

Date: October 2, 2024

Originator: Shanna D. Kuhlemier, District Clerk

Desired Action by the Board: Appoint a new Board of Director

Supporting Documents Included: Yes – September 4, 2024 staff report.

Description:

Daniel Smith resigned from the Board of Directors, on or about August 20, 2024.

Reason for Recommended Board Action:

Chief Rosevear notified Plumas County soon thereafter. As mentioned on September 4, 2024, notification to the county was required within 15 days of the date of resignation. The District had two options per California Election Code 1000 et al:

- 1.) Call a special election to allow the public the opportunity to vote on candidates to fill the vacancy. The election would have to occur on the next regularly election date that is at least XXX days after the election is called. The date would clearly be before our next regularly scheduled election, requiring a stand along special election. Costing the District a great amount of money.
- 2.) The second option is for the Board to make an appointment to fill the vacancy. At the September 4, 2024, meeting, the Board chose this option. There are no requirements for how the Board selects a person to serve. The only requirement would be a registered voter in the District boundaries. The Board directed staff to create an application and have President McLaughlin and another Director to interview interested candidates and come back at the October 2, 2024, Board meeting to recommend an appointment.
 - a. The person appointed to fill the vacancy shall fill the remainder of the elected office term until the term expires or the next regularly scheduled election of the district, whichever is first.

At the September 4, 2024, meeting, the Board directed staff to complete the legal posting requirements for the notice and declaration of vacancy. Expanding the three-posting requirement to five posting requirements. Postings are required at least 15 days prior to the meeting where action is anticipated by the Board of Directors. Staff posted the notice of vacancies on September 15, 2024, at the following places:

- a. Portola City Hall, 35 Third Avenue, Portola, CA 96122
- b. Beckwourth Fire Protection District Headquarters, 180 Main Street, Beckwourth, CA 96129
- c. Portola Post Office, 440 S. Gulling St, Portola CA 96122

- d. Chilcoot Post Office, 94217 CA-70, Chilcoot, CA 96105
- e. Portola fire Station, 316 1st Ave, Portola CA 96122

2. Anticipated Impacts to the District (negative and/or positive):

On September 4, 2024, the Board directed staff to appoint in lieu of an election. This was a considerable cost savings to the District's constituents. Also, an appointment sooner rather than later, supports continuity in leadership.

3. Impacts to the Customer:

The additional places of posting the notice of vacancy expanded the District's area in the boundaries, supporting reaching more constituents whom may be interested in serving in a Board capacity. Furthermore, appointing a new director from interested parties promotes a timely process to representation for constituents.

4. Recommendation(s):

The Board of Directors to deliberate and nominate a Board of Director to serve the remaining of the office term or until the next regularly scheduled election of the District, whichever is first.