

October 21, 2020

RESOLUTION NO. 2020-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT (RCD) REDUCING THE NUMBER OF BOARD MEMBERS FROM NINE TO SEVEN AND DELEGATING CERTAIN RELATED DUTIES TO THE BOARD CHAIR AND THE DISTRICT MANAGER

WHEREAS, the Tuolumne County Resource Conservation District was formed in 2005 with passage of Measure L on the Tuolumne County General Election Ballot, and

WHEREAS, at the time the District was established, it was specifically established with a nine member Board of Directors, eight to be appointed by the Tuolumne County Board of Supervisors, and one appointed by the City of Sonora City Council, based on overall population, and

WHEREAS, the initial Board of Directors consisted of nine members, and

WHEREAS, over the years, voluntary participation in the TCRCD Board of Directors has seen regular turn-over with positions remaining vacant for several years, and

WHEREAS, maintaining a quorum at each meeting of the Board of the Directors in order to conduct regular business has been a challenge, and

WHEREAS, In accordance with Public Resources Code, Division 9, Chapter 3, Article 7, Section 9301 (a), the TCRCD Board of Directors has the power and authority to change the number of Directors as follows: *“The number of directors may be changed by resolution adopted by a majority of the members of the board of directors after publication of notice of the intended change at least once in a newspaper of general circulation published in each county in which the district is located.”*, and

WHEREAS, A Public Notice of this intended action was published in the Union Democrat on _____, and

WHEREAS, In accordance with Public Resources Code, Division 9, Chapter 3, Article 7, Section 9301 (b), *“If the number of directors is decreased, the terms of the directors in office on the date of the resolution adopted pursuant to subdivision (a) shall not be reduced.”*, and

WHEREAS, there are currently only seven (7) Directors on the TCRCD Board of Directors, with two vacancies, and these positions have been vacant for over 4 years, and there are no Directors whose terms will be reduced, and

WHEREAS, A copy of this proposed resolution and the Public Notice has also been provided to the Tuolumne County Board of Supervisors, Tuolumne County Local Agency Formation Commission (LAFCO) and to the City of Sonora, as well as other interested parties, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Tuolumne County Resource

Conservation District as follows:

1. The TCRCD Board of Directors, in accordance with the powers and authorities granted to us through Public Resources Code, Division 9, Chapter 3, Article 7, Section 9301 (a) and (b) hereby

reduces the number of Directors from nine to seven, with six to be appointed by the Tuolumne County Board of Supervisors and one appointed by the City of Sonora City Council, and

2. Nothing else in the TCRC formation documents, Operations Manual, Policies, or Bylaws is to be changed or affected by this action, and
3. The Board of Directors hereby authorizes the Tuolumne County RCD Board Chair or

District Manager notify the Tuolumne County Board of Supervisors, Tuolumne County LAFCO, and City of Sonora City Council of this action; and

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Directors of the Tuolumne County Resource Conservation District at a meeting of the Board held on the 21st day of October 2020. Motion by _____ and second by _____.

Motion passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Signed: _____ ATTEST:
