

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS

ACTION AGENDA SUMMARY

DEPT: Clerk-Recorder/Elections Division

BOARD AGENDA # \*A-4

Urgent ☐

Routine ☒

AGENDA DATE December 9, 2008

CEO Concurs with Recommendation YES ☐ NO ☐

4/5 Vote Required YES ☐ NO ☒

(Information Attached)

SUBJECT:

Request Appointment in Lieu of Election to the Board of the West Side Community Healthcare District Board of Directors

STAFF RECOMMENDATIONS:

Request Board of Supervisors make appointments in lieu of election as indicated for the following offices according to California Election Code 10515 for the Presidential General Election held November 4, 2008:

One Director Zone 1 - No candidate(s) filed

One Director Zone 2 - George Schmidt - short term

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2008-818

On motion of Supervisor Monteith, Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, and Vice Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: Mayfield

Abstaining: Supervisor: None

1) ☒ Approved as recommended

2) ☐ Denied

3) ☐ Approved as amended

4) ☐ Other:

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

**SUBJECT:** Request Appointment in Lieu of Election to the Board of the West Side Community Health Care District Board of Directors

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**DISCUSSION:**

Elections Code 10515. (a) If, by 5 p.m. on the 83rd day prior to the day fixed for the general district election: (1) only one person has filed a declaration of candidacy for any elective office to be filled at that election, (2) no one has filed a declaration of candidacy for such an office, (3) in the case of directors to be elected from the district at large, the number of persons who have filed a declaration of candidacy for director at large does not exceed the number of offices of director at large to be filled at that election, or (4) in the case of directors who must reside in a division but be elected at large, the number of candidates for director at large from a division does not exceed the number required to be elected director at large while residing in that division; and if a petition signed by 10 percent of the voters or 50 voters, whichever is the smaller number, in the district or division if elected by division, requesting that the general district election be held has not been presented to the officer conducting the election, he or she shall submit a certificate of these facts to the supervising authority and request that the supervising authority, at a regular or special meeting held prior to the Monday before the first Friday in December in which the election is held, appoint to the office or offices the person or persons, if any, who have filed declarations of candidacy. The supervising authority shall make these appointments.

**POLICY ISSUE:**

Request the Board of Supervisors make the appropriate appointment(s) in lieu of the election.

**STAFFING IMPACT:**

There are no staffing impacts associated with this item.



**OFFICE OF COUNTY CLERK-RECORDER  
REGISTRAR OF VOTERS**

**LEE LUNDRIGAN**  
County Clerk-Recorder

1021 "I" Street, Suite 101, Modesto, CA 95354  
Phone: 209.525.5200 Fax: 209.525.5210

**CERTIFICATE OF COUNTY CLERK  
REQUEST FOR DECLARATION OF ELECTION  
TO THE  
WESTSIDE COMMUNITY HEALTH CARE DISTRICT**

I, LEE LUNDRIGAN, County Clerk of the County of Stanislaus, hereby certify as follows:

As of 5:00 o'clock p.m. on August 13, 2008, not more than one person had been nominated for each of the elective offices to be filled at the Presidential General Election to be held on November 4, 2008, and no petition signed by the voters of the District requesting the election be conducted was presented to this office.

The offices are to be filled as indicated for the district and only the following persons have been nominated:

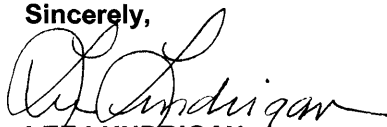
One Director Zone 1 (full term) – No candidates(s) filed  
One Director Zone 2 (short term) - George Schmidt

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. If no person filed for any office, the supervising authority shall appoint any person to the office who is qualified on the date when the election would have been held. The person appointed shall qualify and take office and serve exactly as if elected at a general district election.

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

Dated this 23<sup>rd</sup> day of November 2008.

Sincerely,

  
**LEE LUNDRIGAN**  
County Clerk-Recorder

Communication may be made with the district by contacting:

West Side Community Health Care District  
Attn: District Secretary  
151 Highway 33  
Newman, CA 95360-9603

BOARD OF SUPERVISORS  
2008 DEC -21 A 11:43