

CAPISTRANO BAY DISTRICT  
AGENDA REPORT  
*December 7, 2021*

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*Special Reports*

## ITEM 7

### Board of Directors Vacancies

Board Member Saeed Irani has resigned his seat on the Board of Directors, effective at the end of December 2021.

Board Member Mike Haack, after a long tenure of nine years, is stepping down as well, effective at the end of January 2022. Mike has graciously consented to remain through January while the Board appoints replacement Directors.

Both Directors have one year remaining on their current terms so replacements will only be filling the unexpired portions of those terms through December 2022, and will then have to run for election along with all other candidates for new four year terms.

In this case where vacancies occur mid-term, the code authorizes the Board to make appointments to fill the unexpired terms. An email notice was sent out to the homeowners on December 2nd and a second notice will go out in the postal mail by Monday, December 6th.

Of the remaining Directors, Board Member McNulty's term will also expire in December 2022 while Directors Wiersig and Jenkins are good through December 2024. To simplify this, the Board will have three vacancies to fill at the end of 2022 which will require an official community vote that goes through the OC Registrar of Voters. That election will take place next year with all candidates' names appearing on the voting ballot during the Congressional mid-term elections on November 8th.

It is essential that the District retain a full five-member board to comply with the Government Code for Special Districts and is seeking qualified volunteers to step up to take the remaining one year on the vacancies.

To qualify, candidates must be registered to vote here on Beach Road. Please contact the District as per the notice that was sent out and is attached here on the following page.

Details and information regarding the procedures for filing for next year's election will be sent out in the Spring – let's concentrate right now on the immediacy of filling the two vacancies in time for the January 2022 Board Meeting.



# CAPISTRANO BAY DISTRICT

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Board of Directors  
A. Irani Pres.  
M. Haack  
P. McNulty  
B. Jenkins  
W. Wiersig

Manager  
D.S. Russell

December 2, 2021

Re: Community Notice of Vacancy on the Board of Directors

Dear Property Owners,

At the end of December of this year, Director Saeed Irani will be stepping down from the Board, with a year remaining on his term. At the end of January 2022, Director Haack will be stepping down, also with a year remaining on his term. The District is currently seeking interested volunteers.

This is a great opportunity for you to become involved in establishing policy and direction for the District's future. Come join the Board of Directors and take an active part in governing the most unique and special community in Southern California.

If you are interested in serving on the Board and guiding our District's future, contact the District Office at **949-496-6576**. Terms of office are four years but the Board will be happy to have you for whatever time period you can give.

Board meetings are regularly held on the last Tuesday of every month and typically average about two and a half hours. Check your schedule and plan to attend the next meeting on Tuesday, December 7<sup>th</sup> at 6:30 PM.

### Director Eligibility Requirements

*Pursuant to Govt. Code Section 24001 and Section 61040, a person is not eligible unless he or she is registered to vote in the District in which the duties of the office are to be exercised.*

*\*Note: In the case of mid-term vacancies, the Board is authorized to appoint replacements to fill the remaining unexpired terms of retiring directors – in this case a community wide election is not required.*

Sincerely,

Donal S. Russell, General Manager  
Capistrano Bay Community Services District