



WEST BASIN MUNICIPAL WATER DISTRICT
17140 S. Avalon Blvd., Suite 210
Carson, CA 90746

AGENDA NO. 29

APRIL 5, 21010 – Administration
Kwan (Chair), Smith
APRIL 26, 2010 – Special Board Meeting
Prepared by: Charlene Jensen
Submitted by: Charlene Jensen
Approved by: Rich Nagel

ACTION CALENDAR

ADMINISTRATIVE CODE REVISION LOCAL AGENCY FORMATION COMMISSION (LAFCO) ELECTIONS

SUMMARY:

At the February Board meeting, the Board approved voting for Jerry Gladbach as the representative. The Board did not make a decision on a candidate for the alternate position and requested additional information regarding the LAFCO voting process.

LAFCO Election Process

There are 55 Independent Special Districts that are members of LAFCO. Special District members are entitled to two representative seats on the LAFCO Board and one alternate seat, which are four-year terms. Each Special District receives notification of an upcoming election whereby each Special District may place in nomination one of its Board members if it so chooses. Once nominations are closed, the Presiding Officer of each Independent Special District is sent a ballot of candidates. The Presiding Officer in West Basin's case would be the President.

The voting instructions that are sent to the Presiding Officer indicate to "Please vote for ONE candidate for EACH of the Ballots" (Representative and Alternate).

No ballot will be counted if it is missing the name of the voting agency and the signature of the Presiding Officer on the ballot envelope.

There is no requirement from LAFCO that a Presiding Officer must receive voting instructions from its Board. Also, the West Basin Administrative Code does not address the LAFCO election process.

In conclusion, the Presiding Officer may Vote on the agency's behalf without formal instruction from the Board.

March Committee and Board Action

Director Smith has requested that this item be brought to the March Administration Committee for consideration of voting for one of the alternate candidates. This item was agendized to the March Board meeting for consideration of voting for an alternate candidate list.

At the March 22 Board meeting, the Board approved allowing the President to vote for the alternate candidate for the 2010 LAFCO election.

Since there is no requirement by LAFCO that the member agency Presiding Officer must receive voting instructions from its Board and West Basin's Administrative Code does not address the LAFCO

election process, District Counsel was directed to draft a resolution (Exhibit "A") amending the Administrative Code stating that the Board President will act as instructed by a majority of the Board with regard to LAFCO elections.

STRATEGIC BUSINESS PLAN IMPLEMENTATION:

Goal 4: Sound Financial and Resource Management - West Basin is committed to efficient business operations, financial planning, and asset management.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Administration Committee on April 5, 2010 and recommended for approval at the April 26, 2010 Board meeting.

RECOMMENDED MOTION:

That the Board considers approving, adopting and authorizing the President to sign Resolution No. 4-10-919 "A RESOLUTION OF THE BOARD OF DIRECTORS OF WEST BASIN MUNICIPAL WATER DISTRICT AMENDING THE ADMINISTRATIVE CODE AS IT RELATES TO LAFCO ELECTIONS."

LIST OF EXHIBITS:

Exhibit "A" – Draft Resolution No. 4-10-919

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