



**To:** Board of Directors  
**From:** Michael Schwartz, Fire Chief  
**Date:** August 25, 2020  
**Subject:** Director Appointment Due to Insufficient Nominees for Election

Background:

The District did not receive sufficient nominees for the number of Director Seats currently available. Because it is during the election cycle, the appointment process is different than last year, in that the district is not required to post or publish the vacancy.

Following is the letter from El Dorado County Registrar of Voters, outlining the process for recommending to the Board of Supervisors one nominee to appointment.

If the District Board of Directors is unable to nominate someone to fill the position then the Board of Supervisors has a time frame to appoint. I have attached GC1780-1781 for additional reference.

Recommendation:

Recommend to the Board of Supervisors one (1) short term nominee to appointment.

# COUNTY OF EL DORADO

## REGISTRAR OF VOTERS

Bill O'Neill



2850 Fairlane Court  
PO Box 678001  
Placerville CA 95667  
[www.edcgov.us/elections/](http://www.edcgov.us/elections/)  
Phone: 530.621.7480 Fax: 530.626.5514  
Linda Webster - Assistant Registrar of Voters

August 2020

Meeks Bay Fire Protection District  
Attention: Shawn Crawford  
PO Box 189  
Tahoma, CA 96142

Subject: Director appointment(s) due to insufficient nominees for election

Dear Shawn,

The Meeks Bay Fire Protection District received insufficient nominee for the number of Director Seats to be elected at the November 3, 2020 Presidential General Election. Therefore, the contest will not appear on the ballot.

In accordance with Elections Code §10515, the District has the opportunity to recommend to the Board of Supervisors one (1) short term nominee to appointment. Upon appointment, the Director(s) will assume office and serve exactly as if they were elected to the position.

Please submit the name of one (1) nominee for consideration by the Board of Supervisors for appointment to the District's short term.

Please use the enclosed form to provide the name, address, phone number and email of the District's nominee(s) no later than Thursday, October 15, 2020. A self-addressed return envelope is enclosed for your convenience.

The Elections Department will present the District's nominations to the Board of Supervisors for their consideration at a regularly scheduled meeting. Upon appointment by the Board of Supervisors, the Registrar of Voters will issue a Certificate of Election and Oath of Office for each Director. These documents will be mailed to the District immediately following the Boards' action.

If I can provide further information, please contact me at (530)621-7490.

Sincerely,

A handwritten signature in blue ink that reads "Kim Smith".

Kim Smith  
Candidate/Campaign  
Filing Officer  
[kim.smith@edcgov.us](mailto:kim.smith@edcgov.us)  
(530)621-7490

**Meeks Bay Fire Protection District**

Short Term

(1)

Appointed Candidate

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Address

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City

State

Zip

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Phone (Required)

Email

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Print District Secretary

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Date

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Signature District Secretary

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## 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.* )

**ARTICLE 2. Vacancies [1770 - 1782]** ( *Article 2 added 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.)*