



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: September 1, 2020

**Title:** Cancellation of Metropolitan 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 Metropolitan Domestic Water Improvement District has two positions on the Board of Directors to be filled at the November 3, 2020 General Election. Two or fewer candidates have filed nomination petitions or write-in affidavits for these positions.

### **Conclusion:**

If the Board cancels the election, the Metropolitan 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 Metropolitan Domestic Water Improvement District Election for the November 3, 2020 General Election.

### **Fiscal Impact:**

None.

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

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

Department: Elections      Telephone: 724-6830

Contact: Anne Lillie      Telephone: 724-6869

Department Director Signature/Date: Brady Nelson 8-11

Deputy County Administrator Signature/Date: [Signature] 8-12-2020

County Administrator Signature/Date: [Signature] 8/12/20

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RESOLUTION NO. 2020 - \_\_\_\_\_

RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS  
CANCELING THE ELECTION FOR DISTRICT BOARD MEMBERS OF THE  
METROPOLITAN DOMESTIC WATER IMPROVEMENT DISTRICT AND  
APPOINTING BRYAN FOULK AND DAN M. OFFRET TO THE METROPOLITAN  
DOMESTIC WATER IMPROVEMENT DISTRICT BOARD OF DIRECTORS.

WHEREAS, the Metropolitan Domestic Water Improvement District ("the District"), pursuant to A.R.S. § 48-1012, is required to hold an election to elect two members to the board of directors for those terms that expire December 31, 2024; and

WHEREAS, the number of candidates who filed nominating petitions pursuant to A.R.S. § 16-311 or filed a write-in nomination paper pursuant to A.R.S. § 16-312 was less than or equal to the number of positions that are up for election to the District board of directors at the November 3, 2020 General Election; and

WHEREAS, when only two people filed 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 people who filed; and

WHEREAS, Bryan Foulk and Dan M. Offret are the only individuals to file nominating petitions or write-in nomination papers for election to fill the two open positions on the Board of Directors;

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

That the November 3, 2020 election for two positions on the Metropolitan Domestic Water Improvement District Board of Directors is cancelled and Bryan Foulk and Dan M. Offret are appointed to serve on the Metropolitan Domestic Water Improvement District Board of Directors for a four-year term beginning on January 1, 2021.

PASSED, ADOPTED AND APPROVED by the Pima County Board of Supervisors, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

PIMA COUNTY BOARD OF SUPERVISORS

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

ATTEST:

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

APPROVED AS TO FORM:

A handwritten signature in dark ink, appearing to be "DJ", is written over a horizontal line.  
\_\_\_\_\_  
Deputy County Attorney  
Daniel Jurkowitz