

STAFF REPORT



Meeting Date: **January 21, 2026**

To: **Board of Directors**

From: **Michael J. Aho – District Administrator**

Subject: **Update on Board Vacancy Appointment Process and Timeline**

I. Recommendation

Review and provide direction to staff on next steps for filling a potential board vacancy.

II. Background

At the December 17 regular Board meeting, Director John O'Farrell indicated that he would be resigning his position from the Board sometime in June of 2026 leaving his seat vacant until the regular election of November 2028. Per Government Code 1780 (Attachment A), the Board has three options for filling a vacancy:

- The District Board can do nothing to fill the vacancy and the Sacramento County Board of Supervisors will fill the vacancy for the District.
- The District Board can call for a special election which would be conducted by Sacramento County Voter Registration. The District's cost for the 2024 general election for placing the candidates on the ballot was over \$58,000.
- The District Board can appoint a resident from within the Fair Oaks Recreation and Park District boundaries to complete the term.

The timeline for filling a vacancy is as follows:

The District will notify the County Board of Elections within 15 days of the official resignation notice or the date of the vacancy, whichever is later. The remaining Board members then have 60 days to find and approve an appointment should that be the selected option.

III. Problem /Situation/ Request

The Board must now determine what process it would like to follow within these parameters. GC 1780 additionally requires that the District posts a notice of the vacancy in three or more conspicuous places within District boundaries at least 15 days before the Board makes the appointment.

Previous vacancies have been referred to committee to determine their recommended process which was then presented to and voted upon by the full Board.

IV. Financial Analysis

No significant financial impact is anticipated from implementing the recommended procedure. Some staff time is anticipated to implement the procedure.

Respectfully Submitted,

Michael J. Aho
District Administrator

Attachment A: Government Code 1780

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GOVERNMENT CODE - GOV

TITLE 1. GENERAL [100 - 7914] (*Title 1 enacted by Stats. 1943, Ch. 134.*)

DIVISION 4. PUBLIC OFFICERS AND EMPLOYEES [1000 - 3599] (*Division 4 enacted by Stats. 1943, Ch. 134.*)

CHAPTER 4. Resignations and Vacancies [1750 - 1782] (*Chapter 4 enacted by Stats. 1943, Ch. 134.*)

ARTICLE 2. Vacancies [1770 - 1782] (*Article 2 added by Stats. 1943, Ch. 134.*)

(a) Notwithstanding any other provision of law, a vacancy in any elective office on the governing board of a **1780.** special district, other than those specified in Section 1781, shall be filled pursuant to this section.

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

(c) The remaining members of the district board may fill the vacancy either by appointment pursuant to subdivision (d) or by calling an election pursuant to subdivision (e).

(d) (1) The remaining members of the district board shall make the appointment pursuant to this subdivision within 60 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later. The district shall post a notice of the vacancy in three or more conspicuous places in the district at least 15 days before the district board makes the appointment. The district shall notify the county elections official of the appointment no later than 15 days after the appointment.

(2) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy 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 who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(3) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(e) (1) 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.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(f) (1) If the vacancy is not filled by the district board by appointment, or if the district board has not called for an 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, then 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 appoint a person to fill the vacancy within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, or the city council or board of supervisors may order the district to call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the city council or board of supervisors calls the election.

(g) (1) 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, the remaining members of the district board or the appropriate board of supervisors or city council have not filled the vacancy and no election has been called for, then the district board shall call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(h) (1) Notwithstanding any other provision of this section, if the number of remaining members of the district board falls below a quorum, then at the request of the district secretary or a remaining member of the district board, the appropriate board of supervisors or the city council shall promptly appoint a person to fill the vacancy, or may call an election to fill the vacancy.

(2) The board of supervisors or the city council shall only fill enough vacancies by appointment or by election to provide the district board with a quorum.

(3) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold the 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 who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(4) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(5) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is held 130 or more days after the date the city council or board of supervisors calls the election.

(Amended by Stats. 2007, Ch. 343, Sec. 4. Effective January 1, 2008.)