



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

San Mateo County Employees' Retirement Association
(*SamCERA*)

DATE: February 1, 2008
BOARD MEETING DATE: February 26, 2008
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: David Bailey, Chief Executive Officer, *SamCERA*

SUBJECT: Amendments to the Regulations of the Board of Retirement regarding
Election of Trustees

Recommendation

Approve the attached resolution adopting amendments to the Regulations of the Board of Retirement regarding Election of Trustees: Article III Regulation 3.4 "Qualifications of Candidates, 3.5 "Nominating Petitions/Declaration of Candidacy," Regulation 3.11 "Ballots", Regulation 3.13 "Qualification of Voters" and Regulation 3.21 "Special Elections."

Background

In July 2006 the Board of Retirement appointed an alternate for the Eighth Trustee (Retired Member) pursuant to Government Code §31520.5. In accordance with this code, the Eighth Trustee Alternate shall be elected separately by the retired members of the association in the same manner and at the same time that the Eighth Trustee is elected. The Board of Retirement is requesting approval of changes to its regulations to encompass the election of the Eighth Trustee Alternate and make other changes to bring greater flexibility and efficiency to the trustee election process.

Discussion

These housekeeping changes to the regulations will provide helpful clarification to candidates for the Eighth Trustee and Eighth Trustee Alternate positions.

The recommended change to Regulation 3.4, "Qualifications of Candidates," clarifies that candidates for the Eighth Trustee Alternate must be retired members of *SamCERA*. Regulation 3.5, "Nominating Petitions/Declaration of Candidacy," clarifies that a retired member can nominate them self as a candidate either for the Eighth Trustee or the Eighth Trustee Alternate, but not for both. County Counsel advises that candidates cannot run for two offices that, if elected, they cannot simultaneously hold.

The change to Regulation 3.11, "Ballots," gives authority for the Elections Officer to use one ballot for multiple elections, such as elections for the Eighth Trustee and the Eighth Trustee Alternate.

The change to Regulation 3.13, "Qualification of Voters," clarifies that retirees are qualified to elect both the Eighth Trustee and Eighth Trustee Alternate.

A change to Regulation 3.21 will allow more flexibility in setting the date for a special election to fill a vacancy on the board. This flexibility would increase the possibility of consolidating a special election with any regular election that may be scheduled for another trustee position. One consolidated election would be more efficient than two separate elections. To achieve this, the change to 3.21, "Special Elections" widens the time period to set a special election from the current range of 90 to 120 days after the effective date of the vacancy, to a range of 60 to 120 days.

Fiscal Impact

None.