



Midpeninsula Regional
Open Space District

R-12-112
Meeting 12-36
November 14, 2012

AGENDA ITEM 9

AGENDA ITEM

Appointment of Unopposed Candidates in Wards 2, 3, 4, and 7; Approval of Certificates of Appointment; and Administration of the Oath of Office

GENERAL MANAGER'S RECOMMENDATIONS

A handwritten signature in black ink, appearing to be "J. Edmond" or similar, written over the printed text "GENERAL MANAGER'S RECOMMENDATIONS".

1. Adopt the attached resolutions appointing the following unopposed candidates: Yoriko Kishimoto as Ward 2 Director to a two year term, J. Edmond (Jed) Cyr as Ward 3 Director to a four year term; Curtis R. Riffle as Ward 4 Director to a four year term, and Cecily Harris as Ward 7 Director to a four-year term.
2. Approve the Certificates of Appointment.
3. Administer the Oath of Office to the newly appointed Directors.

DISCUSSION

Section 5532(e) of the District's enabling legislation states, in part, that the Board of Directors shall appoint unopposed candidates who have been nominated. Section 5532(e) specifies that the Board of Directors shall make the appointment(s) and that the person(s) appointed shall qualify and take office, and serve exactly as if elected for office.

Yoriko Kishimoto of Palo Alto is the unopposed candidate nominated for the position of Director in Ward 2.

J. Edmond (Jed) Cyr of Sunnyvale is the unopposed candidate nominated for the position of Director in Ward 3.

Curtis R. Riffle of Los Altos is the unopposed candidate nominated for the position of Director in Ward 4.

Cecily Harris of San Carlos is the unopposed candidate nominated for the position of Director in Ward 7.

In accordance with the provisions of Sections 5532(f) and (g) of the District's enabling legislation, certificates of election shall be issued, and the Oath of Office shall be administered within 30 days of the appointment, and at least 15 days before the start of the term. The Directors' terms will begin on January 1, 2013.

FISCAL IMPACTS

There are no fiscal impacts associated with this agenda item.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. No additional notice is required.

CEQA COMPLIANCE

This proposed action is not a project under the California Environmental Quality Act and no environmental review is required.

NEXT STEPS

If the Board approves appointment of the unopposed candidates to Wards 2, 3, 4, and 7, the District Clerk will administer the Oath of Office, issue certificates of appointment, and each appointed Director will take office on January 1, 2013, and serve as if elected at the November 6, 2012 general district election.

Attachments:

1. Resolution Appointing Director in Ward 2
2. Resolution Appointing Director in Ward 3
3. Resolution Appointing Director in Ward 4
4. Resolution Appointing Director in Ward 7
5. Certificate of Appointment and Oath of Office for Ward 2
6. Certificate of Appointment and Oath of Office for Ward 3
7. Certificate of Appointment and Oath of Office for Ward 4
8. Certificate of Appointment and Oath of Office for Ward 7

Responsible Department Manager:
Ana Ruiz, Interim Assistant General Manager

Prepared by:
Michelle Radcliffe, District Clerk

Contact Person:
Same as above

ATTACHMENT 1

RESOLUTION NO. 12-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT APPOINTING DIRECTOR – WARD 2 OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

WHEREAS, an election for the office of Director – Ward 2 of the Midpeninsula Regional Open Space District was scheduled to be held on November 6, 2012; and

WHEREAS, at 5:00 p.m. on the 83rd day prior to the date of said election only one person had been nominated for the position to be filled at that election; and

WHEREAS in accordance with Section 5532(e) of the Public Resources Code, the Board of Directors, at a regular or special meeting shall appoint to the office the person who has been nominated, and

WHEREAS, Yoriko Kishimoto was unopposed as a candidate for Director – Ward 2.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Midpeninsula Regional Open Space District, that, pursuant to and in accordance with Section 5532 of the Public Resources Code,

YORIKO KISHIMOTO

Is appointed Director – Ward 2 of said District, is duly qualified for the office of Director – Ward 2 of the Midpeninsula Regional Open Space District and shall take office and serve exactly as if elected at the November 6, 2012 general district election for said office.

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District this 14th day of November, 2012, by the following vote:

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ATTACHMENT 2

RESOLUTION NO. 12-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT APPOINTING DIRECTOR – WARD 3 OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

WHEREAS, an election for the office of Director – Ward 3 of the Midpeninsula Regional Open Space District was scheduled to be held on November 6, 2012; and

WHEREAS, at 5:00 p.m. on the 83th day prior to the date of said election only one person had been nominated for the position to be filled at that election; and

WHEREAS in accordance with Section 5532(e) of the Public Resources Code, the Board of Directors, at a regular or special meeting shall appoint to the office the person who has been nominated, and

WHEREAS, J. Edmond (Jed) Cyr was unopposed as a candidate for Director – Ward 3.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Midpeninsula Regional Open Space District, that, pursuant to and in accordance with Section 5532 of the Public Resources Code,

J. EDMOND (JED) CYR

Is appointed Director – Ward 3 of said District, is duly qualified for the office of Director – Ward 3 of the Midpeninsula Regional Open Space District and shall take office and serve exactly as if elected at the November 6, 2012 general district election for said office.

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District this 14th day of November, 2012, by the following vote:

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ATTACHMENT 3

RESOLUTION NO. 12-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT APPOINTING DIRECTOR – WARD 4 OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

WHEREAS, an election for the office of Director – Ward 4 of the Midpeninsula Regional Open Space District was scheduled to be held on November 6, 2012; and

WHEREAS, at 5:00 p.m. on the 83th day prior to the date of said election only one person had been nominated for the position to be filled at that election; and

WHEREAS in accordance with Section 5532(e) of the Public Resources Code, the Board of Directors, at a regular or special meeting shall appoint to the office the person who has been nominated, and

WHEREAS, Curtis R. Riffle was unopposed as a candidate for Director – Ward 4.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Midpeninsula Regional Open Space District, that, pursuant to and in accordance with Section 5532 of the Public Resources Code,

CURTIS R. RIFFLE

Is appointed Director – Ward 4 of said District, is duly qualified for the office of Director – Ward 4 of the Midpeninsula Regional Open Space District and shall take office and serve exactly as if elected at the November 6, 2012 general district election for said office.

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District this 14th day of November, 2012, by the following vote:

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ATTACHMENT 4

RESOLUTION NO. 12-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT APPOINTING DIRECTOR – WARD 7 OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

WHEREAS, an election for the office of Director – Ward 7 of the Midpeninsula Regional Open Space District was scheduled to be held on November 6, 2012; and

WHEREAS, at 5:00 p.m. on the 83th day prior to the date of said election only one person had been nominated for the position to be filled at that election; and

WHEREAS in accordance with Section 5532(e) of the Public Resources Code, the Board of Directors, at a regular or special meeting shall appoint to the office the person who has been nominated, and

WHEREAS, Cecily Harris was unopposed as a candidate for Director – Ward 7.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Midpeninsula Regional Open Space District, that, pursuant to and in accordance with Section 5532 of the Public Resources Code,

CECILY HARRIS

Is appointed Director – Ward 7 of said District, is duly qualified for the office of Director – Ward 7 of the Midpeninsula Regional Open Space District and shall take office and serve exactly as if elected at the November 6, 2012 general district election for said office.

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District this 14th day of November, 2012, by the following vote:

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