

JUSTIFICATION FOR SERIES 9000

(Pending Board Approval September 20, 2023)

Board Bylaw 9220 - Governing Board Elections

(BB revised)

Bylaw updated to reflect NEW LAW (AB 2584, 2022) by adding a new section - "Recalling a Board Member." Updated Bylaw also revised "Election Process and Procedure" section to reflect NEW LAW (SB 1061, 2022) regarding the requirement that any petition for a special election to fill a Board vacancy include the county election official's estimate of the cost of conducting the special election.

Board Bylaw 9223 - Filling Vacancies

(BB revised)

Bylaw updated to reflect NEW LAW (SB 1061, 2022) by adding a new note and body paragraph at the end of the "Provisional Appointments" section. Updated Bylaw also reflects New Attorney-General Opinion on how a vacancy is to be filled when a district's trustee areas have been revised or election method has changed from "at-large" to "by-trustee area" since the Board member whose term is to be completed was last elected. The Bylaw also updated to rearrange the Items in "Timelines for Filling a Vacancy" and to revise as necessary for clarity.

Board Bylaw 9270 - Conflict of Interest

(BB revised)

Bylaw updated to reflect NEW LAW (SB 1439, 2022, which makes applicable to elected district officers the prohibition against accepting, soliciting, or directing a contribution of more than \$250 from any party or participant to a proceeding involving a license, permit, or other entitlement for use, including a contract, or from that person's agent, while the proceeding is pending before the Board and for 12 months following the date a final decision is rendered in the proceeding, and from participating in making, or in any way attempting to use the official position to influence the Board's decision when a district officer received a contribution of more than \$250 from a party or participant in the preceding 12 months, as specified. Bylaw also updated to clarify, for a Board member who manages public investments, that when an item on the consent calendar is one in which the Board member has a financial interest, the Board member is required to either make a

motion to remove the item from the consent calendar or abstain from voting on the consent calendar.

Board Bylaw 9320 - Meetings and Notices

(BB revised)

Bylaw updated to reflect NEW LAW (AB 2449, 2022), which (1) requires Boards to maintain and implement a procedure for receiving and resolving requests for reasonable accommodation for individuals with disabilities, to resolve any doubt in favor of accessibility, and to give notice of the procedure for receiving and resolving requests for accommodation in each instance in which notice of the time of a meeting is otherwise given or the agenda is otherwise posted, and (2) adds procedures for "Teleconferencing During a Personal Emergency" and "Teleconferencing for 'Just Cause.'" Bylaw also updated to reflect NEW LAW (AB 2647, 2022), which provides a procedure for complying with the Brown Act when distributing materials to the Board less than 72 hours before a regular meeting and outside of regular business hours. Additionally, bylaw updated to reference the expiration of the California COVID-19 State of Emergency on February 28, 2023, and to clarify that a Board may utilize "Teleconferencing During a Proclaimed State of Emergency" if all terms are met pursuant to Government Code 54953, until January 1, 2024.

Board Bylaw 9323 - Meeting Conduct

(BB revised)

Bylaw Updated to reflect NEW LAW (SB 1100, 2022), which authorizes the Board President to remove an individual for disrupting a Board meeting, establishes a procedure for warning the individual prior to their removal, and defines "disrupting" and "true threat of force."