

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



- 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.

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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

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.

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.

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, 20120; 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.

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.



STATE OF CALIFORNIA)	SS:		
COUNTY OF SANTA CLARA)	33.		
do hereby certify that on the 14 th da by the Board of Directors of the M	ay of Midpe ard 2	lerk of the Midpeninsula Regional Open Space District, <i>November</i> , <i>2012</i> , <i>Yoriko Kishimoto</i> was duly appointed eninsula Regional Open Space District, to the office of to a term which expires <i>December 31</i> , <i>2014</i> , as appears now on file in my office.		
		WITNESS WHEREOF, I hereunto affix my hand and the of said District, this day of, 2012.		
	MIC	CHELLE RADCLIFFE, DISTRICT CLERK		
	By:			
STATE OF CALIFORNIA COUNTY OF SANTA CLARA)	SS:		
COUNTY OF SANTA CLARA)			
Constitution of the United States enemies, foreign and domestic; that United States and the Constitution	and I will of the	vear (or affirm) that I will support and defend the the Constitution of the State of California against all ll bear true faith and allegiance to the Constitution of the ne State of California; that I take this obligation freely, repose of evasion; and that I will well and faithfully out to enter.		
		Signature		
		Member, Board of Directors – Ward 2		
		Title		
The above oath was taken and subscribed to before me this day of, 2012.				
	MIC	CHELLE RADCLIFFE, DISTRICT CLERK		
	By:			



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day rs of ors –	of <i>November</i> , 2012, <u>J. Edmond (Jed) Cyr</u> was the Midpeninsula Regional Open Space District <i>Ward 3</i> to a term which expires <i>December 31</i> , 2	as duly , to the
MIC	CHELLE RADCLIFFE, DISTRICT CLERK	
By:		
)	SS:	
and I wi of the	the Constitution of the State of California aga Il bear true faith and allegiance to the Constitution ne State of California; that I take this obligation rpose of evasion; and that I will well and fa	inst all n of the freely,
	Signature	
	Member, Board of Directors – Ward 3 Title	
cribe	d to before me this day of,	2012.
MIC	CHELLE RADCLIFFE, DISTRICT CLERK	
By:		
	day rs of ors - of D IN V seal MIC By:) nnly and I will of the r pure m above Cribec MIC	Member, Board of Directors – Ward 3



STATE OF CALIFORNIA)) SS:			
COUNTY OF SANTA CLARA)			
I, MICHELLE RADCLIFFE, District Clerk of the Midpeninsula Regional Open Space District, do hereby certify that on the 14 th day of November, 2012, Curtis R. Riffle was duly appointed by the Board of Directors of the Midpeninsula Regional Open Space District, to the office of Member, Board of Directors – Ward 4 to a term which expires December 31, 2016, as appears in the Minutes of the Board of Directors, now on file in my office.				
	IN WITNESS WHEREOF, I hereunto affix my hand and the seal of said District, this day of, 2012			
	MICHELLE RADCLIFFE, DISTRICT CLERK			
	By:			
STATE OF CALIFORNIA)			
COUNTY OF SANTA CLARA) SS:)			
I, <u>Curtis R. Riffle</u> , do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.				
-	Signature			
-	Member, Board of Directors – Ward 4 Title			
The above oath was taken and subsc	ribed to before me this day of, 2012.			
	MICHELLE RADCLIFFE, DISTRICT CLERK			
	By:			



Midpeninsula Regional Open Space District

STATE OF CALIFORNIA COUNTY OF SANTA CLARA)	SS:		
I, MICHELLE RADCLIFFE, District Clerk of the Midpeninsula Regional Open Space District, do hereby certify that on the 14 th day of November, 2012, Cecily Harris was duly appointed by the Board of Directors of the Midpeninsula Regional Open Space District, to the office of Member, Board of Directors – Ward 7 to a term which expires December 31, 2016, as appears in the Minutes of the Board of Directors, now on file in my office.				
		WITNESS WHEREOF, I hereunto affix my hand and the of said District, this day of, 2012.		
	MIC	CHELLE RADCLIFFE, DISTRICT CLERK		
	By:			
STATE OF CALIFORNIA)	SS:		
COUNTY OF SANTA CLARA)			
I, <u>Cecily Harris</u> , do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.				
-		Signature		
-		Member, Board of Directors – Ward 7		
		Title		
The above oath was taken and subscribed to before me this day of, 2012.				
	MIC	CHELLE RADCLIFFE, DISTRICT CLERK		
	By:			