



# Monterey County

## Item No.1

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: EGCSO RES 21-001

January 26, 2021

Introduced: 1/20/2021

Current Status: Agenda Ready

Version: 1

Matter Type: East Garrison CSD  
Resolution

Acting as the Board of Directors of the East Garrison Community Services District:

- a. Adopt a resolution recommending that the Monterey County Board of Supervisors: 1) Direct the Registrar of Voters to cancel the special election on May 4, 2021, and 2) Direct the Registrar of Voters to remove the posting of the special election and take other actions necessary to effectuate the cancellation of the election; and
- b. Direct the East Garrison Community Services District to reimburse the Elections Department, in full, for costs associated with preparing for the special election on May 4, 2021.

#### RECOMMENDATION:

It is recommended that the Board of Directors of the East Garrison Community Services District:

- a. Adopt a resolution recommending that the Monterey County Board of Supervisors: 1) Direct the Registrar of Voters to cancel the special election on May 4, 2021, and 2) Direct the Registrar of Voters to remove the posting of the special election and take other actions necessary to effectuate the cancellation of the election; and
- b. Direct the East Garrison Community Services District to reimburse the Elections Department, in full, for costs associated with preparing the special election on May 4, 2021.

#### SUMMARY/DISCUSSION:

On September 22, 2020, the Board of Supervisors adopted a resolution directing the Registrar of Voters to conduct a special election for East Garrison Community Services District (EGCSD) on May 4, 2021 (Attachment A-Board Resolution No. 20-305). Subsequently, County Counsel determined that the scheduled May special election would create legal inconsistencies with structuring new EGCSD district board terms. To avoid any inconsistencies, Public Works, Facilities & Parks staff is recommending that the Board of Supervisors adopt a resolution to cancel the EGCSD special election scheduled for May 4, 2021. Attachment B-EGCSD Discussion provides detail on the formation of EGCSD, applicable Community Services District law (CSDL) regarding bylaws, regulating elections establishing independence, and structuring community services district boards. Additionally, the Discussion highlights pertinent Board of Supervisors resolutions pertaining to EGCSD adopted to date.

The County requested the special election and may cancel its request; therefore, the Elections Department is not legally mandated to hold this election. Staff will prepare a report and draft resolution for future Board consideration to conduct an EGCSD special election on November 2, 2021. That date is an established election date per Elections Code Section 1000, so that terms of

newly elected district board members, if independence is chosen, shall commence on the first Friday of December in accordance with CSDL requirements. The draft resolution for the rescheduled special election will include direction for the Elections Department to use ballot language consistent with the requirement for staggered district board terms.

The EGCSO Board of Directors is asked to adopt a resolution (Attachment C-Draft Resolution) recommending that the Monterey County Board of Supervisors direct the Monterey County Registrar of Voters to take all steps necessary to cancel the special election for EGCSO on May 4, 2021, in accordance with law and as delineated in the EGCSO BOD Resolution and to direct EGCSO to reimburse the Elections Department, in full, for costs associated with preparing for the special election on May 4, 2021.

OTHER AGENCY INVOLVEMENT:

This item was brought to the January 13, 2021 EGCSO Advisory Committee. The Committee expressed that rescheduling the special election would provide candidates additional time to write thorough candidate statements and become adequately educated to submit for district board candidacy.

The EGCSO Advisory Committee Chair and Supervisor Wendy Root Askew's office concur with the proposed cancellation of the EGCSO May 4, 2021 special election. The County Administrative Office also supports the cancellation.

Concurrently today, the Monterey County Board of Supervisors will consider a resolution to direct the Monterey County Registrar of Voters to cancel the special election on May 4, 2021 and to remove the posting of the special election and take other actions necessary to effectuate the cancellation of the election (Attachment D).

FINANCING:

EGCSO will reimburse the Elections Department for all costs incurred preparing for the May 4, 2021 special election. Sufficient funding is budgeted in the Fiscal Year 2020-21 Adopted Budget for EGCSO, Fund 181, Appropriation Unit RMA106, to reimburse staff costs and County Elections Department costs.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action complies with the Board of Supervisors Strategic Initiatives for Economic Development to enhance the well-being and prosperity of Monterey County residents and Administration by providing accountability and transparency with regards to the requirements outlined in the CSDL, Section 61042.

- ☒ Economic Development
- ☒ Administration
- ☐ Health & Human Services
- ☐ Infrastructure
- ☐ Public Safety

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Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities, & Parks

Attachments:

Attachment A-BOS Adopted Resolution No. 20-305

Attachment B-EGCSD Discussion

Attachment C-Draft Resolution

Attachment D-1/26/21 BOS Resolution

(Attachments are on file with the Clerk of the Board)