



Midpeninsula Regional  
Open Space District

R-24-133  
Meeting 24-29  
November 13, 2024

### AGENDA ITEM 3

#### AGENDA ITEM

Appointment of Unopposed Candidates in Wards 3, 4, and 7 and Approval of Certificates of Appointment

#### GENERAL MANAGER'S RECOMMENDATIONS

1. Adopt Resolutions appointing in lieu of an election the following unopposed candidates to the Board of Directors of the Midpeninsula Regional Open Space District for the 2025-2028 term:
  - J. Edmond (Jed) Cyr, Ward 3 Director
  - Curtis R. (Curt), Riffle, Ward 4 Director
  - Zoe Kersteen-Tucker, Ward 7 Director
2. Approve the Certificates of Appointment.

#### SUMMARY AND DISCUSSION

The Midpeninsula Regional Open Space District (District) was scheduled to hold a General District Election on November 5, 2024 for the purpose of electing one (1) member, for Wards 3, 4, and 7 to the District Board of Directors (Board). Only one person was nominated for each ward. California Public Resources Code Section 5532(e) provides that the Board shall appoint unopposed candidates who have been nominated. Section 5532(e) specifies that the Board 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 adopted [Resolution No. 24-13](#) at the June 12, 2024 regular meeting ([R-24-70](#)) authorizing the Registrars of Voters of Santa Clara and San Mateo Counties not to list any unopposed candidates for the November 5, 2024 election according to Board Policy 1.07 (*Board Elections*).

Jed Cyr is the unopposed candidate nominated for the position of Director – Ward 3.

Curt Riffle is the unopposed candidate nominated for the position of Director – Ward 4.

Zoe Kersteen-Tucker is the unopposed candidate nominated for the position of Director – Ward 7.

In accordance with the provisions of California Public Resources Code Sections 5532(f) and (g), 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 6, 2025.

**FISCAL IMPACT**

None

**PRIOR BOARD AND COMMITTEE REVIEW**

None

**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 at the first regular meeting of the Board in December. Each appointed Director will take office on January 6, 2025, and serve as if elected at the November 5, 2024 General Election.

**Attachments**

1. Resolution Appointing Director – Ward 3 of the Board of Directors of the Midpeninsula Regional Open Space District in Lieu of an Election
2. Resolution Appointing Director – Ward 4 of the Board of Directors of the Midpeninsula Regional Open Space District in Lieu of an Election
3. Resolution Appointing Director – Ward 7 of the Board of Directors of the Midpeninsula Regional Open Space District in Lieu of an Election
4. Certificate of Appointment Ward 3
5. Certificate of Appointment Ward 4
6. Certificate of Appointment Ward 7

Responsible Department Head:  
Ana Ruiz, General Manager

Prepared by:  
Maria Soria, District Clerk/Assistant to the General Manager

RESOLUTION NO. 24-\_\_

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 IN LIEU OF THE GENERAL DISTRICT ELECTION

WHEREAS, an election for the office of Director – Ward 3 of the Midpeninsula Regional Open Space District was scheduled to be held on November 5, 2024; and

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

WHEREAS, in accordance with Section 5532(e) of the California 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 5, 2024 general district election for said office.

\* \* \* \* \*

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on \_\_\_\_, 2024, at a regular meeting thereof, by the following vote:

- AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

Curt Riffle, Secretary
Board of Directors

Margaret MacNiven, President
Board of Directors

**APPROVED AS TO FORM:**

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Hilary Stevenson, 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.

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Maria Soria, District Clerk

RESOLUTION NO. 24-\_\_

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 IN LIEU OF THE GENERAL ELECTION

WHEREAS, an election for the office of Director – Ward 4 of the Midpeninsula Regional Open Space District was scheduled to be held on November 5, 2024; and

WHEREAS, at 5:00 p.m. on the 83<sup>rd</sup> day prior to the date of said election only one person had been nominated and qualified 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. (Curt), 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. (CURT), 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 5, 2024 general district election for said office.

\* \* \* \* \*

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on \_\_\_\_, 2024, at a regular meeting thereof, by the following vote:

- AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

Curt Riffle, Secretary
Board of Directors

Margaret MacNiven, President
Board of Directors

**APPROVED AS TO FORM:**

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Hilary Stevenson, 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.

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Maria Soria, District Clerk

RESOLUTION NO. 24-\_\_

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 IN LIEU OF THE GENERAL DISRICT ELECTION

WHEREAS, an election for the office of Director – Ward 7 of the Midpeninsula Regional Open Space District was scheduled to be held on November 5, 2024; and

WHEREAS, at 5:00 p.m. on the 83<sup>rd</sup> day prior to the date of said election only one person had been nominated and qualified 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, Zoe Kersteen-Tucker 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,

ZOE KERSTEEN-TUCKER

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 5, 2024 general district election for said office.

\* \* \* \* \*

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on \_\_\_\_, 2024, at a regular meeting thereof, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

Curt Riffle, Secretary  
Board of Directors

Margaret MacNiven, President  
Board of Directors

**APPROVED AS TO FORM:**

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Hilary Stevenson, 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.

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Maria Soria, District Clerk







