

**Lake Don Pedro Community Services District**  
9751 Merced Falls Rd. La Grange, CA 95329  
(209) 852-2331 – [www.ldpcsd.org](http://www.ldpcsd.org)

**DIRECTORS**  
Danny Johnson, President  
Mary Smith, Vice President  
Dan Hankemeier  
Russell Warren  
Emery Ross

## **Special Meeting of the Board of Directors**

9751 Merced Falls Road  
**May 8, 2024 at 11:00 a.m.**

*Mission Statement: The Lake Don Pedro CSD is dedicated to providing our customers with ample quantities of high quality water meeting all standards, in a fiscally responsible manner.*

### **REVISED AGENDA**

- 1. CALL TO ORDER:** Presiding Officer: Establish Quorum, Pledge of Allegiance:
  
- 2. DISCUSSION AND ACTION ITEMS:**
  - a. Approval of the process desired to fill a vacancy on the District Board of Directors effective April 22, 2024
  - b. Discussion / Approval of a Resolution to update the Bank Signature Cards removing Director Dan Hankemeier
  
- 3. ADJOURNMENT:**

Meeting agendas and written materials supporting agenda items, if produced, can be received by the public for free in advance of the meeting by any of the following options:

- A paper copy viewed at the District office, 9751 Merced Falls Rd., La Grange, CA 95329 during business hours or mailed pursuant to a written request and payment of associated mailing fees
- An electronic copy received by email. Note - a form requesting email delivery of agendas and/or meeting materials must be completed a minimum of one week in advance of the meeting
- Viewed on the Board page of the District's website
- A limited number of copies of agenda materials will also be available at the meeting

Americans with Disabilities Act Compliance: If you require special assistance to participate in Board Meetings, please contact the LDPCSD Board Secretary at (209) 852-2251 Ext. 2. Advance notification will enable the District to make reasonable arrangements to insure accessibility

Daniel L Hankemeier  
9466 Coronado Drive  
La Grange, California

April 22, 2024



Syndie Marchesiello  
Office Manager and Board Secretary  
Community Service District  
9751 Merced Falls Road, La Grange CA 95329

Syndie:

Effective immediately, I am resigning from my position as a board member of the Lake Don Pedro Community Service District. We will be moving to Illinois, at 4785 South River Road, Hanover, Illinois 61041.

Please note: That I have not received pay as a board member since October 2023.

Also note, that Dan Durham would like to be considered for my position. He and his wife Nancy are moving into our address effective April 30, 2024.

I have enjoyed the time I have served on the board as well as each staff members.

Thank you.

Daniel Hankemeier

# Lake Don Pedro Community Services District

## Special Meeting of May 8, 2024

### AGENDA SUPPORTING DATA

#### 2. DISCUSSION AND ACTION ITEMS:

- a. Approval of the process desired to fill a vacancy on the District Board of Directors

#### **Background**

Director Dan Hankemeier has submitted his resignation from the District Board of Directors, effective April 22, 2024. Director Hankemeier is moving out of the area and will no longer be eligible to serve as a director. Included with this agenda item is a document describing the process for filling vacancies on special district boards. As detailed in this document, the Board must decide whether to fill the vacancy by appointment, or to call for a special election, or not fill the vacancy at all.

Historically with vacancies, the District Board has chosen to appoint a qualified person to fill the vacancy; as the cost to hold a special election is very expensive. If an appointment is made, the position will once again be up for election in the November 2024 general election. If the Board chooses not to appoint a director OR call an election, the vacancy can either be left open until November 2024, or could possibly be filled by appointment of the Mariposa County Board of Supervisors.

If approved to fill the position by appointment, a Notice of Vacancy must be posted in the District for a minimum of 15 days before the appointment can take place.

#### **Recommended Motion**

I move to approve the filling of the Board vacancy by appointment at the earliest possible Board meeting date.

# VACANCIES ON SPECIAL DISTRICT BOARDS

## Action Required by the Governing Board

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

The remaining district board members have 60 days immediately subsequent to either the date on which the district board is notified of the vacancy or the effective date of the vacancy; whichever is later, to either fill the vacancy

1. By appointment, or
2. By calling a special election

Government Code §1780 (a)

## Appointments to Fill Vacancies

If the Board decides to appoint someone to fill the vacancy, the board first must post a notice of the vacancy in three or more conspicuous places in the district at least 15 days before the appointment is made. **(See Attachments C & D for sample notice and application to serve on a board)**

The Board must notify the county elections of the appointment no later than 15 days after the appointment is made.

The person appointed 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 elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall fill the balance of the unexpired term. If the term of office is due to expire following the next general district election and that election is scheduled 130 or more days after the date the county elections official is notified of the vacancy, the person appointed to the vacancy shall fill the balance of the unexpired term of his or her predecessor.

Government Code §1780 (a)

## Elections to Fill Vacancies

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.

The election shall be held on the next established election date that is 130 or more days after the date the district board calls the election.

Government Code §1780 (a)

A regular election as defined by Elections Code §1000 is:

- a) The second Tuesday of April in each even-numbered year.
- b) The first Tuesday after the first Monday in March of each odd-numbered year.
- c) The first Tuesday after the first Monday in June of each year.

d) The first Tuesday after the first Monday in November of each year.

**If the District Board Fails to Act**

If the vacancy is not filled by the district board by either making an appointment or calling a special 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, the following shall occur.

Within the next 30 days, 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 fill the vacancy by appointment or may order the district to call an election to fill the vacancy.

The election shall be held on the next established election date (see previous list) that is 130 or more days after the date the city council or board of supervisors calls the election.

Government Code §1780 (b)

**If the District Board Lacks a Quorum to Act Within 60 Days**

If the number of remaining members of the district board falls below a quorum, at the request of the district secretary, or a remaining board member, the Board of Supervisors or the City Council may waive the 60-day period during which time the district board is allowed to take action, but can't because there is no quorum, and move directly to the 30-day period where the City Council or Board of Supervisors may take action.

Again, the council or board may either appoint immediately to fill the vacancy, or may call an election to fill the vacancy.

The election shall be held on the next established election (see previous list) that is 130 or more days after the date the district board calls the election.

The board of supervisors or the city council shall only fill enough vacancies to provide the board with a quorum.

Government Code §1780 (c)(2)

**If the City Council or Board of Supervisors Fails to Act**

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, no action has been taken by any governing body to fill the vacancy by appointment or by calling for a special election, the district must call an election to fill the vacancy.

The election shall be held on the next established election (see previous list) that is 130 or more days after the date the district board calls the election.

Government Code §1780 (c)

**Term of Office**

**A person appointed to fill a vacancy** shall hold office only until the next general district election that is scheduled 130 or more days after the date the county elections official is notified of the vacancy

and thereafter until the person elected at that election to fill the vacancy has been qualified to fill the vacancy for the remainder of the unexpired term.

A person elected at an election to fill the vacancy shall hold office for the remainder of the unexpired term.

Government Code §1780 (d)

A person elected at a regular board member election or appointed in-lieu of election takes office at noon on the first Friday in December following his or her election in November and shall serve for four years.

Elections Code §10554, 10507

**LAKE DON PEDRO COMMUNITY SERVICES DISTRICT**

**RESOLUTION 2024-3**

**Resolution to update Signature Cards  
on All District Accounts**

**WHEREAS**, the District has had a change in Directors, Staff, and Bank Account which requires an update to all banking accounts, as well as open a new business account at PNC / Pinnacle Bank, to reflect the current Board of Directors and Staff,

*And*

**WHEREAS**, the PNC / Pinnacle Business Checking Account requires the log in password, the Local Agency Investment Account requires the pin number and the PNC / Pinnacle Business Checking account is set up to require one (1) signature for the Bank to withdraw funds, however, the District will internally require two (2) signatures – one a Director and one a Staff Member,

**NOW THEREFORE IT IS RESOLVED**, that the Board of Directors update the PNC / Pinnacle Bank accounts, and the Local Agency Investment Fund account to include current Directors and approved staff on the signature cards.

**BE IT RESOLVED**, on this 8<sup>th</sup> day of May, 2024 the Board of Directors for the Lake Don Pedro Community Services District have agreed to update the signature cards for the financial institutions as follows:

Authorized Signers PNC /Pinnacle Business Checking Account	Personnel Authorized to Transfer Funds and Direct Deposits PNC / Pinnacle Business Checking Account LAIF Account
Director Emery Ross Director Danny Johnson Director Russ Warren Director Mary Smith Dave Savidge Syndie Marchesiello	Director Emery Ross Director Danny Johnson Director Russ Warren Director Mary Smith Dave Savidge, General Manager Syndie Marchesiello, Office Manager

**WHEREFORE**, this resolution was passed and adopted this 8<sup>th</sup> day of May 2024 at the Special Meeting by the Board of Directors by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

ATTEST:

\_\_\_\_\_  
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*Syndie Marchesiello, Board Secretary*

\_\_\_\_\_  
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President - Board of Directors – Director Danny Johnson

**CERTIFICATE OF SECRETARY**

*I, Syndie Marchesiello, Secretary of the **Lake Don Pedro Community Services District**, do hereby certify that the foregoing Resolution was duly and regularly updated on the 8<sup>th</sup> day of May, 2024 at the Special Meeting of the Board of Directors.*

\_\_\_\_\_  
Syndie Marchesiello, Secretary