

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

DEPT: Board of Supervisors

BOARD AGENDA #: *A-3k

AGENDA DATE: November 7, 2017

SUBJECT:

Approval of Appointment In Lieu of Landowner Election of Guillermo Marrero and Carmen Kearney to the Western Hills Water District Board of Directors

BOARD ACTION AS FOLLOWS:

No. 2017-635

On motion of Supervisor Monteith, Seconded by Supervisor Olsen
and approved by the following vote,

Ayes: Supervisors: Olsen, Withrow, Monteith, DeMartini, and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended


2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST:


ELIZABETH A. KING, Clerk of the Board of Supervisors

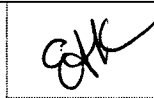
File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Board of Supervisors

BOARD AGENDA #: *A-3k

Urgent Routine



AGENDA DATE: November 7, 2017

CEO CONCURRENCE: _____

4/5 Vote Required: Yes No

SUBJECT:

Approval of Appointment In Lieu of Landowner Election of Guillermo Marrero and Carmen Kearney to the Western Hills Water District Board of Directors

STAFF RECOMMENDATIONS:

1. Appoint in lieu of landowner election Guillermo Marrero and Carmen Kearney to the Western Hills Water District Board of Directors to four year terms ending on December 3, 2021.

CONTACT PERSON:

Elizabeth King, Clerk of the Board

Phone number: 209-525-4494

RESOLUTION NO. 2017-4

BOARD OF SUPERVISORS

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
WESTERN HILLS WATER DISTRICT**

2017 OCT 10 P 3:28

**RESOLUTION REQUESTING APPOINTMENT OF TWO (2) BOARD
MEMBERS PURSUANT TO THE PROVISIONS OF
CALIFORNIA ELECTIONS CODE 10515**

WHEREAS, the Western Hills Water District, a landowner voting district, called its General Election for November 8, 2017 pursuant to the California Uniform District Election Law; the deadline for submission of candidate declarations was August 11, 2017 at 5:00 p.m. By that date only two (2) candidates filed a valid declaration of candidacy out of the three (3) elective offices to be filled at the November 8, 2017 election.

WHEREAS, a petition has not been filed by the 83rd day prior to the date set for the election requesting that a general district election be held;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors as follows:

1. Based on the number of candidate declarations received, the District is cancelling the November 8, 2017 election.

2. In accordance with Election Code §10515 (b) and due to the fact that only two (2) people submitted valid candidacy declarations out of the three (3) seats up for election, then the WHWD Board “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.”

3. The District Secretary is directed to submit this resolution and attached declaration requesting the Stanislaus County Board of Supervisors to appoint the following persons as District directors:

<u>Candidates</u>	<u>Office</u>	
Guillermo Marrero	Director Position 1	(term expires 2021)
Carmen Kearney	Director Position 2	(term expires 2021)

4. The District Secretary is further directed to request the Stanislaus County Board of Supervisors to make such appointment pursuant to the provisions of Elections Code Section 10515, within the time prescribed by that section.

Moved by Director C. Kearney, second by Director D. Kearney, that the foregoing resolution be adopted.

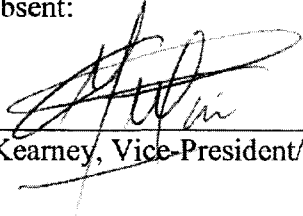
Upon roll call the following vote was had on September 28, 2017:

Ayes: C. Kearney, D. Kearney, G. Marrero, D. Cifuentes

Noes:

Abstain:

Absent:

A handwritten signature in black ink, appearing to read 'C. Kearney', is written over a horizontal line.

Carmen Kearney, Vice-President/Treasurer

WESTERN HILLS WATER DISTRICT

DISTRICT SECRETARY CERTIFICATE

**DECLARATION & REQUEST FOR APPOINTMENT OF
ELECTIONS CANDIDATES TO DISTRICT OFFICES**

(Elections Code 10515)

I, Carmen Kearney, under penalty of perjury state:

1. That I am the duly appointed and acting elections official for the Western Hills Water District and that this certification is within my own knowledge.

2. That Western Hills called its general election pursuant to California's Uniform District Election Law. Notice of the election was given as required by law.

3. The Last date for submission of declarations of candidacy was August 11, 2017 at 5:00 p.m. As of that date only two people filed a declaration of candidacy out of the three (3) elective office to be filled.

4. The candidates submitting declarations are qualified to act as directors of the Western Hills Water District.

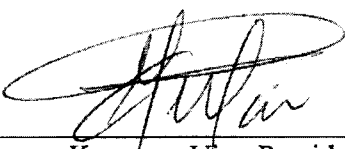
5. Therefore, Western Hills Water District requests the Stanislaus County Board of Supervisors appoint the following individuals to the District Board no later than November 8, 2017:

Candidates

Office

Guillermo Marrero
Carmen Kearney

Director Position 1 (term expires 2021)
Director Position 2 (term expires 2021)



Carmen Kearney, Vice-President/Treasurer