



**EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING
AGENDA STAFF REPORT**

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| DATE | June 4, 2024 |
| TITLE | Approval of Resolution Ordering and Giving Notice of an Election to be Held for the East Bay Regional Park District for the Purpose of Electing Three Directors and Requesting the Board of Supervisors of Alameda and Contra Costa Counties to Consolidate the District Election with the Statewide General Election Being Held November 5, 2024 |
| DIVISION | General Manager's Office |
| FROM | Yolande Barial Knight, Clerk of the Board |
| APPROVED | Sabrina Landreth, General Manager |

RECOMMENDATION

The General Manager recommends that the Board of Directors adopt the attached resolution calling for an East Bay Regional Park District (Park District) election in Wards 1, 2, and 4 and request the Board of Supervisors of Alameda and Contra Costa Counties to consolidate the Park District election with the Statewide General Election to be held Tuesday, November 5, 2024.

BACKGROUND

The terms of three Directors expire at the end of this year: Elizabeth Echols (Ward 1), Dee Rosario (Ward 2), and Ellen Corbett (Ward 4). Ward 1 is within Alameda and Contra Costa County, Ward 2 is within Alameda and Contra Costa County, and Ward 4 is entirely within Alameda County.

This Resolution is necessary to call the election, consolidate it with the general statewide election and obtain the services of the respective County Elections offices in holding the election. It is also mandatory that the process of certification of signatures be turned over to the counties for handling; this avoids any possible conflict between the Park District and the candidate on the validity of the signatures.

To comply with the Elections Code, it is proposed that a Notice of the Park District's Election be published in newspapers of general circulation, and it will be posted on the Park District's website.

ANALYSIS

The following conditions shall apply for the Wards 1, 2 and 4 whose directors terms expire in 2024. Ward 1 is within Alameda and Contra Costa County, Ward 2 is within Alameda and Contra Costa County, and Ward 4 is entirely within Alameda County.

- a. Nomination papers for prospective candidates are to be available at the Registrar of Voters of Alameda County and the Elections Office of Contra Costa County at no

cost commencing Monday, July 15, 2024, which is also the first day for collecting signatures and filing.

- b. Completed nomination papers signed by at least fifty (50) registered voters living within a Ward shall be filed with either the Registrar of Voters of Alameda County or the Elections Office of Contra Costa County, depending on the Candidate's County of Domicile, no later than 5:00 p.m., Friday, August 9, 2024 (or by August 14, 2024 if the incumbent fails to file by the August 9, 2024 deadline). Certification of signatures is to be handled by the Registrar of Voters of Alameda County and/or the Elections Officer of Contra Costa County.
- c. The Candidates' Statement of Qualifications of no more than 200 words shall be filed with nomination papers. Pursuant to Board Resolution 2000-6-132, each candidate shall pay for costs incurred, including printing and handling of candidate statements, in the amount of \$1,000. This one-time payment will be required at the time nomination papers are filed. The Park District will pay any costs in excess of this amount.
- d. For Wards encompassing both Alameda and Contra Costa Counties, it is the Candidate's responsibility to bring a copy of their Statement of Qualifications and proof of payment to the shared county's elections office.
- e. Notice of District election to be published in newspapers of general circulation for both Alameda and Contra Costa Counties.
- f. **Ward boundaries are as adopted by the Board of Directors on March 15, 2022, Resolution No. 2022-03-062.**

FISCAL IMPACT

Funding to cover the Park District's share of the counties' election-related expenses is available in the General Fund: Assigned Fund Balance – Election Costs, Object Code 6971. Actual election expenses (less the Candidate's payment of \$1,000) billed to the Park District by the counties vary depending on the number of measures and candidates submitted for the ballot; therefore, the exact amount due will not be known for several weeks following the election. The names of currently serving Board members or candidates who file nomination papers but who are unopposed will not be required to appear on the ballot, and the Park District will not be charged for the election in that Ward. Staff will seek Board authorization to appropriate the necessary funds to pay for election expenses once a statement is received from the county elections officials.

ATTACHMENTS

None.



**EAST BAY REGIONAL PARK DISTRICT
RESOLUTION NO. 2024 – 06 -
JUNE 4, 2024**

**APPROVAL OF RESOLUTION ORDERING AND GIVING NOTICE OF AN
ELECTION TO BE HELD IN THE EAST BAY REGIONAL PARK DISTRICT FOR
THE PURPOSE OF ELECTING THREE DIRECTORS AND REQUESTING THE
BOARD OF SUPERVISORS OF ALAMEDA AND CONTRA COSTA COUNTIES TO
CONSOLIDATE THE DISTRICT ELECTION WITH THE STATEWIDE GENERAL
ELECTION BEING HELD NOVEMBER 5, 2024**

WHEREAS, the California Elections Code requires a general district election be held in each Ward to choose a Director for each elective officer whose term will expire on the first Friday in December following the election to be held on the first Tuesday after the first Monday in November in each even-numbered year; and

WHEREAS, other elections may be held in whole or in part of the territory of the East Bay Regional Park District (Park District) and it is to the advantage of the Park District to consolidate pursuant to Elections Code Section 10400 et seq; and

WHEREAS, Elections Code Section 10520 requires each District involved in a general election to reimburse the county for the actual costs incurred by the county elections official in conducting the election for that District; and

WHEREAS, Elections Code Section 13307 requires that before the nominating period opens, the Park District Board must determine whether a charge shall be levied against each candidate submitting a candidate's statement to be sent to the voters; and

WHEREAS, Elections Code Section 12112 requires the elections official of the principal county to publish a notice of the election once in a newspaper of general circulation in the District;

NOW, THEREFORE BE IT ORDERED, by the Board of Directors of the East Bay Regional Park District that an election be held within the territory included in the Park District jurisdiction's on the 5th day of November, 2024, for the purpose of electing members to the Board of Directors of the East Bay Regional Park District in accordance with the following specifications:

1. A general election is hereby ordered and called to be held in the East Bay Regional Park District, State of California, and shall be consolidated with the Statewide General Election on Tuesday, November 5, 2024, for the purpose of electing three Directors.
2. The Board of Supervisors of Alameda and Contra Costa Counties are hereby respectfully requested to conduct such an election on behalf of the Park District.

3. The election is to be held for the Park District and all matters pertaining thereto shall be conducted in accordance with the general election laws of the State of California, as may be applicable to the Park District.
4. The three (3) Directors shall be residents and electors of the Wards from which they are nominated, and the ballot shall contain the names of the persons nominated in each Ward, showing separately the nominees from which a Director is to be elected, as follows:

One from Ward 1, which comprises the election precincts of Albany, a portion of Berkeley, El Cerrito, a portion of Emeryville, Hercules, a portion of Oakland, a portion of Orinda, a portion of Pinole, Richmond, San Pablo, Bayview-Montalvin, East Richmond Heights, El Sobrante, Kensington, North Richmond, Rollingwood, and Tara Hills. This ward is within Alameda and Contra Costa County.

One from Ward 2, which comprises the election precincts of Alameda, a portion of Berkeley, a portion of Emeryville, a portion of Lafayette, Moraga, a portion of Oakland, a portion of Orinda, Piedmont, a portion of Pleasant Hill, a portion of Walnut Creek, Acalanes Ridge, Alamo, Castle Hill, a portion of Reliez Valley, Saranap, and Waldon. This ward is within Alameda and Contra Costa County.

One from Ward 4, which comprises the election precincts of Alameda, a portion of Hayward, a portion of Oakland, San Leandro, a portion of Ashland, a portion of Castro Valley, Cherryland, and a portion of San Lorenzo. This ward is within Alameda, County.

5. The Park District will reimburse separately Alameda and Contra Costa Counties for the actual costs (less the \$1,000 Candidate payment) incurred by each county's elections officials in conducting the general district election upon receipt of a bill stating the amount due as determined by the elections officials.
6. The Nomination Period for circulation of nomination petitions shall be from Monday, July 15, 2024 (first day for pickup and circulation of nomination petitions) until 5:00 p.m., August 9, 2024 (last day for filing nomination petitions).
7. Extended Nomination Period - If an incumbent fails to file by the August 9, 2024 deadline, any qualified person, other than the incumbent, will have until 5:00 p.m. on August 14, 2024 to file Nomination Papers.
8. The nomination petitions shall be signed by at least fifty (50) electors residing within said Ward and shall be filed with the Registrar of Voters of Alameda County or the Elections Officer of Contra Costa County.
9. Each Candidate shall pay the elections officer of their County of Domicile for costs incurred, including printing and handling of candidate statements, in the amount of \$1,000, pursuant to Board Resolution 2000-6-132. This one-time payment will be required from the Candidate at the time nomination papers are filed.
10. Each Candidate running in a shared Ward shall provide a copy of their Statement of Qualifications and proof of payment to the shared county's elections officer.

11. If a Candidate elects to file a Statement of Qualifications for distribution in the sample ballot to the voters in a Ward for the office of Director of the East Bay Regional Park District, the following rules shall apply:
 - a. Such Candidate's Statement of Qualifications shall be limited to no more than 200 words.
 - b. No Candidate shall be permitted to prepare other materials to be sent to the voters in the Ward in addition to the sample ballot and voter's pamphlet, and the Elections Departments are not authorized to receive any such materials for mailing with the sample ballot.
12. The form of the ballot for the East Bay Regional Park District election shall be as follows:

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|---------------------------------|--------------|
| EAST BAY REGIONAL PARK DISTRICT | |
| DIRECTOR, WARD 1 | VOTE FOR ONE |
| DIRECTOR, WARD 2 | VOTE FOR ONE |
| DIRECTOR, WARD 4 | VOTE FOR ONE |

13. The Board of Supervisors of Alameda and Contra Costa Counties are hereby authorized and requested to canvass the returns of said East Bay Regional Park District election with respect to votes cast within said counties for this election and to certify the results of said election to the Board of Directors of the East Bay Regional Park District when such results are available.
14. The East Bay Regional Park District election shall be held in all respects as one election and only one ticket or ballot shall be used; the election precincts, polling places, voting booths and election officials shall be the same as for the Statewide General Election.
15. Notice of the election called by this resolution shall be given by publication of such notice in a newspaper of general circulation published in the Park District and such publication shall be deemed sufficient notice of said election (Election Code Section 12112).
16. Following canvass of the returns and certification of the results of the election by the Boards of Supervisors of Alameda and Contra Costa Counties, a resolution of the results of the Park District election shall be adopted by the Park District Board giving the total votes cast in each of the three Wards (Wards 1, 2 and 4) and declaring the person receiving the highest number of votes in each Ward as Director. The persons so declared elected for Wards 1, 2 and 4 shall be sworn into office with the terms of office commencing the first Monday after the first day of January, 2025 (Public Resources Code Section 5533).
17. All other rules and regulations governed by the Elections Code for the conduct of this Statewide General Election on Tuesday, November 5, 2024, and the filing of nomination papers not specifically cited in this resolution shall be applicable to the Park District election.
18. Necessary nomination forms, campaign reporting documents, statement of qualification forms, and guidelines for filing may be obtained at no charge from the Registrar of Voters of

Alameda County and/or the Elections Officer of Contra Costa County, commencing July 15, 2024, with the actual filing of the documents to be made with the Registrar of Voters of Alameda County or the Elections Officer of Contra Costa County, by 5:00 p.m., August 9, 2024 (or by the extended Nomination Period of 5:00 p.m. on August 14, 2024 if the incumbent fails to file by the August 9, 2024 deadline).

19. Certification of the signatures on the nomination petitions to be performed by the Registrar of Voters of Alameda County and/or the Elections Officer of Contra Costa County.
20. Funding to cover the Park District's share of election-related expenses is available in the General Fund: Assigned Fund Balance – Election Costs, Object Code 2861. Staff will return to the Board to seek the necessary appropriation authority once these expenses are billed to the Park District.

Moved by Director _____, and seconded by Director _____, and adopted June 4, 2024, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: