



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: SB County Employees'
Retirement System
Department No.: 810
For Agenda Of: January 12, 2010
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: SBCERS Chief Vincent P. Brown, 568-2940
Executive Officer
Contact Info: Lila Deeds, 568-2941

SUBJECT: **Cancellation of Board of Retirement Special Election**

County Counsel Concurrence

As to form: Select_Concurrence

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: Select_Concurrence

Recommended Actions:

That the Board of Supervisors order that no Special Election be held for General Member of the Board of Retirement, and direct the clerk to cast a unanimous ballot in favor of the sole nominated member.

Background and Summary:

The Santa Barbara County Board of Retirement consists of nine members and two alternates. Members of the Retirement System elect four members and two alternates, of whom two members are General Members of the System. One of the General Member seats ("second member") was vacated in September 2009 due to the layoff of the incumbent. Subsequently, a special election process was initiated to fill the vacancy for the unexpired term ending December 31, 2010, in accordance with Government Code Section 31523. The County Clerk-Recorder-Assessor was engaged to conduct the election, and a filing period for nominating petitions was held November 16 through December 18, 2009. The Elections Supervisor has certified that only one candidate filed nomination papers (see attached letter). The Retirement office has verified that the candidate's petition is sufficient in accordance with the Trustee Elections Policy adopted by the Board of Retirement.

Government Code Section 31523, which provides for the filling of vacancies on the Board of Retirement, states in part as follows:

"...if an election to fill a vacancy for the second, third, seventh or eighth member has been called and only one member has been duly nominated in accordance with the rules established for the holding of

such election, the board of supervisors shall order that no election be held and shall direct the clerk to cast a unanimous ballot in favor of such nominated member.”

The recommended action is mandated by this statute, and will cancel the election originally scheduled for January 15 through February 5, 2010, and seat the sole qualifying candidate as the second member of the Board of Retirement.

Special Instructions:

Please send copies of the minute order to:
Suzanne Jackson, Elections Supervisor
Thomas Bignell, Clerk of the Board of Retirement

Attachments:

Letter dated December 22, 2009, from Suzanne Jackson, Elections Supervisor, to Vincent Brown, CEO, SBCERS

Authored by:

Lila Deeds, Assistant CEO, SBCERS

cc:

Joseph Holland, County Clerk-Recorder-Assessor and Registrar of Voters
Suzanne Jackson, Elections Supervisor
Members, Board of Retirement
Darryl Scheck, Retirement Board Trustee Candidate

JOSEPH E. HOLLAND
County Clerk, Recorder and Assessor
Registrar of Voters



105 E. Anapamu St. 2nd Floor
Santa Barbara, CA 93101

JIM McCLURE
Asst. County Clerk, Recorder and Assessor

Mailing Address:
P.O. Box 159
Santa Barbara, CA 93102-0159

COUNTY CLERK, RECORDER AND ASSESSOR

December 22, 2009

RECEIVED
DEC 28 2009
SBCERS

Mr. Vincent Brown
Administrator
Santa Barbara County
Employees' Retirement System
3916 State Street, Suite 210
Santa Barbara, CA 93105

Dear Mr. Brown,

The candidate filing period for the Santa Barbara County Employees' Retirement System Special Election closed at 5:00 p.m. on Friday, December 18, 2009. Only one candidate, Darryl Scheck, filed nomination papers with the Elections Office. Mr. Scheck filed his papers on Friday, December 18, 2009. The SBCERS office was notified of this filing and the papers were faxed to Lila Deeds at SBCERS on Monday, December 21, 2009 for verification and approval of qualifications, nomination signatures and candidate statement.

It is the responsibility of SBCERS to determine if an appointment will be made and if so, request approval of the appointment from the County Board of Supervisors.

Sincerely,

Suzanne Jackson
Elections Supervisor
Santa Barbara County
Clerk, Recorder and Assessor
Elections Division