

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: COUNTY CLERK RECORDER (ELECTIONS)

Urgent _____ Routine X

CEO Concurs with Recommendation YES _____ NO _____
(Information Attached)

BOARD AGENDA # _____ *A-3

AGENDA DATE 10-16-01

4/5 Vote Required YES _____ NO X

SUBJECT: REQUEST APPOINTMENTS IN LIEU OF ELECTION TO THE RECLAMATION DISTRICT #2063
(CARPENTER) DISTRICT

STAFF
RECOMMEN-
DATIONS:

WHEREAS NOT MORE THAN ONE PERSON HAS BEEN NOMINATED FOR EACH OF THE ELECTIVE OFFICES TO BE FILLED AT THE DISTRICT ELECTION ON NOVEMBER 6, 2001, OR THERE WERE NO NOMINEES AS OF 5:00 P.M. AUGUST 15, 2001, REQUEST THE BOARD OF SUPERVISORS MAKE APPOINTMENTS IN LIEU OF ELECTION AS INDICATED:

NO CANDIDATE FILED

FISCAL
IMPACT: NOT APPLICABLE.

BOARD ACTION

No. 2001-798

On motion of Supervisor Caruso, Seconded by Supervisor Blom

and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk By: Deputy

File No.

**POLICY
DISCUSSION:**

THE ATTACHED DOCUMENT IS A RESULT OF THE NOMINATION PROCESS FOR THE RECLAMATION DISTRICT #2063 (CARPENTER) DISTRICT ELECTION WHICH WAS TO BE HELD ON NOVEMBER 6, 2001

IF BY THE 83RD DAY PRIOR TO AN ELECTION NO ONE HAS BEEN NOMINATED, OR THERE ARE INSUFFICIENT NOMINEES AND A PETITION WHICH IS SIGNED BY 10% OF THE VOTERS OR 50 VOTERS (WHICHEVER IS THE LESSER NUMBER) HAS NOT BEEN FILED, ELECTION CODE SECTION 10515 REQUIRES THE CLERK TO CERTIFY THESE FACTS TO THE "SUPERVISING AUTHORITY" DEFINED AS BOARD OF SUPERVISORS (ELECTION CODE 10500(B)(14)) AND REQUEST THAT AUTHORITY, AT A REGULAR OR SPECIAL MEETING HELD PRIOR TO THE LAST MONDAY BEFORE THE FIRST FRIDAY IN DECEMBER, APPOINT NOMINEES, IF ANY, OR THERE WERE NO QUALIFIED NOMINEES THEN ANY PERSON WHO IS QUALIFIED ON THE DATE THE ELECTION WOULD HAVE BEEN HELD.

OFFICES TO BE FILLED WERE:

DIRECTOR - FULL TERM

POLICY ISSUE:

REQUEST THE BOARD OF SUPERVISORS MAKE THE APPROPRIATE APPOINTMENTS IN LIEU OF AN ELECTION NO LATER THAN DECEMBER 3, 2001.

**STAFFING
IMPACT:**

NONE.

Affidavit of Publication

Notice of District Election

Ad #3021

Reclamation District #2063

AFFIDAVIT OF PUBLICATION

Reclamation District #2063

Notice of District Election

STATE OF CALIFORNIA)
County of Stanislaus }

Laura Cakebread

of the said County, being duly sworn, deposes and says:

THAT s he is and at all times herein mentioned was a citizen of the United States, over the age of twenty-one years, and that s he is not a party to, nor interested in the above entitled matter; that s he is the Legal Clerk of the Turlock Daily Journal, a newspaper of general circulation, printed and published in the City of Turlock, County of Stanislaus, and which newspaper is published for the dissemination of local news and intelligence of a general character, and which newspaper at all times herein mentioned had and still has a bona fide subscription list of paying subscribers, and which newspaper has been established and published at regular intervals in the said City of Turlock, County of Stanislaus, for a period exceeding one year next preceding the date of publication of the notice hereinafter referred to; and which newspaper is not devoted to nor published for the interests, entertainment, or instruction of a particular class, profession, trade, calling, race, or denomination, or any number of same; that the notice, of which the annexed is a printed copy and which is hereby made a part of this affidavit, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following date, to-wit:
July 13, 2001

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Turlock, California this 16th

day of July, 2001

PUBLIC NOTICE

NOTICE OF DISTRICT ELECTION RECLAMATION DISTRICT #2063

NOTICE IS HEREBY GIVEN that a District Election will be held in this Reclamation District #2063 on November 6, 2001.

The names of the offices for which candidates may be nominated are as follows:

Trustees (also designated as Directors)

FOUR YEAR TERM

The qualifications of a nominee and of an elective officer of the district are as follows:

Each director shall be a holder of title to land within the District.

Official nominating papers for eligible candidates desiring to file for any of the elective offices may be obtained from the Secretary of the District at 334 North Center Street, Suite C, Turlock, California, 95386.

Forms for declaring candidacy shall be available commencing on July 16, 2001, before the election, and shall be filed with the Secretary of the district at the above address, either in person or by certified mail, received not later than 5:00p.m., August 10, 2001, before the election.

In the event there are no nominees or an insufficient number of nominees for each elective office and a petition for an election is not timely filed, an appointment to such elective office shall be made (Elections Code Section 10515).

The RECLAMATION DISTRICT #2063 is to pay for the publication of a Candidate's Statement pursuant to Election Code Sec. 13307.

The polls will be open from 7:00am to 8:00 pm.

Dated July 9, 2001

by Marshall Hilberg
District Secretary

July 13, 2001

#3021

Laura Cakebread

PRINCIPAL CLERK OF THE PRINTER

9-18-01
#10-11-01

CERTIFICATE OF COUNTY CLERK
REQUEST FOR DECLARATION OF ELECTION

TO THE

RECLAMATION DISTRICT #2063 (CARPENTER) DISTRICT

I, KAREN L. MATHEWS, County Clerk of the County of Stanislaus, hereby certify as follows:

As of 5:00 o'clock p.m. on August 15, 2001, not more than one person had been nominated for each of the elective offices to be filled at the Consolidated Districts' Election to be held on November 6, 2001, and no petition signed by the voters of the RECLAMATION DISTRICT #2063 (CARPENTER) District requesting the election be conducted was presented to this office.

The offices of ONE Director(s) are to be filled as indicated for the district, and only the following persons have been nominated:

NO CANDIDATE FILED

Request is hereby made that, pursuant to Section 10515 of the Elections Code, the Board of Supervisors of the County of Stanislaus declare elected said Nominees.

I certify under penalty of perjury that the foregoing is true.

Dated this 5TH day of OCTOBER, 2001



JOYCE GOUDIE
Assistant Registrar of Voters

A handwritten signature in cursive script, reading "Joyce Goudie", is written over a horizontal line.

Communication may be made with the district by contacting:

MARSHALL BERG
334 N CENTER, SUITE G
TUROCK CA 95380
(209) 632-2248



CLERK OF THE BOARD OF SUPERVISORS

Christine Ferraro Tallman

1010 Tenth Street, Suite 6700, Modesto, CA 95354
Phone: 209.525.4494 Fax: 209.525.4420

September 18, 2001

Reclamation District #2063
Mr. Marshall Berg
334 North Center, Ste. G
Turlock, CA 95380

Dear Mr. Berg:

I am enclosing a copy of the Board Agenda Item concerning Antonio Mello's vacant position on the Reclamation District #2063 (Carpenter). This is for your information and for you to keep.

I've also enclosed a copy of the new roster reflecting the most recent changes in the membership of the Reclamation District #2063, and a copy of our "Fact Sheet", which is a public document created and maintained in our office. **Please review these documents, and notify me if either of them contains incorrect or missing information.** And if you have an Email address in your capacity as the contact person for the Reclamation District #2063, please notify me of that too.

By the way, our office has recently added Boards and Commissions to the Board of Supervisors website! We hope you will come visit us at <http://www.co.stanislaus.ca.us/board/default.htm>! If you have a link to your Board, Commission, or Special District, that you would like us to add to our pages, please let me know!

You can contact me by phone at 567-4926, or by Email at SIEBERS@mail.co.stanislaus.ca.us.

Thank you!

Sincerely,

Suzi Seibert
Deputy Clerk

Enclosures

ROSTER OF PUBLIC AGENCY MEMBERS

Public Agency: **RECLAMATION DISTRICT NO. 2063 (CARPENTER)**

Membership Selection: Elected (Landowner)

MEMBERSHIP

<u>Name</u>		<u>Term Expires</u>
Eli Mendonca		12/02/05
Ken Beswick		12/02/05
Butch Watkins		12/05/03
Mello, Antonio	VACANT	12/05/03
Joe Sallaberry		12/05/03

Official Contact Person of Agency: Marshall Berg, CPA
Secretary

Official Mailing Address of Agency: 334 North Center, Ste. G
Turlock, CA 95380
Phone: 632-2248
Fax: 632-7249
Email: Hansberg1@aol.com
Website:

Revised: 10/16/01
Reference: **DR-03**

COMMITTEE FACT SHEET

NAME: **RECLAMATION DISTRICT NO. 2063 (CARPENTER)**
Established: August 15, 1922

COMPENSATION: None

LEGAL AUTHORITY: Water Code, Section 50000 et seq.

MEMBERSHIP: 5 Directors

QUALIFICATION:
AND RESIDENCY
REQUIREMENTS: **Elected**, must be a landowner and registered voter within the District
Vacancies filled by remaining directors within 60 days if a quorum exists;
by the Board of Supervisors between 60 and 90 days; and by election after
90 days. Appointee shall hold office until next district election.
(Government Code, Section 1780)

TERM: 4 Year Term

DUTIES: Reclaim marshland by building and maintaining levees.

MEETING DATE
AND LOCATION: Third Wednesday, Quarterly at 1:30 p.m.
334 N. Center, Turlock

CONTACT: Marshall Berg, CPA (Margie Secretary)
334 N. Center, Ste. G
Turlock, CA 95380
Phone: 632-2248
Fax: 632-7249
Email: Hansberg1@aol.com
Website:

FILE #: DR-3
BYLAWS: ? date?
VERIFICATION REQUESTED: 10/16/01
VERIFICATION DATE: 5/15/01