



**NORTHERN INYO HEALTHCARE DISTRICT
NON-CLINICAL POLICY AND PROCEDURE**

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| Title: Appointment/Election of Board Member to Fill Unexpired Term of a Board Member | | |
| Owner: Board Clerk and CFO Assistant | Department: Administration | |
| Scope: Board of Directors | | |
| Date Last Modified: 06/25/2024 | Last Review Date: 06/25/2024 | Version: 5 |
| Final Approval by: NIHD Board of Directors | Original Approval Date: 05/16/2018 | |

PURPOSE: Set forth the procedures by which a vacancy may be filled, either by appointment or election.

POLICY: When the Board of Directors (BOD) is notified of a vacancy or upcoming vacancy the BOD shall determine at a regular or special meeting whether to fill a vacancy by election or appointment following the guidance below.

PLAN TO FILL A BOARD VACANCY BY APPOINTMENT:

On a semi-annual basis, District staff will secure from the County of Inyo/Recorder’s Office a list of registered voters in each of the Zones within the jurisdiction of the Northern Inyo Healthcare District. On an ongoing and continuous basis, Board members will encourage interested registered voters to serve the Northern Inyo Healthcare District through service on the Board of Directors.

CIRCUMSTANCES CAUSING A VACANCY:

1. A vacancy on the Board of Directors may occur upon the occurrence of any of the events described in Government Code section 1770, including but not limited to, written resignation and the failure to discharge the duties of a Board member for a period of 3 consecutive months.
2. Board members wishing to resign must submit written resignation to the Board Chair, Board Secretary, or Chief Executive Officer, via in person delivery, USPS, or email.

FILLING A VACANCY:

1. Pursuant to Article III, Section 4 of the Northern Inyo Healthcare District Bylaws, all vacancies on the Board of Directors shall be filled in compliance with the procedures outlined in Government Code section 1780 and this procedure. Vacancies may be filled by either appointment or election. Upon the occurrence of any vacancy on the Board of Directors, the District staff shall notify the Inyo County elections official within 15 days of the effective date of the vacancy.

PROCEDURE FOR FILLING A VACANCY BY APPOINTMENT:

1. Upon the occurrence of a vacancy, or the District being notified of a Board vacancy, District staff shall immediately determine the date by which the vacancy must be filled.
2. If the Board decides to fill the vacancy by appointment, the Board shall appoint an ad hoc committee to make a recommendation regarding filling the vacancy. District staff will, in collaboration with the ad hoc committee members, establish target dates by which various parts of this process shall be completed so as to afford the ad hoc committee members and any potential applicant the fullest of opportunities to fill the vacant position with a qualified candidate. Board and staff shall refer to the attached “Workflow for Appointments to Fill Board Vacancy,” to ensure required timelines are met.

3. After the Board has appointed an ad hoc committee, District staff shall coordinate availability of schedules between all appointed ad hoc committee members so that there is sufficient time to complete the interviews, make a recommendation to the full Board and to make the appointment, all of which must occur within 60 days.
4. District staff shall post the notice of the Board vacancy in at least 3 conspicuous places.
5. District staff shall receive applications from each candidate and will immediately review the application for completeness.
6. Upon receipt of a completed application, District staff shall determine if the candidate meets the required qualifications for the Board vacancy as follows:
 - a. Applicant must be a resident of the Zone of the Healthcare District in which the vacancy occurs;
 - b. Applicant must be a registered voter of the Zone of the Healthcare District in which the vacancy occurs;
 - c. Applicant must acknowledge that applicant will be subject to the Healthcare District's Conflict of Interest policy;
 - d. Applicant must acknowledge that applicant will be required to complete Form 700 "Statement of Economic Interests."
7. If the applicant meets the required qualifications for the Board vacancy as set forth above, District staff shall transmit an informational booklet to the applicant and shall transmit the application to each ad hoc committee member for a determination on whether to interview the candidate.
8. Upon receipt of a notification from the ad hoc committee that a candidate is to be scheduled for the interview, District staff shall consult the schedules of the ad hoc committee members and the candidates to set a mutually convenient time for the interview. Notification of the dates set for the interviews shall be transmitted to both the ad hoc committee and the candidate.
9. At their option, the ad hoc committee, in consultation with the NIHD Human Resources staff, may use the attached guidelines for interviewing candidates and sample interview or similar questions may be used. The ad hoc committee may also opt to set scoring criteria for the applications and interviews.
10. Upon completion of all interviews, the ad hoc committee will bring a recommendation for the appointment to the full Board for consideration.
11. The Board shall make the appointment within 60 days of the vacancy or receipt of the notice of vacancy, whichever occurs later. Upon receipt of the Board's decision on the ad hoc committee's recommendation, District staff will be instructed to notify the unsuccessful candidate(s), if any, and the successful candidate of the Board's appointment.
12. At the Board's direction, District staff shall transmit the Board's appointment to the county elections official as per the Board's policy.
13. The length of the appointee's term shall be determined pursuant to Government Code section 1780(d)(1)-(2). The person appointed to fill the vacancy shall hold office until the next November general election, if the next scheduled November general election is 130 or more days after the date the county election official is notified of the vacancy. The person appointed to the vacancy shall fill the

balance of the unexpired term of their predecessor, and, after the November general election, will continue to complete that unexpired term only if subsequently elected by the voters in the November general election.

PROCEDURE FOR FILLING A VACANCY BY ELECTION:

1. Upon the occurrence of a vacancy, or the District being notified of a Board vacancy, District staff shall immediately determine the date by which the vacancy must be filled.
2. If the Board decides to fill the vacancy by election, the Board shall call an election to fill the vacancy within 60 days, to be held on the next established election day [Elec. Code § 1000 et seq.] that is at least 130 days from the date the Board calls the election.
3. The person elected to fill the vacancy shall hold office for the balance of the unexpired term

REFERENCES:

1. Government Code 1770
2. Government Code 1780
3. County of Inyo Clerk/Recorder Office
4. Work Flow for Appointments to Fill Board Vacancy (With Approximate Time Frames) (attached)

RECORD RETENTION AND DESTRUCTION:

CROSS REFERENCED POLICIES AND PROCEDURES:

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| Supersedes: v.4 Appointments to the NIHD Board of Directors, Board Member Resignation and Filling of Vacancies, Suggested Guidance to fill a Board Vacancy by Appointment v. 3, and Work Flow for Appointments to Fill Board Vacancy v.1 is now attached as a reference document |
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