



Midpeninsula Regional
Open Space District

R-16-72
Meeting 16-12
June 8, 2016

AGENDA ITEM 2

AGENDA ITEM

Call District Elections in Wards 3, 4, and 7 and Request Election Consolidation Services from Santa Clara and San Mateo Counties

GENERAL MANAGER'S RECOMMENDATIONS

1. Adopt a Resolution of the Board of Directors of the Midpeninsula Regional Open Space District calling an election and requesting election consolidation services – Santa Clara County, Wards 3 and 4.
2. Adopt a Resolution of the Board of Directors of the Midpeninsula Regional Open Space District calling an election and requesting election consolidation services – San Mateo County, Ward 7.
3. Reconfirm Board Policy 1.07 (*Board Elections*) regarding a maximum of 200 words per candidate statement and payment of candidates' statements and, if required by the respective county, translations of candidates' statements pursuant to the Elections Code of the State of California, in those wards where two or more candidates have qualified to appear on the ballot.
4. Adopt a Resolution of the Board of Directors of the Midpeninsula Regional Open Space District authorizing not listing any unopposed candidate for election on the November 8, 2016 ballots of Santa Clara and San Mateo Counties.

DISCUSSION

The Midpeninsula Regional Open Space District will hold a District election on November 8, 2016 for the purpose of filling elective offices for Board of Directors seats for Wards 3, 4, and 7. Pursuant to state election code, the Board must adopt resolutions calling the election and request election consolidation services from Santa Clara and San Mateo Counties. The resolutions specify the Counties' responsibilities throughout the filing and election process.

The nomination period for the election will open on Monday, July 18, 2016 and close on Friday, August 12, 2016. If an incumbent who is eligible fails to file for re-election by August 8th, the voters have until 5:00 p.m. on Wednesday, August 17, 2016 to nominate candidates other than the incumbent.

If the consolidation of election services with other legislative districts within the Counties is approved, the District's responsibilities will include: issue, receive and process candidate nomination papers and statements; forward candidates' statements to the appropriate county for translation, printing and mailing to the voters; forward any vote by mail applications and write-in

declarations received by the District Clerk to the Registrar of Voters; and publish notices of election, nominees and polling places.

Three of the District's seven wards are scheduled for election during the November 8, 2016 General Election. These wards and their current Directors are:

WARD	GENERAL DESCRIPTION	INCUMBENT
3	City of Sunnyvale	Director Jed Cyr
4	Cities of Los Altos and Mountain View	Director Curt Riffle
7	Cities of El Granada, Half Moon Bay, Montara, Moss Beach, Redwood City, San Carlos, Woodside	Director Cecily Harris

Payment of Candidates' Statement

The District Clerk must also relay to the Registrar of Voters in each County the Board's policy regarding payment of candidates' statements and number of words to be included in each statement. Board Policy 1.07 *Board Elections* of the Board Policy Manual states:

"In those wards where two or more candidates have qualified to appear on the ballot, a candidate may file a candidate's statement, not exceeding 200 words. The District will pay for the cost of the statements, and, if required by the respective county, translations of candidates' statements pursuant to the Elections Code of the State of California, and no such candidate shall be billed for availing himself or herself of these services."

Candidates Running Unopposed

Board Policy 1.07 (*Board Elections*) reads: *"In the case where there is a single candidate qualified to appear on the ballot, such candidate shall not be permitted to have his or her name on the ballot (Public Resources Code Section 5532 (e)). If such unopposed candidate requests that his or her candidate's statement be included in official election material distributed to voters, the District shall bill such candidate for the cost thereof, including costs related to any required translation."*

The Board may also adopt a resolution confirming this portion of Board Policy 1.07 and Public Resources Code §5532 (e), which will notify Santa Clara and San Mateo Counties to not list any unopposed candidates on the ballot, and the unopposed, qualified candidates will be appointed to the Board of Directors at the first regular or special meeting after the date upon which the election would have been held. The person appointed shall qualify and take office and serve exactly as if elected for the office.

FISCAL IMPACT

The District's FY2016-17 Budget reserved \$120,000 for this election based upon the history of election expenditures for contested seats over the past decade. In the event that multiple seats are contested, funds will be reallocated during mid-year budget review to cover the increased election costs.

BOARD COMMITTEE REVIEW

Committee review is not required for this agenda item.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. No additional notice is required.

CEQA COMPLIANCE

This proposed action is not a project under the California Environmental Quality Act and no environmental review is required.

NEXT STEP

Upon approval of the General Manager's recommendations, staff will submit the adopted resolutions, maps of District boundaries and other required documents to Santa Clara and San Mateo Counties to receive consolidated election services for the November 8, 2016 General Election.

Attachments:

1. Resolution Request for and Consent to Consolidation of Elections - Santa Clara County
2. Resolution Request for and Consent to Consolidation of Elections - San Mateo County
3. Resolution Authorizing Not Listing Any Unopposed Candidates for Election on the November 8, 2016 Santa Clara County and San Mateo County County Ballots
4. Maps showing Ward Boundaries for Wards 3, 4, and 7

Responsible Manager:
Steve Abbors, General Manager

Prepared by:
Jennifer Woodworth, District Clerk

RESOLUTION NO. 16-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT REQUEST FOR AND CONSENT TO CONSOLIDATION OF ELECTIONS – SANTA CLARA COUNTY

WHEREAS, a Biennial District General Election has been ordered to be held on Tuesday, November 8, 2016, in the Midpeninsula Regional Open Space District (District) of Santa Clara County (County) for the purpose of electing two Directors (Wards 3 and 4) of the Board of Directors of the District; and

WHEREAS, pursuant to Part 3 (commencing with Section 10400) of the Elections Code, such election may be either completely or partially consolidated; and

NOW, THEREFORE, BE IT RESOLVED

SECTION 1. That the Board of Directors of the Midpeninsula Regional Open Space District calls for an election to be held on November 8, 2016, and requests the Board of Supervisors of Santa Clara County to completely consolidate the election with the statewide election.

SECTION 2. That the Board of Directors of the Midpeninsula Regional Open Space District requests that the Board of Supervisors of Santa Clara County to hold and conduct the election in the manner prescribed in Section 10418 of the Election Code of the State of California and to further provide that the Registrar of Voters canvass the returns of the election.

SECTION 3. That pursuant to Section 10508 of the Election Code of the State of California, said officers are to selected by division;

SECTION 4. That the divisions, if any from which said directors are to be elected, and the number of offices to filled from each, are:

- Ward 3 One Office
- Ward 4 One Office

SECTION 5. That pursuant to Section 10514 of the Election Code of the State of California, the qualifications for election to said offices, as prescribed by the principal act, are:

Directors shall be residents and electors of the wards or subdistricts from which they are nominated.

SECTION 6. That pursuant to Section 10520 of the Election Code of the State of California, each district involved in a district general election in an affected county shall reimburse the county for the actual costs incurred by the county elections official in conducting the district general election for that district.

SECTION 7. That the candidates’ statements of qualifications shall be limited to 200 words; that the cost of printing, translating and distributing said statements shall be borne by the

district who file such statements, and that each candidate who files such a statement shall not be required to pay in advance his or her pro rata share of the estimated costs of printing, handling, and mailing said candidate statement, such as estimated costs to be determined by the Registrar of Voters.

SECTION 8. That pursuant to Section 10522 of the Election Code of the State of California, a current map showing the boundaries of the district and the boundaries of the divisions of the district is herewith submitted.

SECTION 9. That pursuant to Section 10551 and 15651 of the Election Code of the State of California, the method of determining the winner or winners in the event of a tie vote shall be by lot.

SECTION 10. That the names of all current Board Members and date each term ends are:

Jed Cyr Term ending November 2016

Curt Riffle Term ending November 2016

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on _____, 2016, at a Regular 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. 16-XX**RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT REQUEST FOR AND CONSENT TO CONSOLIDATION OF ELECTIONS – SAN MATEO COUNTY**

WHEREAS, a Biennial District General Election has been ordered to be held on Tuesday, November 8, 2016, in the Midpeninsula Regional Open Space District (District) of San Mateo County (County) for the purpose of electing one Director (Ward 7) of the Board of Directors of the District; and

WHEREAS, pursuant to Part 3 (commencing with Section 10400) of the Elections Code, such election may be either completely or partially consolidated; and

NOW, THEREFORE, BE IT RESOLVED

SECTION 1. That the Board of Directors of the Midpeninsula Regional Open Space District calls for an election to be held on November 8, 2016, and requests the Board of Supervisors of San Mateo County to completely consolidate the election with the statewide election.

SECTION 2. That the Board of Directors of the Midpeninsula Regional Open Space District requests that the Board of Supervisors of San Mateo County to hold and conduct the election in the manner prescribed in Section 10418 of the Election Code of the State of California and to further provide that the Registrar of Voters canvass the returns of the election.

SECTION 3. That pursuant to Section 10508 of the Election Code of the State of California, said officers are to selected by division;

SECTION 4. That the divisions, if any from which said directors are to be elected, and the number of offices to filled from each, are:

Ward 7	One Office
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SECTION 5. That pursuant to Section 10514 of the Election Code of the State of California, the qualifications for election to said office, as prescribed by the principal act, are:

Directors shall be residents and electors of the wards or subdistricts from which they are nominated.

SECTION 6. That pursuant to Section 10520 of the Election Code of the State of California, each district involved in a district general election in an affected county shall reimburse the county for the actual costs incurred by the county elections official in conducting the district general election for that district.

SECTION 7. That the candidates' statements of qualifications shall be limited to 200 words; that the cost of printing, translating and distributing said statements shall be borne by the district who file such statements, and that each candidate who files such a statement shall not be

required to pay in advance his or her pro rata share of the estimated costs of printing, handling, and mailing said candidate statement, such as estimated costs to be determined by the Registrar of Voters.

SECTION 8. That pursuant to Section 10522 of the Election Code of the State of California, a current map showing the boundaries of the district and the boundaries of the divisions of the district is herewith submitted.

SECTION 9. That pursuant to Section 10551 and 15651 of the Election Code of the State of California, the method of determining the winner or winners in the event of a tie vote shall be by lot.

SECTION 10. That the names of all current Board Members and date each term ends are:

Cecily Harris Term ending November 2016

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on _____, 2016, at a Regular 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. 16-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT AUTHORIZING NOT LISTING ANY UNOPPOSED CANDIDATES FOR ELECTION ON THE NOVEMBER 8, 2016 BALLOTS OF SAN MATEO COUNTY, SANTA CLARA COUNTY, AND SANTA CRUZ COUNTY

WHEREAS, the District Board Policy Manual states that the Board of Directors shall not permit unopposed candidates to have their names appear on the ballot.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Midpeninsula Regional Open Space District has hereby determined through Board Policy 1.07, *Board Elections*, not to list the unopposed candidates for election on the November 8, 2016 ballots of Santa Clara and San Mateo Counties.

PASSED AND ADOPTED by the Board of Directors of the Midpeninsula Regional Open Space District on _____, 2016, at a Regular Meeting thereof, by the following vote:

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

ATTEST:

APPROVED:

Secretary
Board of Directors

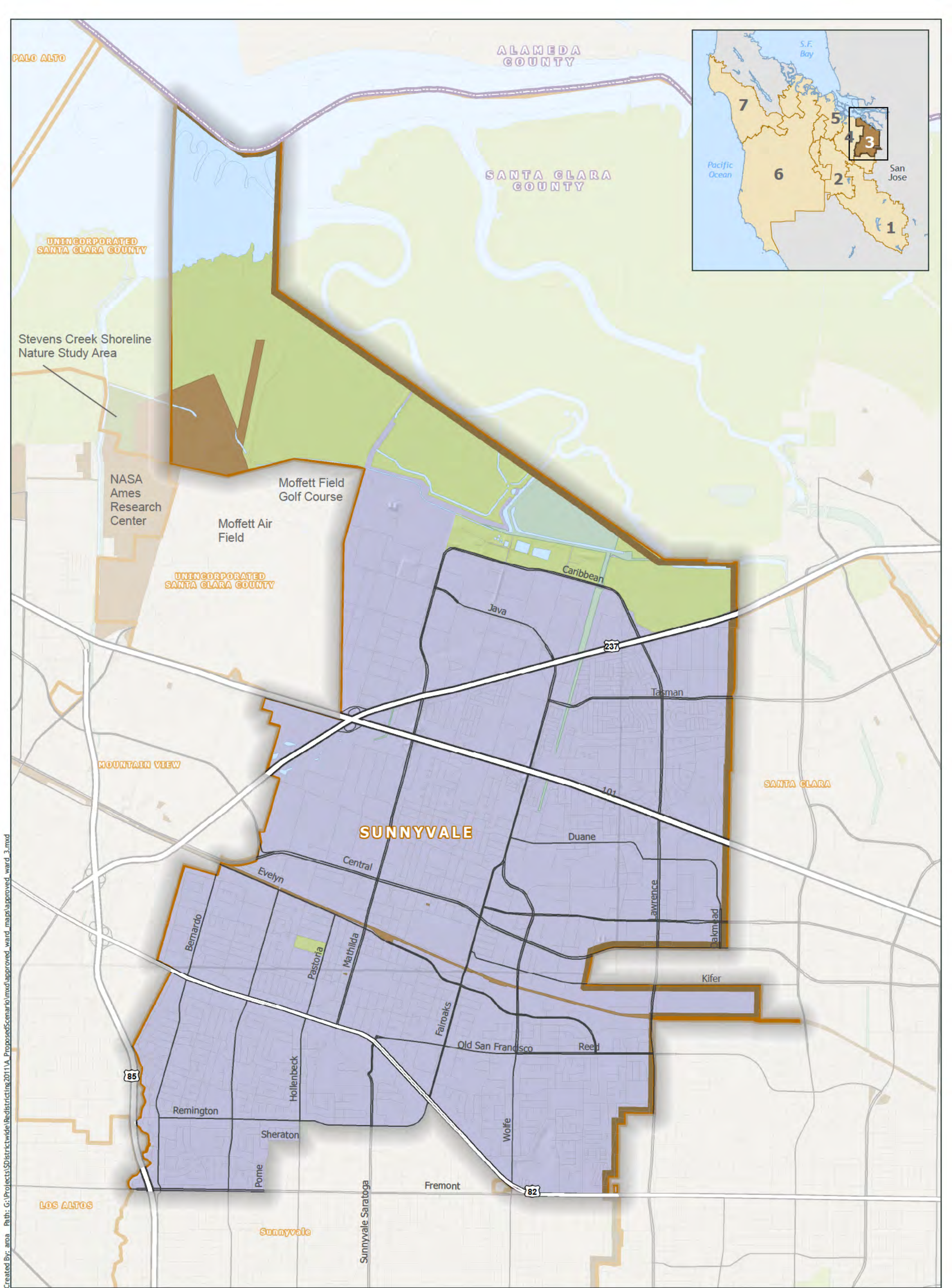
President
Board of Directors

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.

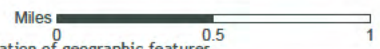
District Clerk



WARD 3

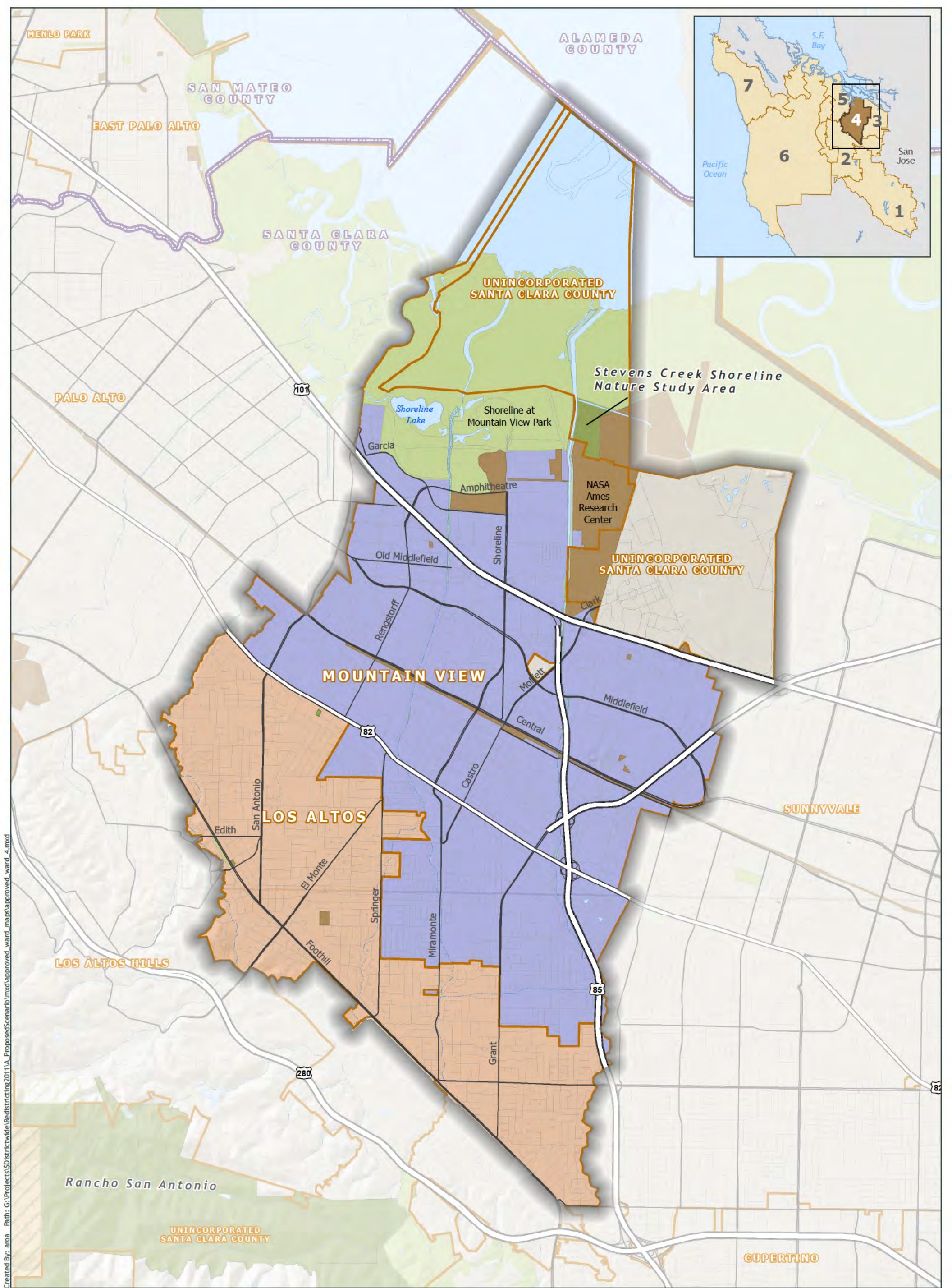
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|--|--|--|---------------------|--|-----------------|
| | Ward 3 Boundary | | Other Public Agency | | City Limit |
| | MROSD Open Space Preserves | | Watershed Land | | County Boundary |
| | Other Protected Open Space or Park Lands | | Private Property | | MROSD Boundary |

Midpeninsula Regional
Open Space District
(MROSD)
October, 2011



While the District strives to use the best available digital data, this data does not represent a legal survey and is merely a graphic illustration of geographic features.

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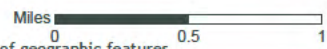


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WARD 4













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| | Ward 4 Boundary | | Other Public Agency | | City Limit |
| | MROSD Open Space Preserve | | Private Property | | County Boundary |
| | Other Protected Open Space or Park Lands | | MROSD Boundary | | |

Midpeninsula Regional
Open Space District
(MROSD)
October, 2011



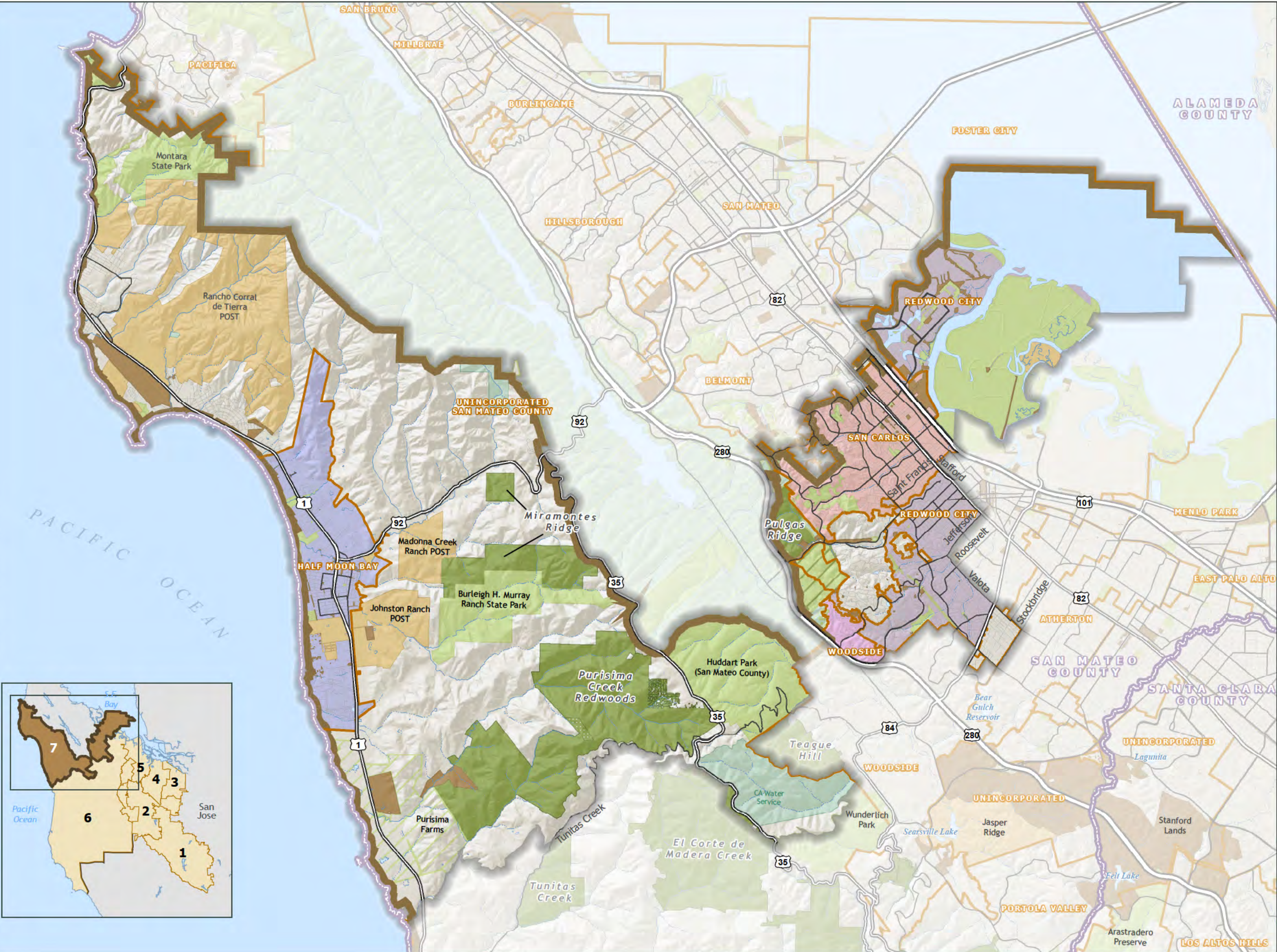
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WARD 7

-  Ward 7 Boundary
-  MROSD Open Space Preserve
-  Other Protected Open Space or Park Lands
-  Land Trust
-  Other Public Agency
-  Watershed Land
-  Private Property
-  Management Agreement
-  MROSD Conservation or Agricultural Easement
-  City Limit
-  County Boundary
-  MROSD Boundary



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Midpeninsula Regional
Open Space District
(MROSD)
October, 2011



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