

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

DEPT: COUNTY CLERK RECORDER (ELECTIONS)

BOARD AGENDA # \*A-9.e.

Urgent \_\_\_\_\_ Routine  X

AGENDA DATE 9-18-01

CEO Concur with Recommendation YES \_\_\_\_\_ NO \_\_\_\_\_  
(Information Attached)

4/5 Vote Required YES \_\_\_\_\_ NO  X

SUBJECT:

REQUEST APPOINTMENTS IN LIEU OF ELECTION TO THE ORESTIMBA FLOOD CONTROL 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 candidates filed for two directors

FISCAL  
IMPACT:

NOT APPLICABLE.

BOARD ACTION AS FOLLOWS:

No. 2001-695

On motion of Supervisor Simon Seconded by Supervisor Caruso  
and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: Mayfield

Abstaining: Supervisor: None

- 1)  X  Approved as recommended
- 2) \_\_\_\_\_ Denied
- 3) \_\_\_\_\_ Approved as amended

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Deputy

File No.

**POLICY  
DISCUSSION:**

**THE ATTACHED DOCUMENT IS A RESULT OF THE NOMINATION PROCESS FOR THE ORESTIMBA FLOOD CONTROL 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**

**DIRECTOR**

**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.**

**CERTIFICATE OF COUNTY CLERK  
REQUEST FOR DECLARATION OF ELECTION**

**TO THE**

**ORESTIMBA FLOOD CONTROL 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 ORESTIMBA FLOOD CONTROL District requesting the election be conducted was presented to this office.**

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

**NO CANDIDATES 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 27TH day of AUGUST, 2001**

**KAREN L. MATHEWS  
County Clerk-Recorder**

**BY**

  
\_\_\_\_\_  
**JOYCE GOUDIE**

**Assistant Registrar of Voters**

**Communication may be made with the district by contacting:**

**MERVYN K. CROW JR  
21900 KILBURN ROAD  
CROWS LANDING CA 95313**

ROSTER OF PUBLIC AGENCY MEMBERS

Public Agency: **ORESTIMBA CREEK FLOOD CONTROL DISTRICT**

Membership Selection: Landowner Election

MEMBERSHIP

<u>Name</u>	<u>Term Expires</u>
John Beltran	12/07/01
Mervyn K. Crow Jr.	12/05/03
Glen Crow	12/07/01
Earl Perez	12/05/03
Clyde Peters	12/05/03

Official Contact Person of Agency: Mervyn K. Crow, Jr.

Official Mailing Address of Agency: 21900 Kilburn Road  
Crows Landing, CA 95313  
Phone: 837-4369  
Fax:  
Email:  
Website:

Revised: 9/18/01  
Reference: **DFC-01**

COMMITTEE FACT SHEET

NAME: **ORESTIMBA CREEK FLOOD CONTROL DISTRICT**  
Established: November 20, 1984

COMPENSATION: None

LEGAL AUTHORITY: Stanislaus County Flood Control Enabling Act, Water Code Appendix,  
Section 120 et seq.

MEMBERSHIP: 5 Directors

QUALIFICATION:  
AND RESIDENCY  
REQUIREMENTS: **Elected** by landowner election, must hold title to land within the District.  
Vacancies are filled by the Board of Supervisors if no city is affected.  
If the District is within the jurisdiction of a city, the City Council will fill  
vacancies.

TERM: 4 Year Term

DUTIES: Maintenance of existing flood control facilities within the District  
boundaries.

MEETING DATE  
AND LOCATION: Meetings are held as necessary.  
Perez Brothers Office, Crowslanding

CONTACT: Mervyn K. Crow, Jr.  
21900 Kilburn Road  
Crows Landing, CA 95313  
Phone: 837-4369  
Fax:  
Email:  
Website:

FILE #: DFC-1

BYLAWS:

VERIFICATION REQUESTED: 9/18/01

VERIFICATION DATE: