

**TO:** Monterey Peninsula Airport District Board of Directors  
**FROM:** Michael La Pier, Executive Director  
**SUBJ:** Procedure for Filling Vacancy on Board of Directors

**BACKGROUND.** With the announcement of the resignation of Director Nelson effective March 31, 2019, the Board of Directors may select the process by which the vacancy may be filled.

Within 60 days of its occurrence, the Board may fill a board vacancy either by appointment or by calling a special election. (Govt. Code §1780.) If the Board chooses to fill the vacancy by appointment, it must be done within 60 days of the vacancy. The appointment must be made with a majority vote of the remaining Board Members. A timeline for the appointment would need to be established by the Board as follows:

3/13/2019	Board Meeting to Determine to Appoint or Hold Special Election
TBD	Advertise Vacancy in at least 3 locations for 15 days
TBD	Candidate Deadline to Apply
TBD	Review Applications by Ad Hoc Committee (and Potentially Determine Who Should Be Interviewed If Substantial Number of Applications Received)
TBD (up to Day 60 following vacancy)	Board Meeting (60-Day Deadline to Appoint from Date Position Was Vacant) <ul style="list-style-type: none"> <li>- Interview Candidates in Open Session</li> <li>- Select by Motion (and Second) and Adopt Resolution</li> <li>- Majority Vote of Remaining Board Members Required</li> <li>- Swearing in</li> </ul>
Day of Appointment + 15 Days	Notify County Elections Office of Appointment (within 15 Days)

Alternatively, the Board can decide to hold a special election to fill the vacancy. The special election can be held during the next established election, provided that the election is scheduled at least 130 days after the Board calls for the special election. The next general election which is more than 130 days from this Board Meeting is on March 3, 2020, which is a presential primary election. If the Board desired a special election prior to March 2020, it could call for a special election, but it would be required to pay 100% of all election costs. In most instances, the District is required to bear the proportional costs of the election.

**FISCAL IMPACT.** If an appointment is made, the District will incur minimal advertising costs. If a special election is ordered concurrent with the next general election, the District will be required to pay the cost of placing the measure on the ballot, which is estimated to be in excess of \$105,000, however the specific amount is unknown and would not be known until after the election. If a special election is ordered by the District and it does not occur concurrently with a general election, the District would be required to pay 100% of all election costs, which are unknown and would not be known until after the election.

**RECOMMENDATION.** The Board of Directors has the option to make a provisional appointment or to order a special election. If the Board desires to make a provisional appointment, the Board should determine the deadlines and a timeline for the provisional appointment.