

CAPISTRANO BAY DISTRICT  
AGENDA REPORT  
October 2, 2012

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*Appointment of New Director(s)*

ITEM E.2

Appointment of New Director(s)

The term of Director Alex Martinez will be expiring in December of this year. As many of you will recall, Mr. Martinez volunteered last December to step up and take over the remaining year of resigning Director Steve Schwartz.

Likewise, the remaining year of resigning Director Jerry Levinson (also last December) was filled by Ambrose Masto. However, Director Masto has indicated he will be staying on for a full four-year term beginning in January, once his current term expires this coming December.

*Elections Code Section 10515* requires that Director candidates file a notice of intent with the County Registrar of Voters. The filing deadline for this was Friday, August 10<sup>th</sup>. Since none of the candidates for this office had made their intentions public prior to August 10<sup>th</sup>, the next option available to the Board is to appoint replacements, *pursuant to Government Code Section 1780*.

Further, the appointment process must account for both outgoing Director Martinez and the expiring term of Director Masto. Even though Director Masto intends to remain seated for a new term, his position must be by appointment as well, *pursuant to Elections Code Section 10516*.

In summary, for the District and the Board to be in compliance with all the Codes governing Districts and Elections of Directors, the current Board of Directors must appoint one Director each to the two terms expiring in December.

The following candidates have indicated their intent to fill the two upcoming vacancies on the Capistrano Bay District Board of Directors:

- Ambrose Masto (incumbent)
- Kurtis Breeding
- Steve Muller
- Max Trette

Attached on the following four pages are the candidates statements.