



DECISION PAPER

March 3, 2021

TITLE:

Proposed Tahoe Donner Election Rules

RECOMMENDATION:

By Motion:

The Board of Directors adopt the proposed amended rules as published in the 45-day member notification. Effective date of adopted amended rules, December 18, 2020.

BACKGROUND AND ANALYSIS:

The current Voting and Election Rules need to be updated to comply with the Davis Stirling Act, which mandates that the Association adopt very specific operating rules to guide elections. These requirements were significantly amended with the passage of SB 323, a bill which became effective as of January 1, 2020. SB 323 added additional protections intended to prevent incumbent Boards of Directors from following discretionary election rules that could result in unfair elections. While the required process was followed by Tahoe Donner in the 2020 Election, the stand-alone Election Rules were not updated.

In August of 2020, the Board directed staff and the Elections Committee to work with counsel to revise and update the election related documents. Over the last several months the Elections Committee and staff and interested stake holders have weighed in, and the result is this recommendation to adopt the attached final proposed Election Rules.

To date:

- January 8, 2021: Board approves final proposed Election Rules and directs delivery of draft to members to start the 45-Day Member Notification and Comment Period.
- January 15, 2021: Staff delivers notice and a copy of the proposed Election Rules for member comment. This was a separate direct mailer to members due to the size of the document.
- January 22, 2021: Board of Directors meeting; consider initial member comment, discussion item only.



- February 26, 2021: Board of Directors meeting; consider additional member comments.

We have received two member comments on the Election Rules since the direct mailer went out in January.

Per Davis-Stirling the Election Rules must be adopted 90 days prior to the election. The above timeframe meets the requirements.

FUTURE MEMBER OUTREACH:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

1. Provide additional direction to staff and the committee on specific changes to the draft proposed Election rules.

ATTACHMENTS:

1. Final proposed Election Rules

Prepared by: **Robin Bennett, Executive Project Manager/Asst. to GM 3/3/2021**

Reviewed by: **David Mickaelian, General Manager**

Board Meeting Date: 3/12/2021

General Manager Approval to Place on the Agenda: _____

