



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: SBCERS
Department No.: 810
For Agenda Of: 11/10/2009
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Vincent P. Brown, Chief Executive Officer
Director(s) 568-2940
Contact Info: Thomas Bignell, Administrative Professional
568-2940

SUBJECT: Administration of Special Election for Member of the Board of Retirement

County Counsel Concurrence

As to form: No

Auditor-Controller Concurrence

As to form: No

Other Concurrence: N/A

As to form: No

Recommended Actions:

Authorize and refer a Minute Order to the Elections division of the County Clerk-Recorder-Assessor to administer the special election of the Board of Retirement.

Summary Text:

This election is required by the County Employees Retirement Law (CERL) which controls the Santa Barbara County Employees' Retirement System. A vacancy in an elected seat on the Board of Retirement currently exists with more than 12 months remaining in the term. Administering Board elections is outside the normal scope of work for retirement system staff. However, the Elections Division of the County Clerk-Recorder-Assessor has procedures and experienced staff to efficiently administer the election. Therefore, the Board of Retirement has requested to outsource the administration of the election to the Elections Division of the County Clerk-Recorder-Assessor.

The Board of Retirement is composed of nine members with two alternates (four members appointed by the Board of Supervisors, one of which may be a member of the Board of Supervisors, two elected general members, one elected safety member, one elected retired member, and the County Treasurer as an ex-officio member. There are two elected alternates; to the safety and retired members). The special election this year is for one general member. Therefore ballots for one election will have to be polled, unless there is only one candidate for the position, in which case that candidate is declared the winner.

Fiscal Analysis:

The Retirement system will reimburse the County Clerk-Recorder-Assessor for its services.

Special Instructions:

Please send Minute Order to the Elections Division of the County Clerk-Recorder-Assessor and a copy to the Retirement Office.

Authored by:

Thomas Bignell

cc: Joseph Holland, County Clerk-Recorder-Assessor

SANTA BARBARA COUNTY
 EMPLOYEES' RETIREMENT SYSTEM (SBCERS)
 3916 State Street Suite 210
 Santa Barbara CA 93105
 2400 Professional Parkway Suite 150
 Santa Maria CA 93455

COUNTY ELECTIONS OFFICES
 130 East Victoria Street 2nd Floor
 Santa Barbara, CA 93101
 511 East Lakeside Parkway, Suite 134
 Santa Maria CA 93444
 401 E. Cypress St. Room 102
 Lompoc, CA 93436

SBCERS
 2009 SPECIAL ELECTION CALENDAR
 Office of General Member of the Board of Retirement

Term beginning February 24, 2010; ending December 31, 2010

November 16, 2009	<i>Forward notices to all work sites of the election and nominating procedure via Payroll Clerks.</i>
November 16, 2009	Notices of vacancy are mailed to the home address of each eligible General member.
November 16, 2009 (Monday)	Nominating petitions will be available at SBCERS Office, 3916 State Street, Suite 210, Santa Barbara; in the Santa Maria Office at 2400 Professional Parkway, Suite 150, on our website: www.sbcers.org , or County Intranet, Employee Resources, Employee Retirement System. Office hours are 8:00 a.m. to 5:00 p.m. Instructions to candidates regarding Statement of Qualification and the Form will be included in the Nominating Petition packet along with this calendar.
December 18, 2009 (Friday)	Friday, December 18, 2009, at 5:00 p.m. is the deadline for filing nominating petitions. To qualify, a candidate must be nominated by petition, signed by not less than 15 nor more than 25 SBCERS members in the same category, i.e. General. Candidates are invited to submit a statement of their qualifications, not to exceed 200 words in length, to be enclosed with the ballot and voting instructions. These must be filed with the COUNTY ELECTIONS OFFICE no later than December 18, 2009, at 5:00 p.m. Any candidate not submitting a statement before the deadline will be considered to have declined to file a statement.
December 21, 2009 – January 4, 2010	The candidate statements will be available for review for ten days in the COUNTY ELECTIONS OFFICES in Santa Barbara, Lompoc and Santa Maria. During that period any member qualified to vote may file an injunction requiring any or all of the material to be amended or deleted if it is false, misleading, or inconsistent with the requirements for the statement. A statement may not refer to opponents. The order of appearance of the candidates' names upon the ballot is determined by Secretary of State of California most recent random alphabet drawing conducted for the state-wide election. If only one member files in any category, no election is held and that person is declared the winner.
January 15, 2010 (Friday)	A ballot containing the names of the candidates, voting instructions, candidate statements and a return envelope will be mailed to the home address of each qualified voting member of SBCERS. Only General members receive ballots and statements of the General candidates. No person shall be eligible to vote unless they are members or retirees as of January 14, 2010.
January 15 – February 5, 2010	Beginning January 15, ballots may be cast in manners consistent with the voting instructions. Ballots cast after 5:00 p.m., February 5, will not be considered. Eligible members not receiving ballots may obtain a ballot in one of the Elections Offices in the County.
February 8, 2010 (Monday)	Results will be tabulated by Elections division. Interested parties may observe the count. The County Clerk-Recorder will certify the results to the Board of Supervisors of Santa Barbara County within seven (7) calendar days after the election. The candidate who receives a majority of the votes cast will be declared elected.

**RESOLUTION OF THE BOARD OF RETIREMENT
SANTA BARBARA COUNTY EMPLOYEES' RETIREMENT SYSTEM
COUNTY OF SANTA BARBARA, CALIFORNIA**

RESOLUTION CALLING FOR)
A SPECIAL ELECTION)
FEBRUARY 8, 2009)

Resolution 2009-04

WHEREAS, a vacancy in an elected seat on the Board of Retirement currently exists, specifically the second seat as defined in Government Code Section 31520.1;

WHEREAS, there is more than 12 months remaining in the term of the vacated seat; and

WHEREAS, Government Code Section 31523 and the Board's Trustee Elections Policy, Article XIII, require an election to fill such vacancy;

NOW, THEREFORE, IT IS HEREBY RESOLVED that effective October 28, 2009, the Board of Retirement authorizes that an election to fill the second seat on the Board of Retirement, to be elected by the system's active members, to take place in accordance with the schedule attached hereto as Exhibit A.

PASSED AND ADOPTED by the Board of Retirement of the Santa Barbara County Employees' Retirement System, this 28th day of October, 2009, by the following vote:

Ayes: Cholmondeley, Gray, James, Kendig, McCammon, Rafferty, Rotella,
Tan

Noes:

Absent: Patterson

Chair of the Board of Retirement

ATTEST:

Clerk of the Board of Retirement

APPROVED AS TO FORM:

Board Counsel

APPROVED AS TO CONTENT:

Chief Executive Officer