

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

DEPT: COUNTY CLERK RECORDER (ELECTIONS)

BOARD AGENDA # *A-7.b.

Urgent _____ Routine

AGENDA DATE 10-02-01

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

4/5 Vote Required YES _____ NO

SUBJECT:

REQUEST APPOINTMENTS IN LIEU OF ELECTION TO THE DENAIR MUNICIPAL ADVISORY COUNCIL

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:

DIANE L. NOZ - LONG TERM

MICHELE HILLERMAN - LONG TERM

KATHRYN G HOLLOWAY - SHORT TERM

NO CANDIDATE FILED FOR VACANT SHORT TERM

NO CANDIDATE FILED FOR VACANT LONG TERM

FISCAL
IMPACT:

NOT APPLICABLE.

BOARD ACTION

No. 2001-737

On motion of Supervisor Simon, 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) Approved as recommended

2) _____ Denied

3) _____ Approved as amended

Motion:

File No.

**POLICY
DISCUSSION:**

THE ATTACHED DOCUMENT IS A RESULT OF THE NOMINATION PROCESS FOR THE DENAIR MUNICIPAL ADVISORY COUNCIL 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:

COUNCIL MEMBER - LONG TERM

COUNCIL MEMBER - LONG TERM

COUNCIL MEMBER - LONG TERM

COUNCIL MEMBER - SHORT TERM

COUNCIL MEMBER - SHORT 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.

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

TO THE

DENAIR MUNICIPAL ADVISORY COUNCIL

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 DENAIR MUNICIPAL ADVISORY COUNCIL requesting the election be conducted was presented to this office.

The offices of FIVE (THREE LONG TERMS & TWO SHORT TERMS) COUNCIL MEMBERS are to be filled as indicated for the council, and only the following persons have been nominated:

DIANE L. NOZ - LONG TERM

MICHELE HILLERMAN - LONG TERM

NO CANDIDATE FILED FOR THIRD LONG TERM

KATHRYN G. HOLLOWAY - SHORT TERM

NO CANDIDATE FILED FOR SECOND SHORT TERM

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 21ST day of AUGUST, 2001

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

BY

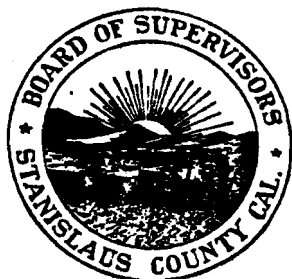

**JOYCE GOUDIE
Assistant Registrar of Voters**

Communication may be made with the district by contacting:

**DENNIS HARTMAN
P O BOX 427
DENAIR CA 95316
(209) 632-2411**

Certificate of Appointment

We, the Board of Supervisors, being the Supervising Authority for the Denair Municipal Advisory Council, in the County of Stanislaus, State of California, do hereby certify that at a regular meeting of said Board of Supervisors held on the 2nd day of October 2001, this body appointed Ms Diane L. Noz to the office of Councilmember for this district, to hold office for the completion of the term expiring December 2, 2005, as provided by law.



Bob Paul

Chair of the Board of Supervisors
County of Stanislaus, State of California

Oath of Office

I, Diane L. Noz do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Diane Lynn Noz
(CANDIDATE SIGNATURE)

Subscribed and sworn to before me, this 15th day of October, 2001.

State of California
County of Stanislaus

Suzette J. Cram
(SIGNATURE OF PERSON ADMINISTERING OATH)

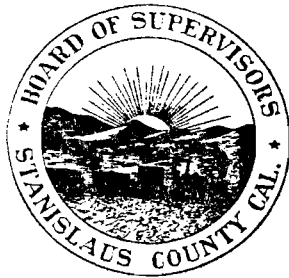
Suzette J. Cram, Notary Public

(TITLE)



Certificate of Appointment

We, the Board of Supervisors, being the Supervising Authority for the Denair Municipal Advisory Council, in the County of Stanislaus, State of California, do hereby certify that at a regular meeting of said Board of Supervisors held on the 2nd day of October 2001, this body appointed Ms Michele Hillerman to the office of Councilmember for this district, to hold office for the completion of the term expiring December 2, 2005, as provided by law.



Bob Baul

Chair of the Board of Supervisors
County of Stanislaus, State of California

Oath of Office

I, Michele Hillerman do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Michele Hillerman
(CANDIDATE SIGNATURE)

Subscribed and sworn to before me, this 22nd day of October, 2001.

Raquel Dominguez
(SIGNATURE OF PERSON ADMINISTERING OATH)
Deputy Clerk
(TITLE)

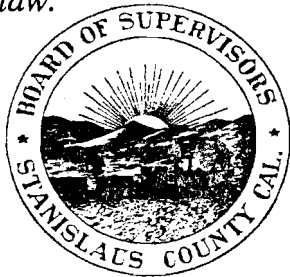
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BOARD OF SUPERVISORS

Certificate of Appointment

We, the Board of Supervisors, being the Supervising Authority for the Denair Municipal Advisory Council, in the County of Stanislaus, State of California, do hereby certify that at a regular meeting of said Board of Supervisors held on the 2nd day of October 2001, this body appointed Ms Kathryn G. Holloway to the office of Councilmember for this district, to hold office for the completion of the term expiring December 2, 2005, as provided by law.



Bob Paul

Chair of the Board of Supervisors
County of Stanislaus, State of California

Oath of Office

I, Kathryn G. Holloway do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Kathryn G. Holloway

(CANDIDATE SIGNATURE)

Subscribed and sworn to before me, this 28th day of November, 2001.

Luigi Sibani

(SIGNATURE OF PERSON ADMINISTERING OATH)

deputy clerk
(TITLE)

ROSTER OF PUBLIC AGENCY MEMBERS

Public Agency: **DENAIR MUNICIPAL ADVISORY COUNCIL**

Membership Selection: Elected

MEMBERSHIP

<u>Name</u>		<u>Term Expires</u>
Michele Hillerman		12/02/05
Kathryn G. Holloway		12/04/03
Diane Noz		12/02/05
Dwight Bailey	RESIGNED	12/07/01
Jim Yoshino	VACANT	12/03/99

Official Contact Person of Agency: Dr. Dennis Hartman

Official Mailing Address of Agency: P.O. Box 427
Denair, CA 95316
Phone: 634-0928
Fax:
Email:
Website:

Revised: 10/2/01
Reference: MAC-05

COMMITTEE FACT SHEET

NAME: **DENAIR MUNICIPAL ADVISORY COUNCIL**
Established: October 20, 1992

COMPENSATION: None

LEGAL AUTHORITY: Board of Supervisors Resolution #92-1281 pursuant to
Government Code, Section 31010

MEMBERSHIP: 5 Councilmembers (reduced from 7 by Board Reso 2000-295, 4/18/2000)
QUALIFICATION: **Elected**, must be a registered voter within the District
AND RESIDENCY
REQUIREMENTS: Vacancies may be filled by the Board of Supervisors.

TERM: 4-Year Term, 2 Term limit

DUTIES: The MAC advises the Board of Supervisors on such matters which relate
to that area as may be designated by the Board concerning services which
are or may be provided to the area by the County or other local
governmental agencies, including but not limited to advice on matters of
public health, safety, welfare, public works, and planning.

MEETING DATE AND LOCATION: Once a month
Denair Senior Citizen's Center
3756 Alameda
Denair CA 95316

CONTACT: Dennis Hartman
Denair Municipal Advisory Council
P O Box 427
Denair CA 95316
Phone: 634-0928
Fax:
Email:
Website:...

FILE #: MAC-5
BYLAWS:
VERIFICATION REQUESTED: 10/2/01
VERIFICATION DATE: 6/19/01