



BOARD OF RETIREMENT ELECTION PROCEDURE

I. PURPOSE

Pursuant to GC Section 31520.1 and 31520.5, the Sonoma County Employees' Retirement Association ("SCERA") Board of Retirement shall be composed of nine (9) members and one or more alternate members. Four members are appointed by the County Board of Supervisors. Four regular Board members and one or two alternate Board members are elected by the SCERA membership. The County Treasurer serves on the Board ex officio. This procedure applies to elections of the four elected regular Board members and the elected alternate Board member(s).

II. PROCEDURE

1. On or prior to October 1st of each year, the Chief Executive Officer shall notify the County of Sonoma Registrar of Voters of the name or names and position or positions of the Board members for whom successors must be elected the following December.
2. Government Code Sections 31520.1 and 31520.5 provide for candidate and voter eligibility as follows:
 - a) Board positions 2 and 3 shall be filled by the election of active, non-safety members of SCERA, and only active, non-safety members of SCERA are eligible to vote for such Board positions.
 - b) Position 7 and the alternate active member of the Board (if any) shall be filled by the election of active safety members of SCERA, and only active safety members of SCERA are eligible to vote for such Board position(s). The candidate for Position 7 with the highest number of votes will be certified as the elected Safety Member of the Board. The candidate from the other group (i.e., the group other than the one in which the person elected as Safety Member is employed), who has the highest number of votes of any candidate within said group, shall be certified as the Alternate Member of the Board of Retirement, except that if there is a candidate from the "fire suppression group" (Gov. Code § 31470.4) or a candidate from the "law enforcement group" (Gov. Code § 31470.2) a candidate from "any other safety group" (i.e. Probation) cannot be the Alternate Member of the Board of Retirement, whether or not that candidate received the highest number of votes. The terms of office of the Safety Member and Alternate Member shall begin and end at the same time.

- c) Position 8 shall be filled by the election of a retired member of SCERA, and only retired members of SCERA are eligible to vote for such Board position.
 - d) The alternate for Position 8 shall be elected separately from among the retired members of SCERA, and only the retired members of SCERA are eligible to vote for the alternate 8th position. A retired member of SCERA may run for both the 8th position and the alternate 8th position but may not be elected to both positions for the same term.
3. Eligibility to vote will be based on the system records as of October 1 prior to a regular election or as of the first day of a month, which day is at least 75 days prior to an election to fill a vacancy (see paragraph 13, below). Not less than sixty-five (65) days prior to the election, the Chief Executive Officer shall mail or cause to be distributed to each member who is entitled to vote at the forthcoming election, a notice of election, which shall include among other things an election calendar and a statement of the place or places where nomination forms can be obtained.
4. A qualified member may be nominated for one of the positions to be filled by filing with SCERA a petition bearing not less than five (5) nor more than ten (10) signatures of qualified voters. The nomination petition shall have attached to it a statement by the nominee indicating his or her consent to be a candidate. Nominations shall be made upon forms of nominating petition as prescribed and prepared by SCERA. A supply of such forms shall be maintained in the SCERA office, and at such other places as the Chief Executive Officer shall deem convenient for use by any proposed candidate or representative. Nominations shall be open for not more than fifty-five (55) nor less than forty (40) days prior to the election.
5. Candidates may, but are not required to, submit a qualification statement as part of the nominating petition. The qualification statement shall be limited to 250 words. Qualifications statements will be distributed with the official ballots. Statements will be printed exactly as written and will not be edited for spelling, punctuation, content, or grammatical issues. Candidates are responsible for proofreading statements, and SCERA assumes no liability for errors in qualification statements. SCERA will provide an active member candidate's official job title on the ballot. SCERA will not assist in any way with additional campaign materials that a candidate or someone supporting or opposing a candidate may wish to distribute to voters.
6. The Chief Executive Officer shall cause the names of those persons nominated for the Board of Retirement to be printed upon ballots of such form as may be

determined by the Chief Executive Officer in consultation with the Registrar of Voters. The ballots will contain only the names of duly nominated candidates, and there shall be no space for write in candidates. The order of candidates on ballots shall be determined by random drawing of names.

7. In the event there is only one nominee for an open position, there will be no election for that position. SCERA will report to the Board of Supervisors that there is a single candidate for the open position, and the Board of Supervisors shall order that no election be held for that position and direct the County Clerk to enter a unanimous ballot in favor of the single candidate (Gov. Code § 31523).
8. Not less than twenty (20) days prior to the first Tuesday in December of each year, the Chief Executive Officer shall mail or cause to be distributed to each member authorized to vote at said election one of said ballots together with a ballot envelope and an identification envelope and instructions for return of same. Said instructions shall indicate that the voted ballot shall be placed in the envelope marked "ballot envelope", or words of like effect, which shall then be sealed; the ballot envelope shall be placed in the identification envelope which shall, in addition to the return address of the Registrar of Voters office, contain provision for the signature of the member, the employee number of voters who are active employees, and the name of the County Department or district in which the voter is employed, if applicable. Said instructions shall further indicate that said identification envelope containing the ballot envelope and ballot, in order for the ballot to be counted, must be returned to the Registrar of Voters office by 5:00 P.M. on the first Tuesday in December.
9. In the event of an irregularity in the procedure outlined in paragraphs 3, 6 and 8 above, the Chief Executive Officer may adjust the date of the election solely to allow for correction of the error. If such adjustment and correction is made, no other changes will be allowed, including but not limited to changes in qualified candidates or qualification statements.
10. In the event that ballots are returned to the SCERA office, SCERA will endeavor to transport those ballots to the Registrar of Voters' office by the close of voting, but SCERA does not bear any responsibility for late submission of ballots that are returned to the SCERA office or any place other than the Registrar of Voters' office.
11. Ballots returned from voters shall not contain any stray marks or writing. In the event a ballot is inadvertently defaced or destroyed or if a ballot is lost or was never received, the voter may obtain a clean ballot from the SCERA office upon execution of an affidavit of SCERA's choosing stating the voter's prior ballot was

never delivered, or was lost, defaced, or destroyed.

12. On the day following the first Tuesday in December, the Registrar of Voters shall publicly canvass the returns of said election and the County Clerk shall certify the results thereof to the Board of Retirement. The candidate receiving the highest number of votes shall be declared elected except that in addition thereto, at a safety member election, the safety member, if any, who has been nominated in a different safety classification than that candidate receiving the highest number of votes and who has received the highest number of votes in any such different safety classifications shall be declared the alternate Board member subject to paragraph 2.b), above.
13. Except as provided in Gov. Code sections 31520.5(b) and 31523(b) for retired member and alternate retired member vacancies, respectively, in the event that a vacancy occurs outside of the terms prescribed for elected Retirement Board members, the Board of Retirement shall cause an election to be held at the earliest possible date to fill the vacancy. Except as provided in Gov. Code sections 31523(a) for safety member and alternate safety member vacancies and 31523(b) for alternate retired member vacancies, if the election of the replacement Board member occurs less than six months prior to the expiration of the normal term for the Board position, the election shall be deemed to have filled the remainder of the current term and to have filled the succeeding term.
14. Whenever a deadline for a procedure associated with a Retirement Board election falls on a holiday or weekend, the final day for completion of the procedure affected by the deadline shall be the last business day preceding such deadline.

III. REVIEW

The Board shall review this policy at least every three years to ensure that it remains relevant and appropriate.

IV. HISTORY

The Board adopted this policy on 2/22/2018 (effective April 10, 2018, on Board of Supervisors approval of Bylaw amendments).

Reviewed and revised 2/20/2020.