

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

DEPT: Clerk Recorder / Elections Division

BOARD AGENDA # A-60

Urgent ☐

Routine ☒

AGENDA DATE October 4, 2011

CEO Concurs with Recommendation YES ☒ NO ☐
(Information Attached)

4/5 Vote Required YES ☐ NO ☒

SUBJECT:

Request Appointments in Lieu of Election to the West Stanislaus Irrigation District Board of Directors

STAFF RECOMMENDATIONS:

Whereas not more than one person was nominated for each of the elective offices to be filled at the Consolidated District Election to be held on Tues. November 8, 2011, or there were no nominees as of 5:00pm on Wed. August 17, 2011, request the Board of Supervisors make appointments in lieu of election as indicated:

One full term position: Division 2 - Greg Petz

One full term position: Division 5 - Lee DeIDon

Contact Person: Lee Lundrigan, Clerk-Recorder

Telephone: (209) 525-5211

FISCAL IMPACT:

BOARD ACTION AS FOLLOWS:

No. 2011-585

On motion of Supervisor DeMartini, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST:

Christine Ferraro
CHRISTINE FERRARO TALLMAN, Clerk

File No.

Request Appointment in Lieu of Election to the Board of the West Stanislaus
Irrigation District Board of Directors for the November 8, 2011 Consolidated District
Election

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DISCUSSION: Pursuant to California Elections Code 10515, "Request the Board of Supervisors makes the appropriate appointment(s) in lieu of the election."

POLICY ISSUE: Pursuant to 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.

**STAFFING
IMPACT:**

There is no staffing impact associated with this item.

CONTACT PERSON: Lee Lundrigan, Clerk-Recorder (209) 525-5211



BOARD OF SUPERVISORS

2011 AUG 25 A 10:20

WEST STANISLAUS IRRIGATION DISTRICT

**116 E Street
Post Office Box 37
Westley, California, 95387**

**209.894-3091
209.894.3383 fax
wsid@gvni.com**

August 24, 2011

Stanislaus Board of Supervisors
1010 10th Street 6th Floor
Modesto, California, 95354.

Re: 2011 appointment of Directors for the West Stanislaus Irrigation District

The West Stanislaus Irrigation District Board of Directors recommends on a motion by Director Yamamoto and seconded by Director Petz that the following appointments to its Board of Directors be made in lieu of an election if no one person has filed a declaration for the following offices:

Division No. 2 Greg Petz

Division No. 5 Lee DelDon

Passed and adopted the 12th day of July 2011 by the following vote:

Ayes: Directors Yamamoto, Petz and DelDon.

Noes: None

Absent: Directors Bays and Goubert

Respectfully submitted,

A handwritten signature in black ink that reads "Robert Pierce". The signature is written in a cursive, flowing style.

Robert Pierce
General Manager
Secretary of the Board of Directors
West Stanislaus Irrigation District

Cc: Stanislaus County Elections Department

**DISTRICT SECRETARY'S NOTICE
TO STANISLAUS COUNTY CLERK**

(Elections Code Section 10515)

To the County Clerk of Stanislaus County:

WEST STANISLAUS IRRIGATION DISTRICT

DISTRICT

Name of District

The above named District hereby notifies Stanislaus County Registrar of Voters under Election Code §10515 that the following applies in and for the Consolidated District Election to be held on Tuesday, November 8, 2011.

Complete applicable section A or B:

- (A) Whereas only one person has filed a declaration of candidacy for each elective office to be filled or no one has filed a declaration of candidacy for such offices *and* no petition requesting the election be conducted has been filed with the District, therefore no election shall be held for the offices listed below. This District requests the Stanislaus County Board of Supervisors appoint the candidates as indicated per Election Code §10515:

Offices

Candidates (if any)

DIRECTOR - DIVISION NO.2

GREG PETZ (INCUMBENT)

DIRECTOR - DIVISION NO.5

LEE DELDON (INCUMBENT)

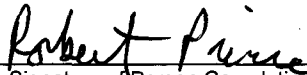
OR

- (B) A sufficient petition, signed by 50 voters or by 10% of the voters of the District (or of the division if the election is by division), whichever is the smaller number, having been presented to the officer conducting the election within the time prescribed by Elections Code §10515 the following offices will appear on the ballot:

Offices

Candidates (if any)

Dated: AUGUST 19, 2011



Signature of Person Completing Form

ROBERT PIERCE GENERAL MANAGER/SECRETARY OF BOARD OF DIRECTORS

Print Name and Title of Person Completing Form

POST OFFICE BOX 37, WESTLEY, CALIFORNIA, 95387.

Mailing Address

(209) 894-3091

Telephone