

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-A

Meeting Date: January 31, 2011

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Declare a Vacancy on the Board of Directors and Set a Date for Consideration of Appointment to Fill the Vacancy

Detailed Description: With the resignation of Director Kenneth K. Nishi, received January 19, 2011, the Marina Coast Water District's Board has a vacant seat that expires in November 2012.

Pursuant to Government Code Section 1780, staff has notified the Monterey County Elections Department of the resignation within 15 days of receiving the notice. To advertise the vacancy and seek applicants, staff will post the vacancy at the Marina City Hall, Marina Library, Marina Post Office, District Reservation Road office and the Marina Coast Water District web site. Also, for additional exposure, although not required by Government Code Section 1780, the District will run an ad in the Marina Gazette.

Government Code Section 1780 requires the vacancy be posted at least 15 days prior to the appointment to fill that vacancy and that an appointment is made within 60 days from receipt of the resignation. If an appointment is not made within 60 days, the District Board can call for an election to fill the vacancy. If the vacancy is not filled by the district board by appointment, or if the district board has not called for an election within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, then the city council of the city in which the district is wholly located, or if the district is not wholly located within a city, the board of supervisors of the county representing the larger portion of the district area in which the election to fill the vacancy will be held, may appoint a person to fill the vacancy within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, or the city council or board of supervisors may order the district to call an election to fill the vacancy.

Staff recommends holding a special meeting on February 22, 2011 to consider an appointment to fill the vacancy. This time frame will allow the posting requirement to be fulfilled and allow the newly appointed Board member to take seat at the March 8, 2011 Board meeting.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing High quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact: _____ Yes ☒ No

Funding Source/Recap: N/A

Material Included for Information/Consideration: None.

Staff Recommendation: The Board of Directors declare a vacancy on the Board of Directors and set date for consideration of appointment to fill the vacancy.

Action Required: _____Resolution _____X_____Motion _____Review

Board Action

_____Resolution No_____ Motion By_____ Seconded By_____

Ayes_____ Abstained_____

Noes_____ Absent_____

Reagendized_____ Date_____ No Action Taken_____