

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

DEPT: Elections

BOARD AGENDA:5.A.14
AGENDA DATE: October 9, 2018

SUBJECT:

Approval of Appointment in Lieu of Election to the Patterson Irrigation District for the November 6, 2018 General Election

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0494

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
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.14
AGENDA DATE: October 9, 2018

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval of Appointment in Lieu of Election to the Patterson Irrigation 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, Division 3 (4 Year Full Term) – John M. Azevedo

One Director, Division 5 (4 Year Full Term) – Frank Trinta

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 Patterson Irrigation 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 the following District appointments in lieu of election:

One Director, Division 3 (4 Year Full Term) – John M. Azevedo

One Director, Division 5 (4 Year Full Term) – Frank Trinta

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 staff within the County Clerk- Recorder Elections division 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
PATTERSON 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 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, Division 3 (4 Year Full Term) – John M. Azevedo
- One Director, Division 5 (4 Year Full Term) – Frank Trinta

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 31st 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