

PENINSULA HEALTH CARE DISTRICT

RESOLUTION NO. 2008-01

RESOLUTION FIXING DATE OF ELECTION, REQUESTING CONSOLIDATION WITH STATEWIDE GENERAL ELECTION, SETTING FORTH OFFICES TO BE FILLED, REAFFIRMING POLICY ON CANDIDATES' STATEMENTS, AND DIRECTING THE SECRETARY AS TO CERTAIN NECESSARY MATTERS

RESOLVED, by the Board of Directors of Peninsula Health Care District, San Mateo County, State of California, that

WHEREAS, the said Peninsula Health Care District duly exists under the provisions of Division 23 of the Health and Safety Code of the State of California; and

WHEREAS, Section 32100.5 of said Code provides that the health care district general election of directors shall be held on the first Tuesday after the first Monday in November in each even-numbered year unless said election be dispensed with in the manner provided for under Section 10515 of the Elections Code of the State of California; and

WHEREAS, said Section 32100.5 of the Health and Safety code further provides that at said election the successors shall be chosen for each director whose term shall expire on the first Friday in December after which said election is held; and

WHEREAS, said section further provides that the term of said successors shall be for four years; and

WHEREAS, Section 10554 of the Elections Code provides that such successor shall take office at noon on the first Friday in December in which said election is held; and

WHEREAS, Section 32100.5 of the Health and Safety Code further provides that said election shall be consolidated with a statewide general election pursuant to Part 3 (commencing with Section 10400), of Division 10 of the elections Code; and

WHEREAS, Section 32002 of the Health and Safety Code provides that health care district general elections shall be conducted in the manner provided in Chapter 1 (commencing with Section 58000) of Division 2 of Title 6 of the Government Code and in Part 3 (commencing with Section 10400) and Part 4 (commencing with Section 10500) of Division 10 of the Elections Code; and

WHEREAS, this year 2008 is an even-numbered year and the term of two of the members of Peninsula Health Care District Board of Directors, namely, Daniel J. Ulyot, MD and Ricardo Navarro, MD, will expire on Friday, The 5th day of December 2008;

NOW THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. That an election shall be, and the same is hereby called and ordered to be held in the said District, on Tuesday, the 4th day of November 2008 for the purpose of electing persons to fill the offices of: Two (2) members of the Health Care District Board of Directors for a term expiring December 5, 2012, unless said election be dispensed with as provided in Section 1051 of the Elections Code.

Candidates for the office of director on said Board of Directors must file a Declaration of Candidacy, which may be obtained from the Office of the County Clerk-Recorder of San Mateo County, presented to the San Mateo County Clerk-Recorder not earlier than one hundred thirteen (113) days nor later than 5 p.m. eighty-eight (88) days before the election (i.e., not earlier than July 14, 2008 nor later than 5 p.m., August 8, 2008) except that if a Declaration of Candidacy for an incumbent director is not filed by 5 p.m. on August 8, 2008 any person other than the incumbent shall have until 5 p.m. on August 13, 2008 to file nomination papers.

2. That the San Mateo County Board of Supervisors be and hereby is requested to consolidate said District Election with the statewide general election on said date, under Section 10400 et.seq. of the Elections Code of the State of California.
3. That the offices to be filed at said District Election shall be two directors' positions on the Board of Directors of Peninsula Health Care District for four-year terms expiring December 7, 2012.
4. That the County Clerk-Recorder of San Mateo County be and hereby is requested to publish the notice of election as set forth in Section 12112 of the Elections Code and to make the general press release as also set forth therein. In connection with said notice and press release, the County Clerk-Recorder is hereby informed that the qualifications for director required by the Health and Safety Code (Section 32100) are that the candidate be a registered voter and a resident of the District.
5. That this Board hereby reaffirms its present policy in regards to candidates' statements as follows: (a) Each candidate shall pay the cost of preparing, printing, handling, translating and mailing that candidate's statement; (b) each candidates' statement shall be limited to no more than 200 words; and (c) candidates may not submit extra materials to be sent to each voter.
6. That a certified copy of this Resolution be delivered to the Board of Supervisors of the County of San Mateo on or before July 2, 2008 (with a copy of such Resolution to the County Clerk-Recorder of San Mateo County by said date) and that said Board of Supervisors is hereby requested to make its order consolidating said District Election with the statewide general election on Tuesday, the 4th day of November 2008, and is authorized to canvass the returns of the election, and is requested to conduct the necessary proceedings to conduct said election (including determination of the hours during which the polls will be open and prescription of the manner of voting and the form of ballot to be used) unless the said District Election is dispensed with in the manner provided in Section 10515 of the Elections Code.
7. That on or before July 2, 2008, the Secretary of the District shall deliver to the County Clerk of San Mateo County, as required by Section 10522 of said Elections Code a map showing the boundaries of the District and a statement indicating that the directors are to be elected at large at the District election.
8. That on or before July 2, 2008, the Secretary of the District shall deliver a notice to the County Clerk-Recorder of San Mateo County, bearing the Secretary's signature and the district seal and setting forth the information required by Section 10509 of the Elections Code of the State of California.

Passed and adopted at a meeting of the Board of Directors of the Peninsula Health Car District, duly held on the 29th day of May 2008.

AYES, AND IN FAVOR THEREOF:

Directors: Newman, Navarro, Smith and Galligan

NOES: None

Absent: Director: Ulliyot

HELEN GALLIGAN, Secretary

Approve:

DONALD E. NEWMAN, Chair