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

DEPT: Clerk Recorder - Elections Division   BOARD AGENDA #   A-9h

Urgent ☐   Routine ■   AGENDA DATE September 1, 2009

CEO Concurs with Recommendation YES ■   NO ☐   4/5 Vote Required YES ☐   NO ■
(Information Attached)

SUBJECT:

Request Appointment in Lieu of Election to the Oakdale Irrigation District Board of Directors

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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 Tuesday, November 3, 2009, or there were no nominees as of 5:00pm on Wednesday, August 12, 2009, request the Board of Supervisors make appointments in lieu of election as indicated:

Division 3 - One full term director position - One candidate filed:
   Steve Webb

Division 5 - One full term director position - One candidate filed:
   Jack D. Alpers

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS: No. 2009-596

On motion of Supervisor ____ Chiesa _____ , **Seconded by Supervisor** ___ O'Brien _____
and approved by the following vote,
Ayes: Supervisors: _____ O'Brien, Chiesa, Grover, and Chairman DeMartini _____
Noes: Supervisors: _____ None _____
Excused or Absent: Supervisors: __ Monteith _____
Abstaining: Supervisor: _____ None _____
1) **X**   Approved as recommended
2) _____ Denied
3) _____ Approved as amended
4) _____ Other:
MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk   File No.

SUBJECT: Request Appointment in Lieu of Election to the Oakdale Irrigation District Board of Directors

DISCUSSION: Pursuant to California Elections Code 10515 (a) (4), "The election official... shall submit a certificate of these facts to the supervising authority..."

POLICY ISSUE: Pursuant to Election Code 10515 (a) (4), "The county election official ... shall 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. (b) If no person has filed a declaration of candidacy 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 for the office."

**STAFFING
IMPACT:**   There is no staffing impact associated with this item.

NOTE:

CERTIFICATE OF COUNTY CLERK

REQUEST FOR APPOINTMENT OF OFFICES

IN LIEU OF ELECTION FOR THE

OAKDALE IRRIGATION DISTRICT

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

As of the close of the candidate nomination filing period at 5:00 p.m. on August 7, 2009, not more than one person had been nominated for each of the elective offices for said District to be filled at the Consolidated District Election to be held on Tuesday, November 3, 2009, and no petition signed by the voters of said District requesting the election be conducted was presented to this office.

The following person(s) have been nominated:

One Director / Division 3 – Steve Webb

One Director / Division 5 – Jack D. Alpers

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 qualified person to the office who is qualified by the date when the election would have been held. The person appointed shall qualify and take office and serve exactly as if elected at the general district election.

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

Dated this 19th day of August 2009.

Sincerely,

LEE LUNDRIGAN
County Clerk-Recorder & Registrar of Voters

Communication may be made with the district by contacting:

Oakdale Irrigation District
Attn: District Secretary
1205 East F Street
Oakdale CA 95361