



## **BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: September 6, 2016

**Title:** Cancellation of Mount Lemmon Domestic Water Improvement District Election

### **Introduction/Background:**

A.R.S. 16-410 allows that if the number of persons who file nomination petitions plus the number of persons who file write-in affidavits is less than or equal to the number of positions to be filled for a water district election, the Board of Supervisors may cancel the election and appoint the person or persons to fill the position for the term of office for which the candidate was nominated.

### **Discussion:**

The Mount Lemmon Domestic Water Improvement District has three positions on the Board of Directors to be filled at the November 8, 2016 General Election. Three or fewer candidates have filed nomination petitions or write-in affidavits for these positions.

### **Conclusion:**

If the Board cancels the election, the Mount Lemmon Domestic Water Improvement District will not incur the expense of conducting an uncontested election. A candidate who has filed nomination petitions or a write-in affidavit for a position on the Board of Directors will be appointed by the Board of Supervisors and will have the same powers and duties as if elected. If no nomination petitions or write-in affidavits have been filed, the position will be deemed vacant.

### **Recommendation:**

Recommend canceling the uncontested Mount Lemmon Domestic Water Improvement District Election for the November 8, 2016 General Election.

### **Fiscal Impact:**

None

### **Board of Supervisor District:**

☐ 1      ☐ 2      ☐ 3      ☐ 4      ☐ 5      ☒ All

Department: \_\_\_\_\_ Telephone: \_\_\_\_\_

Department Director Signature/Date: Bracht Nelson 8-16-16

Deputy County Administrator Signature/Date: \_\_\_\_\_

County Administrator Signature/Date: C. Duell Bay 8/17/16



RESOLUTION NO. 2016 - \_\_\_\_\_

RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS  
CANCELING THE ELECTION FOR DISTRICT BOARD MEMBERS OF THE  
MOUNT LEMMON DOMESTIC WATER IMPROVEMENT DISTRICT AND  
APPOINTING PAT KLEIN AND DOUGLAS MANCE TO THE MOUNT LEMMON  
DOMESTIC WATER IMPROVEMENT DISTRICT BOARD OF DIRECTORS.

WHEREAS, the Mount Lemmon Domestic Water Improvement District ("the District"), pursuant to A.R.S. § 48-1012, is required to hold an election to elect three members to the board of directors for those terms that expire December 31, 2020; and

WHEREAS, the number of candidates who filed nominating petitions pursuant to A.R.S. § 16-311, was less than or equal to the number of positions that are up for election to the District board of directors at the November 8, 2016 General Election; and

WHEREAS, when only two people file a nominating petition for election to a position on the District board of directors, the Pima County Board of Supervisors may pursuant to A.R.S. § 48-1012(E), cancel the election and appoint the persons who filed nominating petitions to fill the positions; and

WHEREAS, Pat Klein and Douglas Mance are the only individuals to file nominating petitions for election to fill the three open positions on the Board of Directors;

NOW, THEREFORE, upon motion duly made, seconded and carried, be it resolved as follows:

That the November 8, 2016 election for three positions on the Mount Lemmon Domestic Water Improvement District Board of Directors is cancelled and Pat Klein and Douglas Mance are appointed to serve on the Mount Lemmon Domestic Water Improvement District Board of Directors for a four-year term beginning on January 1, 2017.

PASSED, ADOPTED AND APPROVED by the Pima County Board of Supervisors, this

\_\_\_\_\_ day of \_\_\_\_\_, 2016.

PIMA COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Chair, Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of the Board of Supervisors

\_\_\_\_\_  
Deputy County Attorney