

GENERAL MANAGER REPORT

December 13, 2024

To: PBCSD Board of Directors
From: Nicholas R. Becker, General Manager
Subject: **Election of Officers**



RECOMMENDATION

Adopt *Resolution No. 24-37* electing District officers for 2025 and designating the terms of office.

SUMMARY OF ISSUES

State law requires the Board of Directors to “organize” itself annually or within 45 days following each District election. Board policy included in *Resolutions 92-50, 93-34* and *Motion 11-99-81* requires election of District officers at the Board’s regular December meeting for annual one-year terms that begin on January 1st. These officers include Board President, Vice President, Secretary, Secretary Pro Tem and District Treasurer. The Board’s current policy requires the office of Board President to be rotated among directors and limits the number of consecutive terms a director may serve as Board President to two annual terms. A list of recent Board Presidents is attached. At the end of 2024, Directors Leo Laska and Richard Gebhart will have completed two years as Board President and Board Vice President, respectively.

The Board may not appoint any of its directors to the positions of Secretary, Secretary Pro Tem or District Treasurer. Customarily, the General Manager has been appointed to serve as the District Secretary. For the 2024 calendar year, the Deputy General Manager served as the District Secretary Pro Tem and the Chief Financial Officer served as the District Treasurer.

BACKGROUND DISCUSSION

The Community Services District (CSD) Act does not fully define duties or authority of the Board President or Vice President, but the Board has delegated the authority to the President to chair all meetings of the Board. The CSD Act reads as follows: “*The president shall preside over meetings of the board of directors and the vice president shall serve in the president's absence or inability to serve.*” The Board has customarily delegated authority to the President to recommend the Board appointment of directors to committees, execute

financial documents and contracts on behalf of the District, represent the Board in its official relations with other governing bodies and perform other related duties that may be identified by the Board. Similarly, it has been understood that the Board Vice President is responsible for carrying out the duties of the President in his or her absence.

The District uses the Monterey County Treasury as the depository for a large portion of its money. In addition, the District uses Chase Bank as an alternate depository for banking purposes. Under the latest CSD Act, the Board is required to appoint a District Treasurer who is responsible for controlling all funds placed in the alternate depository. The CSD Act defines the Treasurer's primary duties as follows, "*The district treasurer shall make quarterly or more frequent written reports to the board of directors, as the board of directors shall determine, regarding the receipts and disbursements and balances in the accounts controlled by the district treasurer. The district treasurer shall sign the reports and file them with the general manager.*"

As in the past, duties of the Board Secretary are defined in various sections of the CSD Act, and primarily relate to carrying out specified ministerial administrative duties, many of which are intended to insure and certify the validity of official actions of the Board and to maintain a repository for the safekeeping of all official documents of the District.

Enclosures: List of Past Board Presidents
Resolution No. 24-37
Motion 11-99-81
Resolution No. 93-34
Resolution No. 92-50

Pebble Beach Community Services District

Past Board Presidents

2024 Leo Laska
2023 Leo Laska
2022 Jeffrey Froke
2021 Jeffrey Froke
2020 Peter McKee
2019 Peter McKee
2018 Richard Verbanec
2017 Richard Verbanec
2016 Richard Gebhart
2015 Richard Gebhart
2014 Leo Laska
2013 Leo Laska
2012 Gerald Verhasselt
2011 Gerald Verhasselt
2010 Jeffrey Froke
2009 Jeffrey Froke
2008 Richard Verbanec
2007 Richard Verbanec
2006 Gary Hornbuckle
2005 Gary Hornbuckle
2004 Leo Laska
2003 Leo Laska
2002 Hampton Stewart
2001 Robert D'Isidoro / Hampton Stewart
2000 Robert D'Isidoro
1999 Hampton Stewart
1998 David Hendrick
1997 David Hendrick
1996 Phillip Fields
1995 William Gianelli
1994 William Gianelli
1993 Janice O'Brien

GENERAL GOVERNMENT AND ADMINISTRATION

Selection of Board Officers

The Board received and reviewed a report prepared by the General Manager regarding the selection of Board of Directors Officers.

MOTION 11-99-81

It was moved by Director Gianelli, seconded by Director D'Isidoro, and carried, to revise PBCSD policy so that hereafter Board officers will be elected in the Board's regular December meeting for annual terms of office beginning on January 1st.

AYES: Directors: O'Brien, D'Isidoro, Stewart, Gianelli, Hendrick

NOES: Directors: None

ABSENT: Directors: None

MOTION 11-99-82

It was moved by Director Gianelli, seconded by Director O'Brien, and carried, to appoint Director D'Isidoro as President and Director Stewart as Vice President, Richard Andrews as Secretary, and Suha Kilic as Secretary Pro-Tem of PBCSD Board of Directors for a one-year term effective with the December, 1999 Board meeting.

AYES: Directors: O'Brien, D'Isidoro, Stewart, Gianelli, Hendrick

NOES: Directors: None

ABSENT: Directors: None

Safety Committee Meeting

The Board received and reviewed the minutes of the Safety Committee meeting of September 29, 1999 prepared by Mr. Niccum and articles from the California Employment Law Monitor regarding safety matters. There were no questions from the Board.

MISCELLANEOUS INFORMATION AND COMMUNICATIONS

Mr. Andrews reported that he and Directors Stewart and D'Isidoro had met with the new CEO of the PBCo, William Perocchi, to introduce functions and issues of the District. Director D'Isidoro said he was encouraged by Mr. Perocchi's comments that resolving outstanding issues concerning the reclamation project is considered an important priority.

RESOLUTION 93-34

**A RESOLUTION OF THE PEBBLE BEACH COMMUNITY SERVICES DISTRICT
AMENDING RESOLUTION 92-50 RELATING TO THE POLICY FOR SELECTION OF
BOARD PRESIDENT AND VICE PRESIDENT**

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WHEREAS, pursuant to Government Code Section 61220, the Board of Directors of the Pebble Beach Community Services District is authorized and directed to meet and organize as a Board; and

WHEREAS, this Board has heretofore adopted Resolution 92-50 establishing a policy for the election of Board President.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Pebble Beach Community Services District, as follows that:

1. Resolution 92-50 is amended to provide that the President of the Board and the Vice President shall be elected annually at the regular November meeting of each calendar year.
2. In order to promote harmony, equal leadership opportunities and the enhancement of benefits to the Board and the District that may be derived from the individual contributions of those who serve as Board President, it shall be the policy of the Board of Directors to rotate the office of Board President among the members of the Board and to limit the number of consecutive terms a Board member may serve to two annual term(s).

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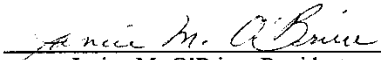
PASSED AND ADOPTED by the Board of Directors of the Pebble Beach Community Services District, Pebble Beach, Monterey County, California at a regular meeting held on December 21, 1993 by the following vote:

AYES: Directors: Bailey, Fields, Gianelli, Hendrick, O'Brien

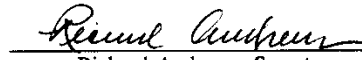
NOES: Directors: None

ABSENT: Directors: None

Attest:



Janice M. O'Brien, President



Richard Andrews, Secretary

RESOLUTION 92-50

**A RESOLUTION OF THE PEBBLE BEACH COMMUNITY SERVICES DISTRICT
ESTABLISHING POLICY FOR SELECTION OF BOARD PRESIDENT**

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WHEREAS, pursuant to Government Code Section 61220, the Board of Directors of the Pebble Beach Community Services District is authorized and directed to meet and organize as a Board; and

WHEREAS, this Board has heretofore adopted a policy to annually elect one of its members as President.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Pebble Beach Community Services District, as follows that:

1. The President of the Board shall be elected annually at the last regular meeting of each calendar year.

2. If the incumbent Board President's term as a member of the Board shall expire before the last regular meeting of the Board during a calendar year, the Board of Directors shall elect a new President at its next regular meeting following the expiration of the incumbent President's term on the Board.

3. In order to promote harmony, equal leadership opportunities and the enhancement of benefits to the Board and the District that may be derived from the individual contributions of those who serve as Board President, it shall be the policy of the Board of Directors to rotate the office of Board President among the members of the Board and to limit the number of consecutive terms a Board member may serve to 2 annual term(s).

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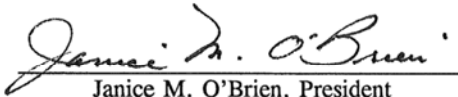
PASSED AND ADOPTED by the Board of Directors of the Pebble Beach Community Services District, Pebble Beach, Monterey County, California at a regular meeting held on October 30, 1992, by the following vote:

AYES: Directors: Bailey, Fields, Gianelli, Hendrick and O'Brien

NOES: Directors: None

ABSENT: Directors: None

Attest:



Janice M. O'Brien, President



Richard Andrews, Secretary

**PEBBLE BEACH COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 24-37**

**SELECTING DISTRICT OFFICERS FOR ONE YEAR TERM
COMMENCING JANUARY 1, 2025**

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WHEREAS, pursuant to the Community Services District Law (“CSD Law”), Government Code Sections 61000 et seq, the Board of Directors of the Pebble Beach Community Services District is authorized and directed to meet and organize as a Board annually or within 45 days after each District General Election; and

WHEREAS, this Board has also adopted policies, included in its *Resolution Nos. 92-50 and 93-34* and by *Motion No. 11-99-81*, to annually elect one of its members as President of the Board and one of its members as Vice President; and

WHEREAS, Board policy and the CSD Law also require the Board to annually appoint a Board Secretary, Board Secretary Pro Tem and District Treasurer, none of whom may be a Director.

NOW, THEREFORE, BE IT RESOLVED, following an election held by the Board of Directors this date, the following individuals are elected to serve as officers of the District for a term of office of one year:

1. _____ shall act as President of the Board.
2. _____ shall act as Vice President of the Board.
3. The General Manager, Nicholas R. Becker, shall serve as Board Secretary.
4. The Chief Financial Officer, Marianna Pimentel, shall serve as Board Secretary Tem and the District Treasurer responsible for control of all funds in the District’s alternate depository.
5. The terms of office of the District’s officers shall commence on January 1, 2025 and end on December 31, 2025.
6. Within ten (10) days after the reorganization of this Board, the Secretary of the Board shall file a statement with the California Secretary of State and the Clerk of the Board of Supervisors of Monterey County as required by Government Code Section 53051.

PASSED AND ADOPTED by the Board of Directors of the Pebble Beach Community Services District, Pebble Beach, County of Monterey, California, at a regular meeting duly held on **December 13, 2024** by the following vote:

AYES: Directors:

NOES: Directors:

ABSENT: Directors:

ATTEST:

Leo M. Laska, Board President

Nicholas R. Becker, Secretary Pro-Tem