

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

DEPT: Elections

BOARD AGENDA:5.A.13  
AGENDA DATE: October 9, 2018

**SUBJECT:**

Approval of Appointment in Lieu of Election to the Del Puerto Health Care District for the November 6, 2018 General Election

**BOARD ACTION AS FOLLOWS:**

**RESOLUTION NO. 2018-0493**

On motion of Supervisor Chiesa-----, Seconded by Supervisor Withrow-----  
and approved by the following vote,

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

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:   
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

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

DEPT: Elections

BOARD AGENDA:5.A.13  
AGENDA DATE: October 9, 2018

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

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**SUBJECT:**

Approval of Appointment in Lieu of Election to the Del Puerto Health Care District for the November 6, 2018 General Election

**STAFF RECOMMENDATION:**

1. Whereas not more than one person was nominated for the elective offices to be filled at the General Election to be held on Tuesday, November 6, 2018, or there were no nominees as of 5:00 p.m. on Wednesday, August 15, 2018, the Registrar of Voters requests the Board of Supervisors make appointments in lieu of election as indicated:

One Director (2 Year Short Term): Daniel Robinson

Three Directors (4 Year Full Term): Steven M. Pittson and Sheree D. Lustgarten  
*No Other Candidate(s) Filed*

**DISCUSSION:**

Pursuant to California Elections Code Section 10515, the County Clerk-Recorder - Registrar of Voters submits to the Board of Supervisors and requests that the Board of Supervisors, in its capacity as the supervising authority of the district, make appropriate appointment(s) in lieu of the election.

California Elections Code Section 10515 provides the following directive to elections officials and district boards:

- (a) If, by 5 p.m. on the 83rd day prior to the day fixed for the general district election:
  - (1) only one person has filed a declaration of candidacy for any elective office to be filled at that election,
  - (2) no one has filed a declaration of candidacy for such an office,
  - (3) in the case of directors to be elected from the district at large, the number of persons who have filed a declaration of candidacy for director at large does not exceed the number of offices of director at large to be filled at that election, or
  - (4) in the case of directors who must reside in a division but be elected at large, the number of candidates for director at large from a division does not exceed the number required to be elected director at large while residing in that division; and if a petition signed by 10 percent of the voters

or 50 voters, whichever is the smaller number, in the district or division if elected by division, requesting that the general district election be held has not been presented to the officer conducting the election, he or she shall submit a certificate of these facts to the supervising authority and 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.

As of the close of the candidate nomination filing period, not more than one person had been nominated for each of the elective offices of the Del Puerto Health Care District (District) to be filled at the General Election to be held on Tuesday, November 6, 2018, and no petition signed by the voters of said District requesting the election be conducted was presented to the County Clerk-Recorder - Registrar of Voters. Accordingly, the County Clerk-Recorder – Registrar of Voters requests the Board of Supervisors make District appointments in lieu of election as follows:

One Director (2 Year Short Term): Daniel Robinson

Three Directors (4 Year Full Term): Steven M. Pittson and Sheree D. Lustgarten  
No Other Candidate(s) Filed

**POLICY ISSUE:**

Pursuant to California Election Code Section 10515, the Board of Supervisors shall make appointments of those who have filed declarations of candidacy in lieu of election.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**BOARD OF SUPERVISORS' PRIORITY:**

The recommended action is consistent with the Board's priority of *Delivering Efficient Public Services and Community Infrastructure* by maintaining and improving the efficiency of County government processes through the Appointment in Lieu of Election process.

**STAFFING IMPACT:**

There is no staffing impact associated with this item; existing County Clerk-Recorder Elections division staff have prepared and issued the attached certificate.

**CONTACT PERSON:**

Lee Lundrigan, County Clerk-Recorder (209) 525-5211

**ATTACHMENT(S):**

1. Certificate Of County Clerk



**OFFICE OF COUNTY CLERK / RECORDER  
& REGISTRAR OF VOTERS  
ELECTIONS DIVISION**

**LEE LUNDRIGAN**  
**County Clerk / Recorder / Registrar of Voters &  
Commissioner of Civil Marriage**

*Elections: 1021 "I" Street, Suite 101, Modesto, CA 95354  
Telephone: 209.525.5200 Facsimile: 209.525.5802*

**CERTIFICATE OF COUNTY CLERK  
REQUEST FOR APPOINTMENT OF OFFICES  
IN LIEU OF ELECTION FOR THE  
DEL PUERTO HEALTH CARE 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 10, 2018, or if applicable, the extended candidate nomination filing period at 5:00 p.m. on August 15, 2018, not more than one person had been nominated for each of the elective offices for said District to be filled at the General Election to be held on Tuesday, November 6, 2018, 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 (2 Year Short Term) – Daniel Robinson  
Three Directors (4 Year Full Term) – Steven M. Pittson and Sheree D. Lustgarten  
*No Other Candidate(s) 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. 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 31<sup>st</sup> day of August 2018.**



A handwritten signature in blue ink that reads 'Lee Lundrigan'.

**Lee Lundrigan**  
County Clerk / Recorder / Registrar of Voters  
County of Stanislaus  
State of California