

AVILA BEACH COMMUNITY SERVICES DISTRICT

Resolution No. 2019-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AVILA BEACH COMMUNITY SERVICES DISTRICT CALLING A SPECIAL ELECTION TO FILL AN UNANTICIPATED VACANCY ON THE DISTRICT BOARD

WHEREAS, on or about August 22, 2018, former Director Eric DeWeese announced his resignation from the District Board; and

WHEREAS, upon learning of the vacancy, the District Board caused to be posted a notice of vacancy seeking interested applicants for appointment to the Board; and

WHEREAS, thereafter, no one submitted an application to the District Board seeking an appointment within the time frame permitted for the District Board to appoint pursuant to Government Code section 1780, subdivision (d)(1); and

WHEREAS, no appointment to fill the vacancy has been made by the County Board of Supervisors within the time prescribed by Government Code section 1780, subdivision (f)(1); and

WHEREAS, Government Code section 1780, subdivision (g) provides that if no appointment is made by the District Board or the Board of Supervisors within 90 days of the District Board's notice of vacancy or the effective date of the vacancy, whichever is later, then the District Board shall call an election to fill the vacancy; and

WHEREAS, subdivision (g)(2) of Government Code section 1780 requires that the election to fill the vacancy be held on the next established election date as provided in the applicable provisions of the Elections Code; and

WHEREAS, pursuant to Elections Code section 4108, the District Board may conduct an election by all-mailed ballots pursuant to Elections Code section 4000; and

WHEREAS, Elections Code section 10002 authorizes the District Board, by resolution, to request that the Board of Supervisors permit the county elections official to render specified services to the District relating to the conduct of the elections, provided the district reimburses the county in full for such services;

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors as follows:

1. Pursuant to Government Code section 1780, subdivision (g)(1), a special election is hereby called to fill a vacancy for the unexpired term of the director's seat left vacant by the resignation of former District Board Director Eric DeWeese;
2. Said special election shall be held on August 27, 2019, pursuant to Government Code section 1780, subdivision (g)(2) and Elections Code section 1500;
3. The special election called herein shall be conducted by all-mailed ballot election pursuant to the provisions of Elections Code section 4108;
4. Pursuant to Elections Code section 10002, the District requests that the San Luis Obispo County Board of Supervisors permit the elections official of the county to conduct said election;
5. All costs incurred by the county related to the conduct of this special election shall be paid in full by the District upon presentation of a bill by the elections official.

ON MOTION of Director Najarian, seconded by Director Berry, and on the following roll call vote, to wit:

AYES: 4
NOES: 0
ABSENT: 2

The foregoing resolution is hereby adopted this 25th day of April, 2019.



Peter Kelly, President

Attest:



SECRETARY TO THE BOARD