

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

DEPT: Board of Supervisors

BOARD AGENDA # \*A-5

Urgent  Routine

AGENDA DATE November 15, 2011

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Acceptance of Appointment of David Orris, Douglas M. Kearney, and Ruby Beltran to the Western Hills Water District Board of Directors

STAFF RECOMMENDATIONS:

Appoint David Orris, Douglas M. Kearney, and Ruby Beltran to the Western Hills Water District Board of Directors to four year terms ending December 4, 2015.

Contact person: Christine Ferraro Tallman, Clerk of the Board

Telephone: 525-4494

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2011-700

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, De Martini, 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 TALLMAN, Clerk

File No.

**Western Hills  
Water District**

9501 MORTON DAVIS DRIVE  
PATTERSON, CA 95363

November 7, 2011

Stanislaus County Board of Supervisors  
1010 Tenth Street – Suite 6700  
Modesto, CA 95354  
Attention: Christine Ferraro

Stanislaus County Clerk Recorder – Elections  
1021 "I" Street, Suite 101  
Modesto, CA 95354  
Attention: Mary Henson

Re: Western Hills Water District Certificate of Canvass

Dear Ms. Ferraro and Ms. Henson

Enclosed please find the Certificate of Canvass for Western Hills Water District November 2, 2011 Elections. Also enclosed is a copy of the "Notice of General Election" as it appeared in the Patterson Irrigator on July 14, 2011 and The Modesto Bee on July 14, 2011.

Sincerely,



Ruby Beltran  
District Secretary

BOARD OF SUPERVISORS  
2011 NOV - 7 P 4:26

**Western Hills Water District - Wednesday, November 2, 2011**  
**CERTIFICATE OF CANVASS**

Total Ballots Counted: 298                      Registration: 719  
 Total Ballots Cast: 320                              Turnout: 44.51%

Vote For One	Rank Order	Total	Percentage
<b>Position 2</b>			
Josh Callahan	2	1088633	9.36%
David Orris	1	10540982	90.64%
		<b>Total Votes: 11629615</b>	<b>100.00%</b>
<b>Position 4</b>			
Barry Ivy	2	3548458	30.21%
Douglas M. Kearney	1	8197068	69.79%
		<b>Total Votes: 11745526</b>	<b>100.00%</b>
<b>Position 5</b>			
Ruby Beltran	1	8798982	73.69%
John Ramos	2	3141631	26.31%
		<b>Total Votes: 11940613</b>	<b>100.00%</b>

Not Counted - Position 2	
Over Votes:	2
Blank Votes:	19
No Signature on Envelope:	
<b>Not Counted - Position 4</b>	
Over Votes:	0
Blank Votes:	18
No Signature on Envelope:	

Not Counted - Position 5	
Over Votes:	0
Blank Votes:	16
No Signature on Envelope:	

Name: Ruby Beltran  
 Signature: Ruby Beltran  
 Name: Charles Smith  
 Signature: [Signature]

Date: 11/7/11

Date: 11/7/11



PROOF OF PUBLICATION  
(2015.5 C.C.P)

This space is for the County Clerk's Filing stamp

STATE OF CALIFORNIA  
County of Stanislaus


22 | PATTERSON IRRIGATOR CLASSIFIEDS. THURSDAY, JULY 14, 2011

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Patterson Irrigator, a newspaper of general circulation, printed and published once a week on Thursdays, in the city of Patterson, California, County of Stanislaus, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court, of the County of Stanislaus, State of California, under the date of June 23, 1952, Case Number 47304; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

July 14  
all in the year 2011

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

Dated at Patterson, California, this 14  
day of July, 2011

  
Signature

PUBLIC NOTICE

NOTICE OF ELECTION  
IN  
WESTERN HILLS WATER DISTRICT

This is a Landowner Voting Election.

NOTICE IS HEREBY GIVEN pursuant to Elections Code Section 10509 that the Western Hills Water District (District), located wholly within the County of Stanislaus, will hold a general district election on Wednesday, November 2, 2011, 9501 Morton Davis Drive, Patterson, CA 95363, for the sole purpose of the election of the following three (3) District Director positions:

- Director Position 2, two-year term;
- Director Position 4, four-year term;
- Director Position 5, four-year term.

Director Position 2 is for the balance of an unexpired term. Director Positions 4 and 5 are not for the balance of an unexpired term. The director positions are not elected by division. Water Code Sections 34700 & 34030 require a nominee and the elected director to be: (1) a holder of title of land within the District; (2) a duly appointed and acting guardian, executor, or administrator of the estate of a holder of title to land within the District; or (3) a person duly authorized to act for, and on behalf of, a holder of title to land within the District that is not a natural person.

Official declarations of candidacy for eligible candidates desiring to file for any of the elective offices may be obtained from the Secretary of the District by calling (209) 895-9493 or at the District office located at 9501 Morton Davis Drive, Patterson, CA 95363.

Forms for declaring candidacy will be available commencing on July 12, 2011 and shall be filed with the Secretary of the District at the above address, either in person or by certified mail, no later than 5:00 p.m., August 8, 2011.

The election will be conducted as an all-mail ballot election and there will be no polling places. The candidates shall pay for the publication of a statement of qualifications pursuant to Election Code Section 13307.

In the event there are no candidates or an insufficient number of candidates for these positions, and a petition for calling for an election is not filed within the time period prescribed in Section 10505 of the Elections Code, appointment to the Director positions will be made as prescribed by law.

Dated July 11, 2011

Ruby Beltran, Secretary  
Western Hills Water District

(Si desea obtener este aviso legal en español, puede llamar a Western Hills Water District at (209) 895-9493.)

**DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am a printer and principal clerk of the publisher of **THE MODESTO BEE**, which has been adjudged a newspaper of general circulation by the Superior Court of the County of STANISLAUS, State of California, under the date of February 25, 1951, Action No. 46453. The notice of which the annexed is a printed copy has been published in each issue thereof on the following dates, to wit:

**JULY 14, 2011**

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at **MODESTO, California** on

**JULY 14, 2011**

*Marilyn Gonzalez*

(Signature)

**PUBLIC NOTICE  
NOTICE OF ELECTION  
IN**

**WESTERN HILLS WATER DISTRICT**

This is a Landowner Voting Election NOTICE IS HEREBY GIVEN pursuant to Elections Code Section 10389 that the Western Hills Water District (District), located wholly within the County of Stanislaus, will hold a general district election on Wednesday, November 2, 2011, 9501 Morton Davis Drive, Patterson, CA 95262, for the sole purpose of the election of the following three (3) District Director positions:  
Director Position 2, two-year term;  
Director Position 4, four-year term;  
Director Position 5, four-year term.  
Director Position 2 is for the balance of an unexpired term. Director Positions 4 and 5 are not for the balance of an unexpired term. The director positions are not elected by division. Water Code Sections 34700 & 34830 require a nominee and the elected director to be: (1) a holder of title of land within the District; (2) a duly appointed and acting guardian, executor, or administrator of the estate of a holder of title to land within the District; or (3) a person duly authorized to act for; and on behalf of, a holder of title to land within the District that is not a natural person. Official declarations of candidacy for eligible candidates desiring to file for any of the elective offices may be obtained from the Secretary of the District by calling (209)895-9493 or at the District office located at 9501 Morton Davis Drive, Patterson, CA 95262.

Forms for declaring candidacy will be available commencing on July 12, 2011. They shall be filed with the Secretary of the District at the above address, either in person or by certified mail, no later than 5:00 p.m. August 8, 2011.

The election will be conducted as an all-mail ballot election and there will be no polling places. The candidates shall pay for the publication of a statement of qualifications pursuant to Election Code Section 13307.

In the event there are no candidates or insufficient number of candidates for positions, and a petition for calling an election is not filed within the time prescribed in Section 13805 of the Elections Code, appointment to the Director positions will be made as prescribed by law.

Dated: July 11, 2011  
Ruby Beltran, Secretary  
Western Hills Water District  
(Si desea obtener este aviso legal en español, puede llamar a Western Hills Water District al (209)895-9493.)  
Pub Dates: July 14, 2011  
MOP-579