

- C1 Adopt Resolutions 24-31 and 24-32 Calling for An Election and Requesting Election Consolidation Services with the Santa Clara County for District 1, 3, 4 and Authorizing Unopposed Candidates to not be Listed on the November 05, 2024 Ballot (Caroline Hernandez)

R-24-51
Meeting 24-11
June 13, 2024

CONSENT ITEM #C1

To: Board of Directors
Open Space Authority

From: Andrea Mackenzie
General Manager

SUBJECT

Adopt Resolutions 24-31 and 24-32 Calling for An Election and Requesting Election Consolidation Services with the Santa Clara County for District 1, 3, 4 and Authorizing Unopposed Candidates to not be Listed on the November 05, 2024 Ballot

REVENUE/COST

Under California Elections Code Section 10520 the Santa Clara Valley Open Space Authority (Authority) is required to reimburse Santa Clara County (County) for the actual costs incurred by the County Elections Official in conducting the Authority's general election.

On March 5, 2024, the County provided an estimated cost for district election services in the amount of \$1,117,533.

The County election costs are affected by a number of factors including the number of registered voters in the jurisdiction, election staff labor, whether or not the candidate seats are contested, and the inclusion of candidate statements if seats are contested. There is a proposed increase to the fee schedule for County election services starting in the 2024/2025 fiscal year, if approved that will be the fee schedule in effect for final election costs.

BACKGROUND

For the Presidential General Election scheduled for Tuesday, November 05, 2024, voters in Districts 1, 3, and 4 will vote to elect a representative from their District to sit on the Board of Directors of the Open Space Authority. The incumbents currently are Alex Kennett for District 1, Helen Chapman for District 3, and Garnetta Annable for District 4. Elected officials will be sworn in on the first Friday of December 2024 and will serve a four-year term. There is no term limit for Director positions at the Authority.

Board Policy #BRD-028 Board Operating Rules and Procedures states that, "Authority elections are consolidated with the biennial general elections and the Board shall authorize the Board of Supervisors of the County of Santa Clara to consolidate the elections, canvass the returns, and cause the result to be properly certified to the Board of the Authority." It also states that "If there is a single candidate qualified to appear on the ballot, such candidate is deemed elected and such candidate will not have his/her name on the ballot.

DISCUSSION

The Santa Clara County Registrar of Voters (ROV) has established a Presidential General Election Calendar containing activities and documents and their respective due dates. July 03, 2024, is the

established deadline for jurisdictions to submit resolutions calling for a candidate election in order to meet the timeline for a full nomination period (approximately July 15, 2024, through Friday, August 09, 2024).

If adopted, Resolution 24-31 will call for an election and request Election Consolidation Services with Santa Clara County and Resolution 24-32 will authorize any unopposed qualified candidates to not be listed on the ballot.

RECOMMENDATION

Staff recommend the Board adopt Resolution 24-31 Calling for an Election and Election Consolidation Services with Santa Clara County, as well as Resolution 24-32 Authorizing Any Unopposed Candidates to Not be Listed on the Ballot and direct staff to submit the Resolutions to the Santa Clara County Registrar of Voters before the July 03 deadline.

Prepared by:

Caroline Hernandez, Clerk of the Board

Attachment(s): Resolution 24-31 – A Resolution of the Governing Board of the Santa Clara Valley Open Space Authority Calling for an Election and Requesting Election Consolidation Services in Santa Clara County

Resolution 24-32 – A Resolution of the Governing Board of the Santa Clara Valley Open Space Authority Authorizing Not Listing Any Unopposed Candidates for Election on the November 05, 2024 Ballot in Santa Clara County

RESOLUTION 24-31

A RESOLUTION OF THE GOVERNING BOARD OF THE SANTA CLARA VALLEY OPEN SPACE AUTHORITY CALLING FOR AN ELECTION AND REQUESTING ELECTION CONSOLIDATION SERVICES WITH SANTA CLARA COUNTY

WHEREAS, a Biennial District election has been ordered to be held on Tuesday, November 05, 2024, in the Santa Clara Valley Open Space Authority (Authority) of Santa Clara County for the purpose of electing three Directors (District 1, 3, and 4) to the Board of Directors of the Santa Clara Valley Open Space Authority; and

WHEREAS, pursuant to Part 3 (commencing with Section 10400) of Division 10 of the Elections Code, such election may be either completely or partially consolidated.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Santa Clara Valley Open Space Authority does call an election in the District for the election of three (3) Directors of the Governing Board in Districts 1, 3, and 4 on Tuesday, November 05, 2024.

BE IT FURTHER RESOLVED THAT the Board of Directors of the Santa Clara Valley Open Space Authority requests the Board of Supervisors of Santa Clara County to completely consolidate said election with the statewide Presidential General Election to be held in Santa Clara County on said date.

BE IT FURTHER RESOLVED THAT the Board of Directors of the Santa Clara Valley Open Space Authority requests 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.

BE IT FURTHER RESOLVED that the election precincts, polling places, voting booths, and election officials in each of the precincts shall, to the extent practicable, be the same as provided for the statewide election on said date, as prescribed by the ordinance, order, resolution, or notice of the Board of Supervisors of said County calling, providing for or giving notice of such statewide general election and such other elections as may be consolidated therewith and which sets forth such precincts, voting booths, polling places and election officials.

BE IT FURTHER RESOLVED that the Board of Supervisors of Santa Clara County is hereby authorized and instructed to canvass the returns of said election for the office of members of the Governing Board of the Santa Clara Valley Open Space Authority and is requested to certify the results of said election to the Governing Board of the Authority.

BE IT FURTHER RESOLVED that pursuant to Section 10508 of the Election Code of the State of California, said officers are to be elected by district.

BE IT FURTHER RESOLVED that the divisions, if any, from which said directors are to be elected, and the number of offices to be filled from each, are:

<u>Divisions</u>	<u>Number of Offices</u>
District 1	One Director, Full Term (4 years)
District 3	One Director, Full Term (4 years)
District 4	One Director, Full Term (4 years)

Santa Clara Valley Open Space Authority

BE IT FURTHER RESOLVED 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 Authority's Enabling Act, are:

- Candidates must be 18 years or older and a resident registered voter in the District being served.

BE IT FURTHER RESOLVED that pursuant to Sections 10002 and 10520 of the Election Code of the State of California, the Authority shall reimburse the County for the actual costs incurred by the County Elections Official in conducting the district general election for that district.

BE IT FURTHER RESOLVED that pursuant to the Board Operating Rules and Procedures the candidate has the option of submitting a statement of not more than 200 words. If a candidate requests a statement be included with the material distributed to voters, the Candidate shall pay \$750 toward the cost of printing, handling, translating, and mailing the candidate statements, including costs incurred as a result of complying with the federal Voting Rights Act of 1965, as amended. The Authority shall pay the balance of costs in excess of \$750.

BE IT FURTHER RESOLVED 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.

BE IT FURTHER RESOLVED That pursuant to Sections 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.

BE IT FURTHER RESOLVED that the names of all current Board Members and date each term ends are:

<u>District</u>	<u>Director Name</u>	<u>Term Ends</u>
1	Kennett	2024
2	Flaugher	2026
3	Chapman	2024
4	Annable	2024
5	Alexander	2026
6	Potter	2026
7	Gill	2026

Santa Clara Valley Open Space Authority

PASSED, APPROVED AND ADOPTED on June 13, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTION:

Helen Chapman, Chairperson
Santa Clara Valley Open Space Authority

APPROVED AS TO FORM:

ATTEST:

William P. Parkin, Legal Counsel

Caroline Hernandez, Clerk of the Board

RESOLUTION 24-32

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SANTA CLARA VALLEY OPEN SPACE AUTHORITY
AUTHORIZING NOT LISTING ANY UNOPPOSED CANDIDATES
FOR ELECTION ON THE NOVEMBER 05, 2024
BALLOT OF SANTA CLARA COUNTY**

WHEREAS, the Santa Clara Valley Open Space Authority's Policy #BRD-028 Board Operating Rules and Procedures state that if there is a single candidate qualified to appear on the ballot, such candidate is deemed elected and such candidate will not have his/her name on the ballot;

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Santa Clara Valley Open Space Authority does hereby opt not to list the unopposed candidates for election on the November 5, 2024 ballot of Santa Clara County in Districts 1, 3 and 4.

PASSED, APPROVED AND ADOPTED this day on June 13, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Helen Chapman, Chairperson
Santa Clara Valley Open Space Authority

APPROVED AS TO FORM:

ATTEST:

William P. Parkin, Legal Counsel

Caroline Hernandez, Clerk of the Board