



Midpeninsula Regional
Open Space District

R-18-149
Meeting 18-42
December 12, 2018

AGENDA ITEM 2

AGENDA ITEM

Certification of November 6, 2018 Election Results for Wards 1, 2, 5, and 6

GENERAL MANAGER'S RECOMMENDATIONS *den*

1. Adopt a Resolution Declaring Canvass of Returns and Results of the Biennial General District Election held on November 6, 2018.
2. Adopt a Resolution Appointing Director – Ward 2 of the Board of Directors of the Midpeninsula Regional Open Space District
3. Adopt a Resolution Appointing Director – Ward 6 of the Board of Directors of the Midpeninsula Regional Open Space District

SUMMARY AND DISCUSSION

On November 6, 2018, the Midpeninsula Regional Open Space District (District) held a Biennial General District Election for the purpose of electing two Board members for Wards 1 and 5. The Santa Clara County Registrar of Voters has canvassed the returns of the election and on December 5, 2018, the District Clerk received the Santa Clara County Registrar of Voters Certification of Election Results.

In accordance with Public Resources Code Section 5532, the District Board of Directors shall declare the candidate elected after receipt of the certification of the election by the County Registrar of Voters. Certificates of election shall be issued, and the Oath of Office shall be administered within 30 days of the appointment or before the expiration of 15 days before the commencement of his or her term of office. The Directors' terms will begin on January 8, 2019. No other filing is required.

Appointment of Elected Candidates

The attached resolution (Attachment 1) recites the number of votes cast and percentage of the vote received by each candidate, and declares the following persons elected to the respective elective offices for a term of four years commencing January 8, 2019:

District Ward 1: Pete Siemens
District Ward 5: Karen Holman

The votes cast and percentage of the vote received by each individual follows in the table below (Elected Board members names in bold):

Ward 1 – Total Votes Cast: 36,412

Candidate	Votes Received	Percentage of Votes Received
Pete Siemens	24,030	65.99%
Mike Buncic	12,382	34.01%

Ward 5 – Total Votes Cast: 30,819

Candidate	Votes Received	Percentage of Votes Received
Karen Holman	21,491	69.73%
Greg Scharff	9,328	30.27

Appointment of Unopposed Candidates

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. The Board of Directors adopted Resolution No. 18-22 on June 13, 2018 authorizing the Registrars of Voters to not list any unopposed candidates for the November 6, 2018 election.

Yoriko Kishimoto is the unopposed candidate nominated for the position of Director - Ward 2.

Larry Hassett is the unopposed candidate nominated for the position of Director - Ward 6.

FISCAL IMPACT

There are no unbudgeted fiscal impacts associated with this agenda item.

BOARD COMMITTEE REVIEW

Board Committee review of this item is not required.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

The proposed resolution does not constitute a project under the California Environmental Quality Act (CEQA) (14 Cal. Code. Regs., Section 15378(b)(4)).

NEXT STEPS

The District Clerk will administer the Oath of Office to the appointed and elected Board members for Wards 1, 2, 5, and 6.

Attachments

1. Resolution Declaring Canvass of Returns and Results of the Biennial General District Election held on November 6, 2018

2. Resolution Appointing Director – Ward 2 of the Board of Directors of the Midpeninsula Regional Open Space District
3. Resolution Appointing Director – Ward 6 of the Board of Directors of the Midpeninsula Regional Open Space District

Responsible Department Head:
Ana Ruiz, General Manager

Prepared by:
Jennifer Woodworth, District Clerk/Assistant to the General Manager

RESOLUTION NO. 18-__**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT DECLARING
CANVASS OF RETURNS AND RESULTS OF THE BIENNIAL
GENERAL DISTRICT ELECTION HELD ON NOVEMBER 6, 2018**

WHEREAS, the Board of Directors of the Midpeninsula Regional Open Space District duly called and ordered to be held in the District on Tuesday, November 6, 2018, a biennial general district election pursuant to Public Resources Code 5532 to fill seats for Wards 1, 2, 5, and 6; and

WHEREAS, the Registrars of Voters in Santa Clara and San Mateo Counties were requested to perform all necessary election procedures for the consolidated biennial general district election; 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 of Ward 2 to be filled at that election who in accordance with Section 5532(e) of the Public Resources Code will be appointed by separate resolution; 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 of Ward 6 to be filled at that election who in accordance with Section 5532(e) of the Public Resources Code will be appointed by separate resolution; and

WHEREAS, the Santa Clara County Registrar of Voters did canvass the returns of the biennial general district election for Ward 1 and Ward 5, and did certify to this Board of Directors the results of the votes cast at said election, which results are attached as Exhibit "A" and incorporated herein by reference; and

WHEREAS, the San Mateo County Registrar of Voters did canvass the returns of the biennial general district election for Ward 5, and did certify to this Board of Directors the results of the votes cast at said election, which results are attached as Exhibit "B" and incorporated herein by reference; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Midpeninsula Regional Open Space District:

1. The statement of the final results by the County of Santa Clara Registrar of Voters as shown in Exhibit "A" and the results of the votes cast at the biennial general district election are hereby ratified, confirmed and approved.
2. The total numbers of votes cast in the District at the biennial general district election and the number of votes cast in each precinct for the persons and respective offices to be filled at the General Municipal Election, are as set forth in the Certification of Election Results from the County of Santa Clara Registrar of Voters, as shown in Exhibit "A."

3. The statement of the final results by the County of San Mateo Registrar of Voters as shown in Exhibit “B” and the results of the votes cast at the biennial general district election are hereby ratified, confirmed and approved.
4. The total numbers of votes cast in the District at the biennial general district election and the number of votes cast in each precinct for the persons and respective offices to be filled at the General Municipal Election, are as set forth in the Certification of Election Results from the County of San Mateo Registrar of Voters, as shown in Exhibit “B.”
5. The names of the persons voted for the offices of Director and the total number of votes (including absentee votes) given in the respective Wards to each of the persons were as follows:

Ward 1 – Total Votes Cast: 36,412

Candidate	Votes Received	Percentage of Votes Received
Pete Siemens	24,030	65.99%
Mike Buncic	12,382	34.01%

Ward 5 – Total Votes Cast: 30,819

Candidate	Votes Received	Percentage of Votes Received
Karen Holman	21,491	69.73%
Greg Scharff	9,328	30.27

6. The following named persons received the largest number of votes for the offices of Director and were, therefore, duly elected to the office, and the District Clerk is hereby directed to issue a Certificate of Election to the persons, certifying each person’s election to the office appearing after his or her name, and to administer to the elected persons the oath of office prescribed by the Constitution and the laws of the State of California:

<u>Ward</u>	<u>Director</u>
No. 1	Pete Siemens
No. 5	Karen Holman

7. The District Clerk of the Midpeninsula Regional Open Space District hereby is instructed to enter this Resolution on the minutes of the Midpeninsula Regional Open Space District as a statement of the results of the November 6, 2018 biennial general district election.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on ____, 2018, at a special meeting thereof, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

Secretary
Board of Directors

President
Board of Directors

APPROVED AS TO FORM:

General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

District Clerk

COUNTY OF SAN MATEO STATEMENT OF THE VOTE

Early Voting Totals 41	MIDPENINSULA REGIONAL OPEN SPACE DISTRICT MEMBER, BOARD OF DIRECTORS, WARD 5															
	Registration	Ballots Cast	Turnout (%)		MIDPENINSULA REGIONAL KAREN HOLMAN	GREG SCHARFF										
14TH CONGRESSIONAL DISTRICT	13,048	1,652	12.7		915	386										
18TH CONGRESSIONAL DISTRICT	8,342	663	7.9		272	120										
24TH ASSEMBLY DISTRICT	21,390	2,315	10.8		1187	506										
3RD SUPERVISORIAL DISTRICT	2,110	152	7.2		29	13										
4TH SUPERVISORIAL DISTRICT	19,280	2,163	11.2		1158	493										
13TH SENATORIAL DISTRICT	21,390	2,315	10.8		1187	506										
BOARD OF EQUALIZATION DIST 2	21,390	2,315	10.8		1187	506										
CITY OF EAST PALO ALTO	10,276	1,257	12.2		704	297										
CITY OF MENLO PARK	8,859	896	10.1		450	193										
LA HONDA-PESCADERO UNIFIED	667	29	4.3		4	2										
MENLO PARK CITY COUNCIL DIST 1	2,659	387	14.6		207	87										
MENLO PARK CITY COUNCIL DIST 2	3,952	289	7.3		147	47										
MENLO PARK FIRE PROTECTION DIST	19,704	2,203	11.2		1179	500										
MIDPEN REGIONAL WARD 5	21,390	2,315	10.8		1187	506										
PORTOLA VALLEY SCHOOL DISTRICT	874	73	8.4		0	1										
RAVENSWOOD CITY SCHOOL DIST	13,818	1,697	12.3		898	383										
SMC BOARD OF ED TRUSTEE AREA 1	21,390	2,315	10.8		1187	506										
SAN MATEO COUNTY HARBOR	21,390	2,315	10.8		1187	506										
SEQUOIA HEALTHCARE DIST ZONE A	297	40	13.5		20	8										
SEQUOIA HEALTHCARE DIST ZONE E	874	73	8.4		0	1										
TOWN OF PORTOLA VALLEY	874	73	8.4		0	1										
UNINCORPORATED AREA	1,381	89	6.4		33	15										
Early Voting Totals	21,390	2,315	10.8		1187	506										

COUNTY OF SAN MATEO STATEMENT OF THE VOTE

Absentee Totals 41	MIDPENINSULA REGIONAL OPEN SPACE DISTRICT MEMBER, BOARD OF DIRECTORS, WARD 5															
	Registration	Ballots Cast	Turnout (%)		MIDPENINSULA REGIONAL KAREN HOLMAN	GREG SCHARFF										
14TH CONGRESSIONAL DISTRICT	13,048	5,828	44.7		3082	1600										
18TH CONGRESSIONAL DISTRICT	8,342	6,054	72.6		2619	1007										
24TH ASSEMBLY DISTRICT	21,390	11,882	55.5		5701	2607										
3RD SUPERVISORIAL DISTRICT	2,110	1,565	74.2		205	85										
4TH SUPERVISORIAL DISTRICT	19,280	10,317	53.5		5496	2522										
13TH SENATORIAL DISTRICT	21,390	11,882	55.5		5701	2607										
BOARD OF EQUALIZATION DIST 2	21,390	11,882	55.5		5701	2607										
CITY OF EAST PALO ALTO	10,276	4,499	43.8		2363	1261										
CITY OF MENLO PARK	8,859	5,744	64.8		3095	1232										
LA HONDA-PESCADERO UNIFIED	667	476	71.4		0	0										
MENLO PARK CITY COUNCIL DIST 1	2,659	1,268	47.7		686	315										
MENLO PARK CITY COUNCIL DIST 2	3,952	2,937	74.3		1642	588										
MENLO PARK FIRE PROTECTION DIST	19,704	10,656	54.1		5661	2578										
MIDPEN REGIONAL WARD 5	21,390	11,882	55.5		5701	2607										
PORTOLA VALLEY SCHOOL DISTRICT	874	676	77.3		2	0										
RAVENSWOOD CITY SCHOOL DIST	13,818	6,411	46.4		3054	1572										
SMC BOARD OF ED TRUSTEE AREA 1	21,390	11,882	55.5		5701	2607										
SAN MATEO COUNTY HARBOR	21,390	11,882	55.5		5701	2607										
SEQUOIA HEALTHCARE DIST ZONE A	297	158	53.2		82	44										
SEQUOIA HEALTHCARE DIST ZONE E	874	676	77.3		2	0										
TOWN OF PORTOLA VALLEY	874	676	77.3		2	0										
UNINCORPORATED AREA	1,381	963	69.7		241	114										
Absentee Totals	21,390	11,882	55.5		5701	2607										

RESOLUTION NO. 18-__

**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, 2018; 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, 2018 general district election for said office.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on ____, 2018, at a special meeting thereof, by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

ATTEST:

APPROVED:

Secretary
Board of Directors

President
Board of Directors

APPROVED AS TO FORM:

General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

District Clerk

RESOLUTION NO. 18-__

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT APPOINTING
DIRECTOR – WARD 6 OF THE BOARD OF DIRECTORS OF THE
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

WHEREAS, an election for the office of Director – Ward 6 of the Midpeninsula Regional Open Space District was scheduled to be held on November 6, 2018; 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, Larry Hassett was unopposed as a candidate for Director – Ward 6.

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,

LARRY HASSETT

is appointed Director – Ward 6 of said District, is duly qualified for the office of Director – Ward 6 of the Midpeninsula Regional Open Space District and shall take office and serve exactly as if elected at the November 6, 2018 general district election for said office.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on ____, 2018, at a special meeting thereof, by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

ATTEST:

APPROVED:

Secretary
Board of Directors

President
Board of Directors

APPROVED AS TO FORM:

General Counsel

I, the District Clerk of the Midpeninsula Regional Open Space District, hereby certify that the above is a true and correct copy of a resolution duly adopted by the Board of Directors of the Midpeninsula Regional Open Space District by the above vote at a meeting thereof duly held and called on the above day.

District Clerk