

COUNTY OF NEVADA

STATE OF CALIFORNIA

BOARD OF SUPERVISORS



31
Nathan H. Beason, 1st District
Chair Edward C. Scofield, 2nd District
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Richard Anderson, 5th District

Donna Landi, Clerk of the Board

February 13, 2015

Honorable Board of Supervisors
Eric Rood Administrative Center
950 Maidu Avenue
Nevada City, CA 95959

DATE OF MEETING: February 24, 2015

SUBJECT: Resolution appointing Melissa Neville to the San Juan Ridge County Water District board.

RECOMMENDATION: Approve the Resolution appointing Melissa Neville to an unexpired term ending December 7, 2018, on the San Juan Ridge County Water District board.

FUNDING: N/A

BACKGROUND:

Currently there is a vacancy on the San Juan Ridge County Water District Board of Directors that was effective December 5th, 2014.

Under California Government Code Section 1780, the District may, within 60 days after the effective date of the vacancy, either fill the vacancy by appointment or call an election to fill the vacancy. If the Special District Board does not appoint a Director within 60 days of the vacancy, then the Board of Supervisors has an additional 30 days to appoint a Director. Since no appointment was made during the 60 day period, at the District's request the Clerk of the Board office posted notice of the vacancy to ensure there would be time to notice the vacancy and make the appointment by the 30 day deadline. Today's meeting is the Board's last meeting before this 30 day appointment period expires on March 5th. Although calling an election is an option, appointment of a qualified applicant is the preferred method for filling the vacancy as it is more cost effective and faster than the election process.

The position was advertised and posted on the Nevada County website, Board of Supervisors Office, Board of Supervisors Chambers, Madelyn Helling Library, Grass Valley Library, Truckee Library, Truckee Joseph Center, Truckee Town Hall and the District V Supervisor's office.

Melissa Neville has submitted an application to be appointed to the vacant position on the San Juan Ridge County Water District for an unexpired term ending December 7, 2018. As required by law, she is a registered voter who resides within the District boundaries.

Please consider appointing Melissa Neville to the North San Juan County Water District.

Respectfully submitted,

DONNA LANDI
Clerk of the Board

cc: SJRCWD

950 Maidu Avenue, Suite 200, Nevada City CA 95959-8617
phone: 530.265.1480 | fax: 530.265.9836 | toll free: 888.785.1480 | email: bdofsupervisors@co.nevada.ca.us
website: <http://www.mynevadacounty.com/nc/bos>



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPOINTING MELISSA NEVILLE TO THE SAN JUAN RIDGE COUNTY WATER DISTRICT BOARD

WHEREAS, the San Juan Ridge Community Water District ("SJRCWD") is a special water district wholly located within the boundaries of Nevada County with publicly elected board members; and,

WHEREAS, there is a vacancy on the San Juan Ridge County Water District Board of Directors effective as of December 5th, 2014; and

WHEREAS, California Government Code Section 1780 provides that the SJRCWD may, within 60 days after the effective date of the vacancy, either fill the vacancy by appointment or call an election to fill the vacancy; and,

WHEREAS, Government Code Section 1780 further provides that if the SJRCWD fails to act within 60 days, then the Board of Supervisors has an additional 30 days to make the appointment or call an election to fill the vacancy;

WHEREAS, at the District's request, the Clerk of the Board's office timely posted the notice of vacancy as required by law and solicited applications for the vacant position; and

WHEREAS, Melissa Neville has submitted an application to be appointed to the vacant position on the SJRCWD for the unexpired term ending December 7, 2018 and is a registered voter who resides within the SJRCWD boundaries, in accordance with California Water Code Section 30735.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Nevada County hereby appoints Melissa Neville to the San Juan Ridge County Water District for the unexpired term ending December 7, 2018.

PUBLIC NOTICE OF COMMITTEE VACANCIES POSTED: 01/28/15

**NEVADA COUNTY BOARD OF SUPERVISORS
IS SEEKING INTERESTED PERSONS TO SERVE ON THE FOLLOWING:**

***KINGSBURY GREENS COMMUNITY SERVICES DISTRICT:** (2 vacancies) Two residents of Kingsbury Greens CSD who must be a registered voters within the District, for positions with terms ending December 5, 2016. The District shall provide for the collection, treatment, and disposal of sewage, waste and storm water of the district and its residents. Applications must be submitted to Nevada County Clerk of the Board. For further information, contact Kingsbury Greens CSD office,(530) 477-5001.

***SAN JUAN RIDGE COUNTY WATER DISTRICT:** (1 vacancy) One Director who must be a registered voter within the District. The District provides irrigation water service to a small area in the western portion of Nevada County. For further information, contact Donna Landi, Clerk of the Board, 265-1480.

***TRUCKEE CEMETERY DISTRICT:** (1 position) One public member who must be a registered voter in Truckee Cemetery District. This Board meets on a monthly basis and determines action and policies in the maintenance and management of the Truckee Cemetery District. For further information, contact the District office at (530) 587-6553.

***Members must file a Financial Disclosure Statement.**

All newly appointed and reappointed members will be required to sign an Oath of Office prior to serving.

Persons interested in serving may submit a County Committee Application which may be obtained from the Board of Supervisors office, Second Floor, Eric Rood Administrative Center, 950 Maidu Avenue, Nevada City or phone 265-1480 or internet <http://www.mynevadacounty.com/nc/bos/cob>. If further information is requested, contact Donna Landi, Clerk of the Board.

FINAL FILING DATE: Open until filled, unless indicated.

GOVERNMENT CODE - GOV

TITLE 1. GENERAL [100 - 7914]

(Title 1 enacted by Stats. 1943, Ch. 134.)

DIVISION 4. PUBLIC OFFICERS AND EMPLOYEES [1000 - 3599]

(Division 4 enacted by Stats. 1943, Ch. 134.)

CHAPTER 4. Resignations and Vacancies [1750 - 1782]

(Chapter 4 enacted by Stats. 1943, Ch. 134.)

1780.

(a) Notwithstanding any other provision of law, a vacancy in any elective office on the governing board of a special district, other than those specified in Section 1781, shall be filled pursuant to this section.

(b) The district shall notify the county elections official of the vacancy no later than 15 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later.

(c) The remaining members of the district board may fill the vacancy either by appointment pursuant to subdivision (d) or by calling an election pursuant to subdivision (e).

(d) (1) The remaining members of the district board shall make the appointment pursuant to this subdivision within 60 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later. The district shall post a notice of the vacancy in three or more conspicuous places in the district at least 15 days before the district board makes the appointment. The district shall notify the county elections official of the appointment no later than 15 days after the appointment.

(2) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(3) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(e) (1) In lieu of making an appointment the remaining members of the board may within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(f) (1) 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.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the city council or board of supervisors calls the election.

(g) (1) If within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, the remaining members of the district board or the appropriate board of supervisors or city council have not filled the vacancy and no election has been called for, then the district board shall call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(h) (1) Notwithstanding any other provision of this section, if the number of remaining members of the district board falls below a quorum, then at the request of the district secretary or a remaining member of the district board, the appropriate board of supervisors or the city council shall promptly appoint a person to fill the vacancy, or may call an election to fill the vacancy.

(2) The board of supervisors or the city council shall only fill enough vacancies by appointment or by election to provide the district board with a quorum.

(3) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold the office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(4) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(5) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is held 130 or more days after the date the city council or board of supervisors calls the election.

(Amended by Stats. 2007, Ch. 343, Sec. 4. Effective January 1, 2008.)