



County of Fresno

Hall of Records, Rm. 301
2281 Tulare Street
Fresno, California
93721-2198

Legislation Text

File #: 24-0492, **Version:** 1

DATE: July 9, 2024

TO: Board of Supervisors

SUBMITTED BY: James A. Kus, County Clerk/Registrar of Voters

SUBJECT: Board Appointment to the James Resource Conservation District
Board of Directors

RECOMMENDED ACTION(S):

Consider and appoint Andrew Groppetti to a vacancy in the James Resource Conservation District Board of Directors to a term set to expire on November 27, 2026.

Approval of the recommended action will allow the Fresno County Board of Supervisors to appoint a director to a vacancy on the James Resource Conservation District (James RCD) Board of Directors. On May 14, 2024, the James RCD contacted the County Clerk/Registrar of Voters regarding the appointment. This item pertains to a location in District 1.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the seat will remain vacant, and the responsibility to appoint a director would return to the district's board of directors.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action.

DISCUSSION:

Resource Conservation Districts (RCD) are governed by PRC section 9001 *et seq.* Their five (5) member board of directors are elected to serve a four-year term. PRC section 9314(b) provides RCDs the option of presenting a board resolution requesting the Board of Supervisors of the principal county to appoint directors as an alternative to holding elections for director positions. An RCD board's resolution requesting appointment of directors shall remain in effect until rescinded by the board of directors, or until a petition requesting the rescission is received by the elections official.

PRC section 9316 states "[i]n case of a vacancy in the office of director appointed pursuant to section 9314, the vacancy shall be filled as provided in Section 9314, by appointment for the unexpired term by the Board of Supervisors of the principal county".

If directors are to be appointed, a notice of vacancy shall be posted pursuant to California Government Code section 54974, which provides that a special vacancy notice be posted in the office of the local agency (the County Clerk/Registrar of Voters' Office, in this instance), on either the local agency's internet website or at the library, and in other places as directed by the legislative body, not earlier than 20 days before or not later than 20 days after the vacancy occurs. Final appointment to the board shall not be made by the legislative body for at least 10 working days after the posting of the notice.

The James RCD submitted an executed standing resolution on May 31, 2018, requesting the Fresno County Board of Supervisors to appoint its directors as an alternative to holding elections in any election year pursuant to PRC section 9314(b). Fresno County is the principal county for the James RCD.

In 2022, the Board of Supervisors appointed Micah Combs as a director of the James RCD for a four-year term pursuant to PRC section 9314(b). Mr. Combs resigned on April 9, 2024. The James RCD board contacted the Clerk of the Board of Supervisors, and the County Clerk/Registrar of Voters' office on May 14, 2024, requesting the Board of Supervisors appoint Andrew Groppetti pursuant to PRC sections 9314(b) and 9316, to fill a vacancy and serve the remainder of the unexpired term set to expire November 27, 2026.

On April 25, 2024, the Fresno County Clerk/Registrar of Voters posted a special vacancy notice in its office, on the Internet Website, with the Clerk of the Board of Supervisors, and at the Fresno County Library.

The Fresno County Clerk/Registrar of Voters received a Boards, Commissions, and Committees (BCC) Application form showing that he is qualified to serve on the James RCD Board of Directors.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Andrew Groppetti BCC Application

On file with Clerk - James RCD Resolution No. 2024-01

On file with Clerk - James RCD Resolution No. 2018-01

CAO ANALYST:

Ahla Yang