

**Clerk of the Board**

Andy Pickett

Chief Administrative Officer and Clerk of the Board

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F: 530.538.7120buttecounty.net/administration*Members of the Board**Bill Connelly | Debra Lucero | Tami Ritter | Tod Kimmelshue | Doug Teeter***Minute Order No.:** 042622-4.03**Meeting Date:** April 26, 2022

Item: 4.03 - Call for Mailed Ballot Election for the Formation of the Tuscan Water District- The Butte Local Agency Formation Commission (LAFCO) adopted Resolution 11 2021/22 approving the application for the formation of the Tuscan Water District on February 3, 2022, subject to a protest hearing and a landowner election. The Protest Proceedings were concluded on April 5, 2022, and there was insufficient protest to terminate the formation application and therefore, an election must be called. The California Water Code (34000) establishes that a mailed ballot election be held on the formation question, to include also a parcel assessment and selection of directors. The Cortese Knox Hertzberg Local Government Reorganization Act of 2000 (GC57000(d)) directs the following: (d) When the commission makes a determination pursuant to this division that will require an election to be conducted, it shall inform the board of supervisors and the elections official of the affected county of that determination and request the board to direct the elections official to conduct the necessary election. (e)(1) When a board of supervisors is informed by the commission that a determination has been made that requires an election, it shall, within 45 days of receipt of the notification, direct the elections official to conduct the necessary election. The board shall do all of the following: (A) Call, provide for, and give notice of a special election or elections upon that question. (B) Fix a date of election. (C) Direct the elections official to designate precincts and polling places and to take any other action necessary to call, provide for, and give notice of the special election or elections and to provide for the conduct and the canvass of returns of the election, as determined by the commission. Butte LAFCO requests that the Board of Supervisors direct the elections official to conduct the necessary election; provide a date of the election; direct elections official to conduct the mailed ballot election and take action necessary to call, provide for, and give notice of the special election and to provide for the conduct and the canvass of returns of the election, as determined by LAFCO.

Board Action: Called for a mailed ballot election, conducted by Elections official, for the formation of the Tuscan Water District and set the date of the election as September 20, 2022.

Vote:
Ayes: Supervisors Kimmelshue, Teeter and Chair Connelly
Noes: Supervisor Ritter
Absent: None
Abstain: Supervisor Lucero

Certification: I hereby certify that the above action was taken by the Butte County Board of Supervisors on the date listed above.

Shaina Paulsen, Associate Clerk of the Board of Supervisors
May 12, 2022

