



Midpeninsula Regional  
Open Space District

R-20-54  
Meeting 20-12  
June 10, 2020

### AGENDA ITEM 3

#### 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, payment of candidate statements and, if required by the respective county, translations of candidate 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 3, 2020 ballots of Santa Clara and San Mateo Counties.

#### DISCUSSION

The Midpeninsula Regional Open Space District will hold a District election on November 3, 2020 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' respective responsibilities throughout the filing and election process.

The nomination period for the election opens on Monday, July 13, 2020 and closes on Friday, August 7, 2020. If an incumbent who is eligible fails to file for re-election by August 7, the voters have until 5:00 p.m. on Wednesday, August 12, 2020 to nominate candidates other than the incumbent.

If the consolidation of election services with other legislative districts within the counties is approved by each County's Board of Supervisors, the District's responsibilities will include: issue, receive, and process candidate nomination papers and statements; forward candidate

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.

On May 8, 2020, Governor Gavin Newsom issued Executive Order N-64-20, which, among other things, orders the November 3, 2020, General Election to be conducted as an all-mail ballot election. Accordingly, all registered voters in California will receive a vote-by-mail ballot in the mail prior to the election.

Three of the District's seven wards are scheduled for election during the November 3, 2020 General Election. These wards and their current Directors are:

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

### Payment of Candidate Statements

The District Clerk must also relay to the Registrar of Voters in each county the Board's policy regarding payment of candidate statements and number of words to be included in each statement. The General Manager's recommendation is to provide the following instructions, excerpted from Board Policy 1.07 *Board Elections*, which 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 purpose of this procedure is to save public tax dollar costs for listing an unopposed candidate on the ballot. The General Manager recommends that the Board of Directors adopt a resolution confirming this portion of Board Policy 1.07, which will notify Santa Clara and San Mateo Counties to not list any unopposed candidates on the ballot. Using this procedure, any unopposed, qualified candidates will be appointed to the Board of Directors at the Board's first regular or special meeting after the date upon which the election would have been held. Any

person appointed using this procedure shall take office and serve exactly as if elected for the office.

**FISCAL IMPACT**

The District's Fiscal Year (FY) 2020-21 Budget reserved \$108,200 for the November 2020 election based upon the history of election expenditures for contested seats over the past decade. In the event multiple seats are contested, funds may be reallocated through a budget amendment 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 3, 2020 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 3, 2020 Santa Clara and San Mateo County Ballots
4. Maps showing Ward Boundaries for Wards 3, 4, and 7

Responsible Manager:  
Ana Ruiz, General Manager

Prepared by:  
Jennifer Woodworth, District Clerk/Assistant to the General Manager

**RESOLUTION NO. 20-XX**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT REQUESTING  
AND CONSENTING TO CONSOLIDATION OF ELECTIONS – SANTA  
CLARA COUNTY**

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**WHEREAS**, a Biennial General District Election has been ordered to be held on Tuesday, November 3, 2020, 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 each for a term of four years; and

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

**WHEREAS**, it is desirable that the General District Election be consolidated with the Statewide General Election to be held on the same date and that within the District, the precincts, polling places, and election officers of the two elections be the same, and that the Registrar of Voters of the County of Santa Clara canvass the returns of the General District Election, and that the election be held in all respects as if there were only one election.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Midpeninsula Regional Open Space District calls for an election to be held on November 3, 2020, and requests the Board of Supervisors of Santa Clara County to completely consolidate such elections and to further provide that the Registrar of Voters canvass the returns of the election, including:

1. Pursuant to Public Resources Code Sections 5530 and 5533, the Board of Directors of the Midpeninsula Regional Open Space District does call an election in the District for the election of two members of the Board of Directors of the District, each for a full term of four years, in Wards 3 and 4 on Tuesday, November 3, 2020.
2. The District Clerk is authorized, instructed, and directed to coordinate with the County of Santa Clara Registrar of Voters to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.
3. The polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed.
4. Pursuant to the requirements of Part 3 (Consolidation of Elections; §§10400 et seq.) of Division 10 of the Elections Code, the Board of Directors hereby requests the governing body of any other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such elections, and to further provide that, upon consolidation, the consolidated election shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots

opened and returned, returns canvassed, and all other proceedings in connection with the election shall be regulated and done by any body or official authorized to perform such functions and canvass the returns of the elections; and that this Board of Directors consents to such consolidation.

5. That the Registrar of Voters Office of Santa Clara County is hereby authorized and instructed to canvass the returns of said election for the office of members of the Board of Directors of the Midpeninsula Regional Open Space District and is requested to certify the results of said election to the Board of Directors of the District.
6. The Board of Directors further requests, pursuant to Election Code Section 10002, that County election official(s) be authorized to render services to the District relating to the conduct of said election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The Midpeninsula Regional Open Space District's General District Election will be held and conducted in accordance with the provisions of law regulating the statewide or special election.
7. Pursuant to Sections 10509 and 13307 of the Elections Code, each candidate for elective office to be voted for at the General Municipal Election on November 3, 2020, may prepare a candidate statement on an appropriate form provided by the District Clerk. The statement may include the name, age, and occupation of the candidate, and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed with the District Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 pm of the next working day after the close of the nomination period. Candidates shall not be permitted to submit materials other than the candidate's statement with the sample ballot and the voter's pamphlet.
8. Pursuant to Board Policy 1.07 *Board Elections*, 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.
9. That pursuant to Section 10522 of the Elections 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.
10. That pursuant to Sections 10551 and 15651 of the Elections 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.
11. The General Manager of the District is hereby authorized to reimburse the County in full for the services performed upon presentation of a bill to the District.

12. The District Clerk is hereby directed to submit a certified copy of this Resolution to the Board of Supervisors of Santa Clara County, and to appropriate County election officials of said County.

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**PASSED AND ADOPTED** by the Board of Directors of the Midpeninsula Regional Open Space District on \_\_\_\_\_, 2020, at a Regular Meeting thereof, by the following vote:

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

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Jed Cyr, Secretary  
Board of Directors

\_\_\_\_\_  
Karen Holman, President  
Board of Directors

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Hilary Stevenson, 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.

\_\_\_\_\_  
Jennifer Woodworth, District Clerk

**RESOLUTION NO. 20-XX**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT REQUESTING  
AND CONSENTING TO CONSOLIDATION OF ELECTIONS – SAN  
MATEO COUNTY**

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**WHEREAS**, a Biennial General District Election has been ordered to be held on Tuesday, November 3, 2020, 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 for a term of four years; and

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

**WHEREAS**, it is desirable that the General District Election be consolidated with the Statewide General Election to be held on the same date and that within the District, the precincts, polling places and election officers of the two elections be the same, and that the Registrar of Voters of the County of San Mateo canvass the returns of the General District Election, and that the election be held in all respects as if there were only one election.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Midpeninsula Regional Open Space District calls for an election to be held on November 3, 2020, and requests the Board of Supervisors of San Mateo County to completely consolidate such elections and to further provide that the Registrar of Voters canvass the returns of the election, including:

1. Pursuant to Public Resources Code Sections 5530 and 5533, the Board of Directors of the Midpeninsula Regional Open Space District does call an election in the District for the election of one member of the Board of Directors of the District, for a full term of four years, in Ward 7 on Tuesday, November 3, 2020.
2. The District Clerk is authorized, instructed, and directed to coordinate with the County of San Mateo Registrar of Voters to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.
3. The polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time 8:00 p.m. of the same day when the polls shall be closed.
4. Pursuant to the requirements of Part 3 (Consolidation of Elections; §§10400 et seq.) of Division 10 of the Elections Code, the Board of Directors hereby requests the governing body of any other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such elections, and to further provide that, upon consolidation, the consolidated election shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots

opened and returned, returns canvassed, and all other proceedings in connection with the election shall be regulated and done by any body or official authorized to perform such functions and canvass the returns of the elections; and that this Board of Directors consents to such consolidation.

5. That the Registrar of Voters Office of San Mateo County is hereby authorized and instructed to canvass the returns of said election for the office of members of the Board of Directors of the Midpeninsula Regional Open Space District and is requested to certify the results of said election to the Board of Directors of the District.
6. The Board of Directors further requests, pursuant to Election Code Section 10002, that County election official(s) be authorized to render services to the District relating to the conduct of said election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The Midpeninsula Regional Open Space District's General District Election will be held and conducted in accordance with the provisions of law regulating the statewide or special election.
7. Pursuant to Sections 10509 and 13307 of the Elections Code, each candidate for elective office to be voted for at the General Municipal Election on November 3, 2020, may prepare a candidate statement on an appropriate form provided by the District Clerk. The statement may include the name, age, and occupation of the candidate, and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed with the District Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 pm of the next working day after the close of the nomination period. Candidates shall not be permitted to submit materials other than the candidate's statement with the sample ballot and the voter's pamphlet.
8. Pursuant to Board Policy 1.07 *Board Elections*, 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.
9. That pursuant to Section 10522 of the Elections 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.
10. That pursuant to Sections 10551 and 15651 of the Elections 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.
11. The General Manager of the District is hereby authorized to reimburse the County in full for the services performed upon presentation of a bill to the District.



12. The District Clerk is hereby directed to submit a certified copy of this Resolution to the Board of Supervisors of San Mateo County, and to appropriate County election officials of said County.

\*\*\*\*\*

**PASSED AND ADOPTED** by the Board of Directors of the Midpeninsula Regional Open Space District on \_\_\_\_\_, 2020, at a Regular Meeting thereof, by the following vote:

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

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Jed Cyr, Secretary  
Board of Directors

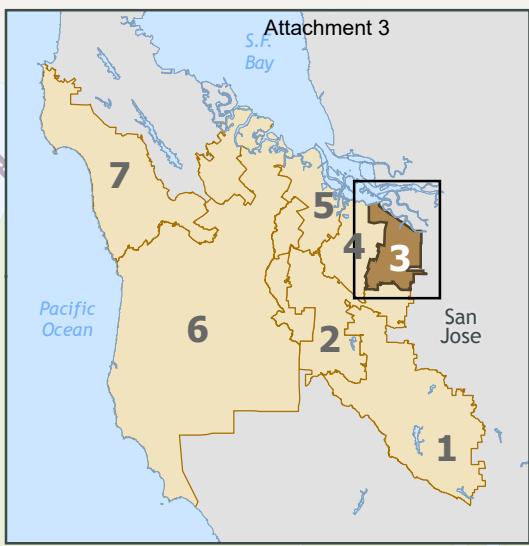
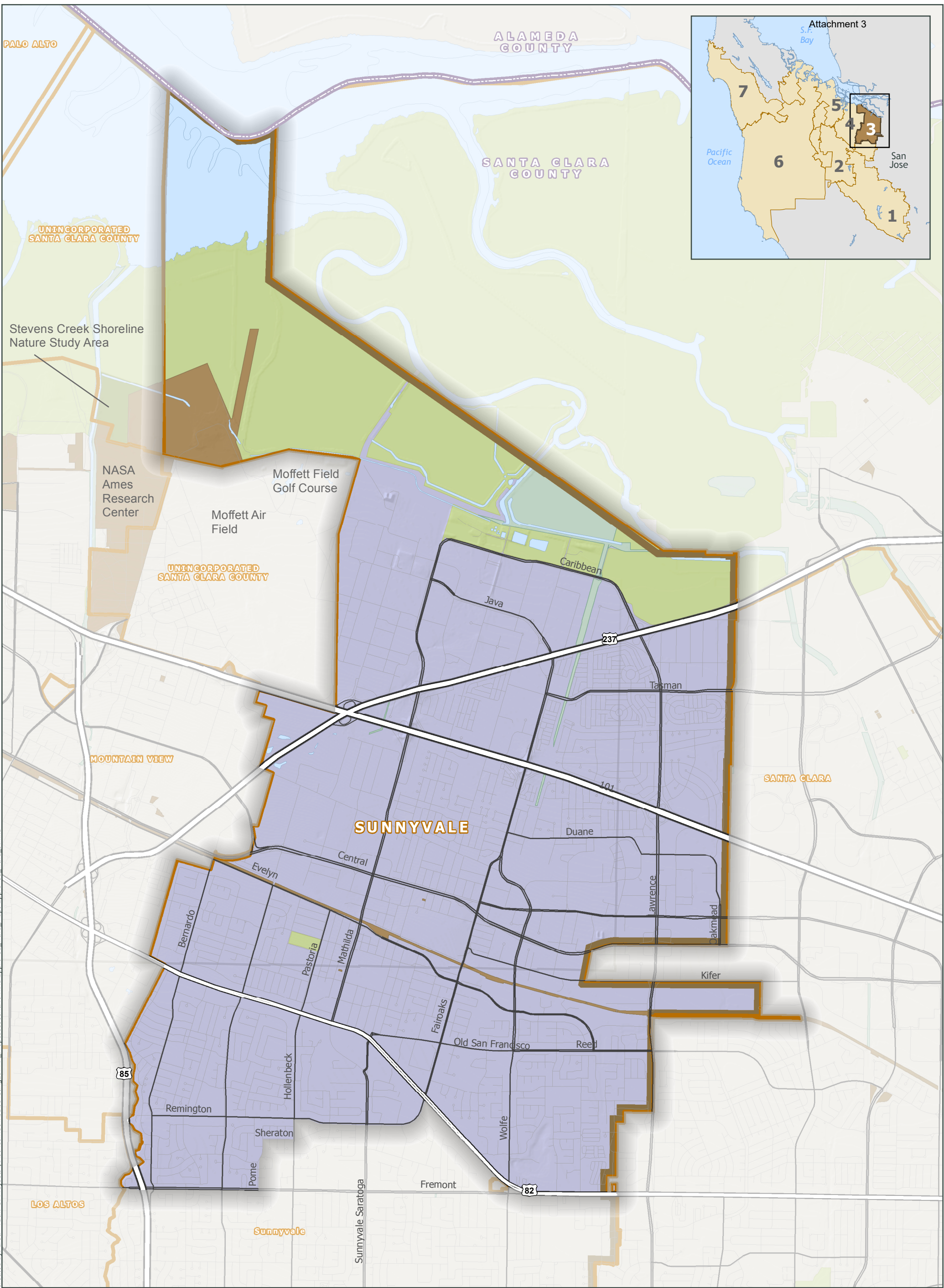
\_\_\_\_\_  
Karen Holman, President  
Board of Directors

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Hilary Stevenson, 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.

\_\_\_\_\_  
Jennifer Woodworth, District Clerk



### WARD 3

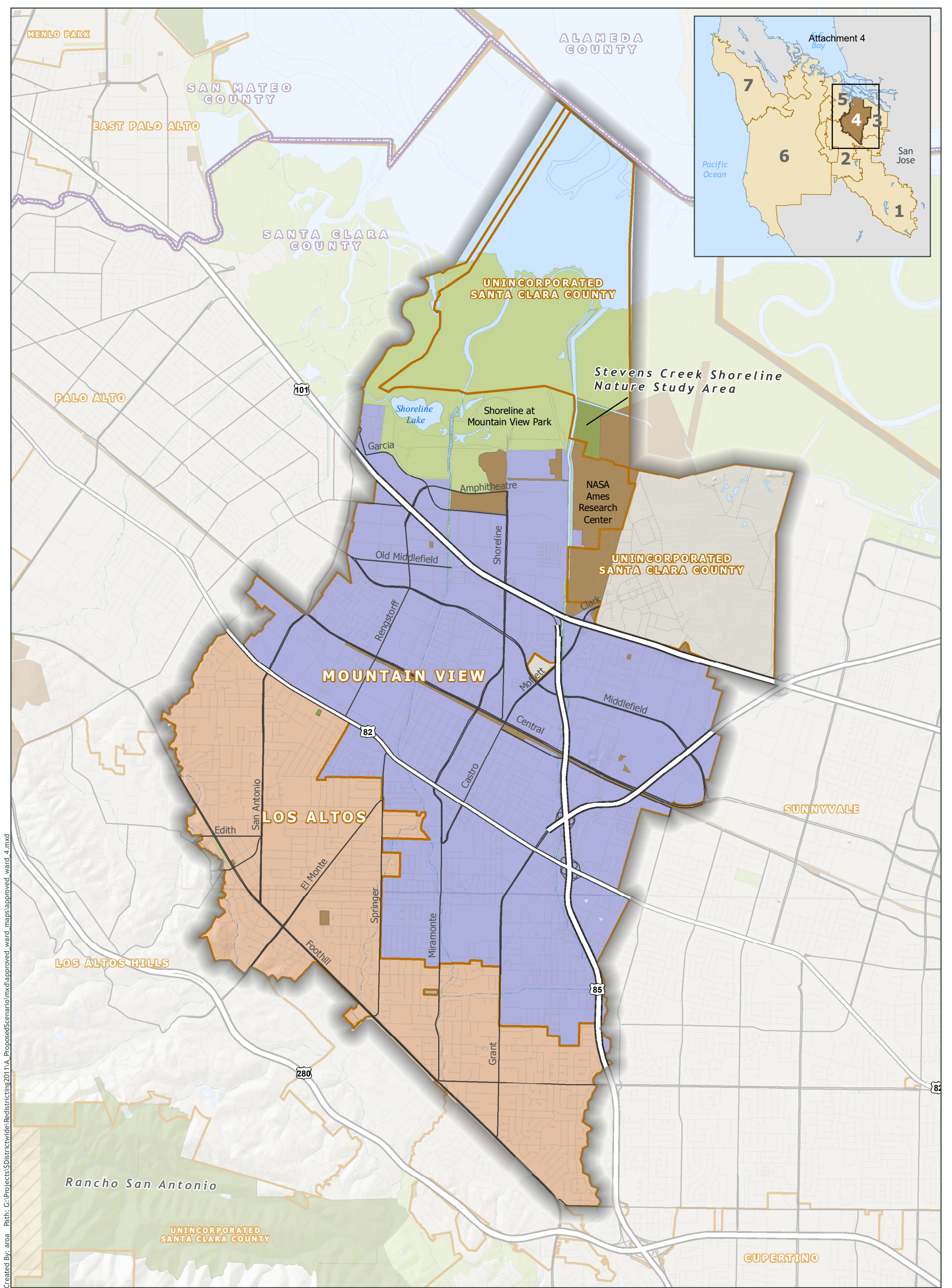
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|--|--|--|---------------------|--|-----------------|
|  | Ward 3 Boundary                          |  | Other Public Agency |  | City Limit      |
|  | MROSD Open Space Preserves               |  | Watershed Land      |  | County Boundary |
|  | Other 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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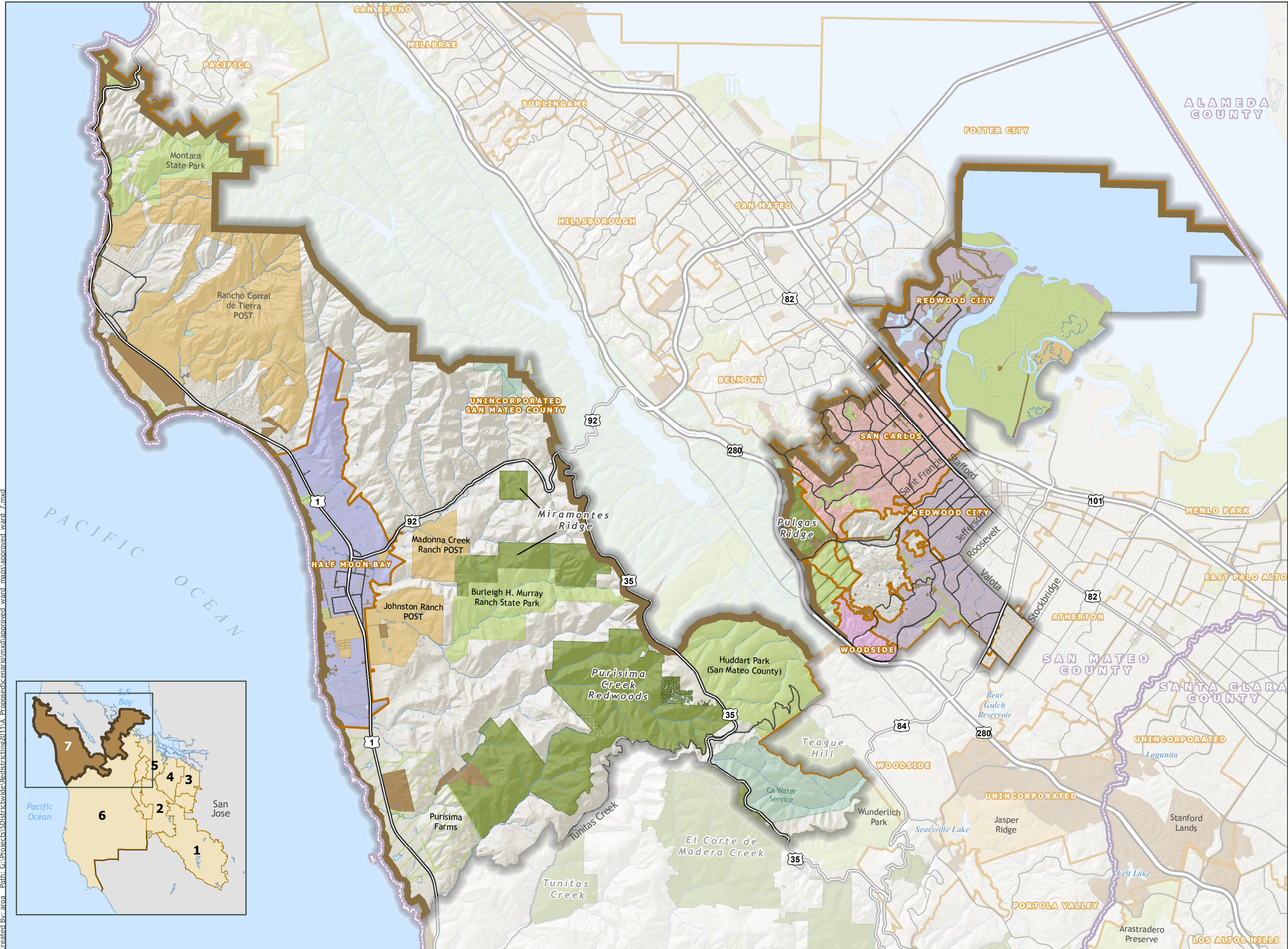
### WARD 4

- |  |  |  |                     |  |                 |
|--|--|--|---------------------|--|-----------------|
|  | 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 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



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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**RESOLUTION NO. 20-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 3, 2020 BALLOTS OF SAN MATEO COUNTY AND SANTA CLARA COUNTY**

**WHEREAS**, California Public Resources Code section 5532(e) gives the Board of Directors the option to permit candidates running unopposed to have their names appear on the ballot; and

**WHEREAS**, Board Policy 1.07, *Board Elections*, specifies that the Board will not pay for 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 that it will not list the unopposed candidates for election on the November 3, 2020 ballots of Santa Clara and San Mateo Counties. If such unopposed candidate requests that his or her candidate’s statement be included in official election material distributed to voters, the District will bill such candidate for the cost thereof, including costs related to any required translation.

\*\*\*\*\*

**PASSED AND ADOPTED** by the Board of Directors of the Midpeninsula Regional Open Space District on \_\_\_\_\_, 2020, at a Regular Meeting thereof, by the following vote:

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

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Jed Cyr, Secretary  
Board of Directors

\_\_\_\_\_  
Karen Holman, President  
Board of Directors

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Hilary Stevenson, 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.

\_\_\_\_\_  
Jennifer Woodworth, District Clerk