

Dick's notes and possible resolution to amend Bylaws about filling Board vacancies

The Bylaws presently say:

Section 2.08: Vacancies. Any vacancy in the office of a Director elected to the Board shall be filled by the Board pursuant to Government Code section 1780.

Government Code Section 1780 is long and convoluted. It requires notification of the County elections official when a vacancy occurs, and provides for appointment by the Board of Supervisors of the County *if the District Board fails to act*. However, in line Karen Green's and Patti Frey's position that details belong in procedures (which we do not yet have), I think the above is sufficient, *if amended as below*.

I believe there is a small confusion where the bylaws now say “---Director elected to the Board ---.” Right now, we have the situation where there *will be a vacancy* due an insufficient number of people filing for election to fill the seats to be vacated by director retiring from office --- not because a *Director elected to the Board* retires or dies. I suggest that this section be re-written to say:

Section 2.08: Vacancies. Any vacancy that may occur on the Board of Directors of the District shall be filled by appointment by the directors remaining on the Board, pursuant to Government Code section 1780.

Details about the appointment procedure can be found in the Government Code. Those details should be incorporated into Board Procedures for easier reference, when the Board gets around to establishing Procedures.

Since the Bylaws are amended by resolution, A resolution should be written, such as:

Resolution Number 2020-00X

Board of Directors of the Yosemite Alpine Community Services District
Fish Camp, California

WHEREAS, the Yosemite Alpine Community Services District (YACSD) is organized under the Community Services District Law of the State of California (Government Code Sections 61000 et seq.), and

WHEREEAS, District Bylaws are intended to reflect all Government Code requirements,

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE YOSEMITE ALPINE COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Existing Section 2.08 shall be replaced for better clarity to say:

Section 2.08: Vacancies. Any vacancy that may occur on the Board of Directors of the District shall be filled by appointment by the directors remaining on the Board, pursuant to Government Code section 1780.

PASSED AND ADOPTED this 12th day of September 2020, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

I, Karen Glendenning, Secretary of the Board of Directors of the Yosemite Alpine Community Services District, Fish Camp, California, hereby certify that the forgoing is a true statement of action taken by the Board of Directors at its public meeting held on September 12, 2020.

Karen Glendenning, Secretary YACSD