Contact Information

Revised 1/14/04

RULES
FOR THE LAFCO
INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE

Adopted April 13, 1994

By: Alameda County Chapter, California Special Districts Association

SECTION I PURPOSE

The purpose of the Independent Special District Selection Committee (ISDSC) shall be to appoint the regular and alternate special district members to the Alameda County Local Agency Formation Commission (LAFCo) whenever a vacancy exists among members representing independent special districts (Government Code Section 56332).

SECTION II MEMBERSHIP

The ISDSC shall be composed of the presiding officer of the legislative body of each independent special district either located wholly within Alameda County or containing territory within Alameda County that represents 50% or more of the assessed value of taxable property of the district. The district may appoint one of its members as an alternate ISDSC member in the event the presiding officer is unavailable (Government Code Section 56332).

SECTION III MEETINGS

The LAFCo Executive Officer shall give written notice to the presiding officer of each eligible independent special district that a meeting of the ISDSC will be held on a specified date and at a specified time and place pursuant to:

- A. A vacancy existing among the members or alternate member representing independent special districts upon the Commission; or
- B. Receipt of a written request by one or more members of the ISDSC representing districts having 10% or more of the assessed value of taxable property within Alameda County (Government Code Section 56332).

All meetings of the ISDSC shall be open meetings and comply with all applicable provisions of the Ralph M. Brown Act.

SECTION IV QUORUM

Each presiding officer or alternate member attending the meeting shall be required to register their attendance. Members representing a majority of the eligible districts shall constitute a quorum for the conduct of the ISDSC business. No meeting shall be convened by the LAFCo Executive Office prior to establishing a quorum.

SECTION V VOTING

Each member of the ISDSC shall be entitled to one vote for each independent special district of which he or she is the presiding officer (Government Code Section 56332).

SECTION VI ELIGIBILITY

To be eligible for nomination and selection to the Alameda County Local Agency Formation Commission, an individual:

- A. Must be an elected or appointed independent special district officer within Alameda County (Government Code Section 563323);
- B. Must be a resident of Alameda County (Government Code Section 563323);
- C. Must not be a member of the legislative body of a city or county (Government Code Section 563323);
- D. Must act in such a manner so as to represent the diverse interests of all agencies, not his or her individual district; and
- E. Must be willing to make a time commitment to fulfilling his or her county-wide role representing all special districts.

An elected or appointed independent special district board member who is an employee of the State of California, a county, a city, or a special district is eligible for nomination and selection to the Commission as a special district representative (Government Code Section 563323).

SECTION VII SEATING DESIGNATION

The seating of special district representatives on the Alameda County Local Agency Formation Commission shall be in accordance with the following designations:

- 1. One regular seat shall be designated as an "Enterprise District" seat;
- 2. One regular seat shall be designated as a "Non-Enterprise District" seat; and

3. One alternate seat shall be designated from either an Enterprise or Non-Enterprise district.

An "Enterprise" district is defined as any jurisdiction that derives the majority of its total revenues from user fees and/or service charges.

A "Non-Enterprise" district is defined as any jurisdiction that derives the majority of its total revenues from property taxes.

SECTION VIII NOMINATING PROCESS

Each independent special district shall be entitled to nominate a maximum of one board member from any district.

Each special district board shall determine its own internal process for selecting a name to be placed in nomination and for ensuring said nominee meets the eligibility criteria as set forth in Section VI.

- Districts are required to ratify said nominee by adoption of a board resolution.

Upon selection of a district nominee, the presiding officer of the district shall provide written notification of their nominee to the presiding officers of all other independent special districts.

An eligible district nominee may circulate a statement of his/her qualifications prior to the date of the ISDSC meeting.

SECTION IX BALLOTING PROCESS

At the meeting of the ISDSC, the balloting shall be conducted in accordance with the following:

- A. If vacant, the first balloting shall be for selection of the "Enterprise District" representative. The candidate receiving a simple majority shall be declared the winner. In the event of a tie or no majority winner, a run-off ballot(s) shall be conducted.
- B. If vacant, the second balloting shall be for selection of the "Non-Enterprise District" representative. The candidate receiving a simple majority shall be declared the winner. In the event of a tie or no majority winner, a run-off ballot(s) shall be conducted.
- C. If vacant, the third balloting shall be for selection of the alternate representative. The candidate receiving a simple majority shall be declared the winner. In the event of a tie or no majority winner, a run-off ballot(s) shall be conducted.

When previous balloting has taken place for Enterprise and/or Non-Enterprise vacancies, the ballot for the alternate representative shall also include the names of all non-winning candidates from the other ballots, if the candidate so desires.

Upon completion of the balloting, the ISDSC shall provide written notification to the LAFCo Executive Officer of the name(s) of the Committee's appointment(s) to the Commission.

SECTION X ALTERNATE NOMINATING AND BALLOTING PROCESS

In the event that the LAFCo Executive Officer determines that securing a quorum of ISDSC members for a meeting is not feasible, the LAFCo Executive Officer may conduct business of the ISDSC in writing (Government Code Section 56332).

SECTION XI TERMS OF OFFICE

Regular representatives shall serve staggered four year terms. The alternate representative shall serve a four year term.

If a representative or alternate is unable to complete a full term, and more than one year is remaining in the uncompleted term, a nominating and balloting process shall be conducted in accordance with these bylaws.

The expiration date of the term of office of each member shall be the first Monday in May in the year in which the term of the member expires (Government Code Section 56334).

Any district member may be removed at any time and without cause by a majority vote of the ISDSC, as the appointing body (Government Code Section 56334). Failure to attend three regular Commission meetings in a calendar year may be grounds for possible removal by the ISDSC.

SECTION XII MEMBER DISQUALIFICATION

At the time of appointment of a regular member or alternate, the ISDSC may, by majority vote, provide that the member or alternate is disqualified from voting as a member of the Commission on any proposal affecting the district of which the member is a representative (Government Code Section 56332).

State of California

GOVERNMENT CODE

Section 56332

56332. (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 participate in a meeting or election of the independent special district selection committee, the legislative body of the district may appoint one of its members as an alternate to participate in 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 or his or her alternate as designated by the governing body. 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 one of the following circumstances:

(1) Whenever the executive officer anticipates that a vacancy will occur within the next 90 days among the members or alternate member representing independent special districts on the commission.

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

(3) 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) The selection committee shall appoint two regular members and one alternate member to the commission. The members so appointed shall be elected or appointed members of the legislative body of an independent special district 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. Service on the commission by a regular district member shall not disqualify, or be cause for disqualification of, the member from acting on proposals affecting the special district on whose legislative body the member serves. 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 on whose legislative body the member serves.

(d) 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.

(e) A majority of the independent special district selection committee may determine to conduct the committee's business by mail, including holding all elections by mailed ballot, pursuant to subdivision (f).

(f) If the independent special district selection committee has determined to conduct the committee's business by mail or if the executive officer determines that a meeting of the special district selection committee, for the purpose of appointing the special district members or filling vacancies, is not feasible, the executive officer shall conduct the business of the committee by mail. Elections by mail shall be conducted as provided in this subdivision.

(1) The executive officer shall prepare and deliver a call for nominations to each eligible district. The presiding officer, or his or her alternate as designated by the governing body, may respond in writing by the date specified in the call for nominations, which date shall be at least 30 days from the date on which the executive officer mailed the call for nominations to the eligible district.

(2) At the end of the nominating period, if only one candidate is nominated for a vacant seat, that candidate shall be deemed appointed. If two or more candidates are nominated, the executive officer shall prepare and deliver one ballot and voting instructions to each eligible district. The ballot shall include the names of all nominees and the office for which each was nominated. Each presiding officer, or his or her alternate as designated by the governing body, shall return the ballot 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 ballot to the eligible district.

(3) The call for nominations, ballot, and voting instructions shall be delivered by certified mail to each eligible district. As an alternative to the delivery by certified mail, the executive officer, with prior concurrence of the presiding officer or his or her alternate as designated by the governing body, may transmit materials by electronic mail.

(4) If the executive officer has transmitted the call for nominations or ballot by electronic mail, the presiding officer, or his or her alternate as designated by the governing body, may respond to the executive officer by electronic mail.

(5) Each returned nomination and ballot shall be signed by the presiding officer or his or her alternate as designated by the governing body of the eligible district.

(6) For an election to be valid, at least a quorum of the special districts must submit valid ballots. The candidate receiving the most votes shall be elected, unless another procedure has been adopted by the selection committee. Any nomination and ballot received by the executive officer after the date specified is invalid, provided, however, that if a quorum of ballots is not received by that date, the executive officer shall extend the date to submit ballots by 60 days and notify all districts of the extension.

The executive officer shall announce the results of the election within seven days of the date specified.

(7) All election materials shall be retained by the executive officer for a period of at least six months after the announcement of the election results.

(g) For purposes of this section, "executive officer" means the executive officer or designee as authorized by the commission.

(Amended by Stats. 2015, Ch. 114, Sec. 8. (AB 1532) Effective January 1, 2016.)

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**Alameda LAFCO
Special District Alternate Seat Election 2021**

Please complete the following information and
return by **Friday, May 12, 2021 to:**

Rachel Jones, Executive Officer
Alameda LAFCO
224 West Winton Avenue, Suite 110
Hayward, CA 94544

Telephone: (510) 670-6267
Email: rachel.jones@acgov.org

Name of presiding officer or designee who will attend and vote at the
May 12, 2021 ISDSC election meeting at 10:00 A.M., following the
Alameda County Special Districts Association meeting.

NAME: _____

DISTRICT: _____

NOMINATING DISTRICTS ONLY

You may nominate a maximum of one Board member for the
LAFCO alternate seat and the nomination must be ratified by a
Board resolution prior to May 12, 2021.*

Candidate Name for Alternate Seat:

**** If your district is nominating a candidate, you must notify all 14
other independent district presiding officers by mail, fax or e-mail
(see enclosed list of contact information).***

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Special District Contact Information*

	District	Address	Fax #	Contact/E-Mail
1	Alameda County Mosquito Abatement District	23187 Connecticut St. Hayward, CA 94545	510-783-3903	Ryan Clausnitzer, General Manager ryan@mosquitoes.org
2	Alameda County Resource Conservation District	3585 Greenville Rd., Suite 2 Livermore, CA 94550	925-371-0155	Katherine Boxer, Executive Officer Katherine.Boxer.Latipow@ca.nacdnet.net
3	Alameda County Water District	P.O. Box 5110 Fremont, CA 94537	510-770-1793	Robert Shaver, General Manager robert.shaver@acwd.com
4	Castro Valley Sanitary District	21040 Marshall Street Castro Valley, CA 94546	510-537-1312	Roland Williams, General Manager Roland@cvsan.org
5	City of Alameda Health Care District	2070 Clinton Avenue Alameda, CA 94501	510-814-4381	Debi Stebbins, Executive Director dstebbins@alamedahealthcaredistrict.org
6	Dublin San Ramon Services District	7051 Dublin Boulevard Dublin, CA 94568	925-829-1180	Daniel McIntyre, General Manager mcintyre@dsrsd.com
7	East Bay Municipal Utility District	PO Box 24055, MS 804 Oakland, CA 94623	510-287-0188	Clifford Chan, General Manager cchan@ebmud.com
	East Bay Regional Park District	2950 Peralta Oaks Ct. Oakland, CA 94605	510-569-1417	Robert E. Doyle, General Manager Rdoyle@ebparks.org
9	Eden Township Healthcare District	20400 Lake Chabot Road, Suite 303 Castro Valley, CA 94546	510- 538-2031	Stephen Cassidy, CEO stephen.cassidy@ethd.org
10	Fairview Fire Protection District	777 B Street Hayward, CA 94541	510-583-6414	Michael Preston, General Manager mike.preston@fairviewfiredistrict.org
11	Hayward Area Recreation & Park District	1099 E Street Hayward, CA 94541	510-881-1716	James Wheeler, General Manager jwheeler@haywardrec.org
12	Livermore Area Recreation & Park District	4444 East Avenue Livermore, CA 94550	925-447-2754	Mathew Fuzie, General Manager mfuzie@larpd.org
13	Oro Loma Sanitary District	2600 Grant Avenue San Lorenzo, CA 94580	510-276-1528	Jason Warner, General Manager jwarner@oroloma.org
14	Union Sanitary District	5072 Benson Road Union City, CA 94587	510-477-7501	Paul Eldredge, General Manager paul_eldredge@unionsanitary.com
15	Washington Hospital Health Care District	2000 Mowry Avenue Fremont, CA 94538	510-791-0121	Christine Bartling, District Clerk christine_bartling@whhs.org

* Districts not listed do not participate in the LAFCO election process.