

ELECTION PROCEDURE & DEADLINES

SANTA CLARA COUNTY OPEN SPACE AUTHORITY (AUTHORITY) BOARD OF DIRECTORS CANDIDATES

1. ELECTION DATE:
Tuesday November 7, 2016. (Elections Code §1000)
2. NOMINATION PERIOD:
July 17, 2016 to August 11 2016. (Elections Code §10220)
3. DEADLINE TO FILE NOMINATING PETITIONS:
5:00 P.M., Thursday, August 11, 2016

NOTE: If nomination papers for an incumbent elective officer of the District are not filed by 5:00 p.m., Thursday, August 11, 2016, any non-incumbent shall have until August 16, 2016 (the 83rd day before the election) to file a declaration of candidacy (Cal. Elec Code §10516)

4. FILING FEE:
None
5. TERM OF OFFICE:
Four (4) years (commencing on the 1st Friday of December at noon, [The Oath of Affirmation will be administered] at the first regular meeting of the Board of Directors in December) (Cal Elec Code § 10554)
6. QUALIFICATIONS:
Candidates must be 18 years of age by November 7, 2016 and a resident and registered voter in the ward from which he or she is nominated.
7. NOMINATION PROCEDURE:
Candidates must complete and sign the Affidavit of Circulator.
The candidate must complete the Appointment of Circulators form as appropriate.

The candidate must complete and sign the Declaration of Candidacy form. (See item 8 for instruction concerning "occupation designation") (Elections Code §10510).

The Oath of Affirmation must be taken and signed by the candidate before a person authorized to administer oaths. The Authority Clerk of the Board, the Registrar of Voters, and all notaries public are so authorized (Elections Code §10512).

8. FILING CANDIDATE PAPERS:
It is a candidate's responsibility to see that all of the required forms are filed in the office of the Santa Clara County Registrar of Voters, 1555 Berger Drive, Building 2, San Jose, no later than 5:00 p.m.,

Thursday, August 11, 2016. This may be done by the candidate, his/her agent, or by certified mail. If nomination papers are filed by mail, they must be returned by certified mail in time to reach the Registrar of Voters no later than the 5:00 p.m. filing deadline on **Thursday August 11, 2016.** The Open Space Authority does not accept nomination petitions or candidate papers.

All candidates are urged to file as early as possible in order that the papers may be checked and any deficiency is corrected before the filing deadline.

9. BALLOT DESIGNATION

In the Declaration of Candidacy, the candidate may, at his/her option, enter one of the following designations to appear after his/her name on the ballot:

- a) Words designating the elective city, county, district, federal or state office he/she holds at the time of filing his/her nomination papers and to which he/she was elected by vote of the people.
- b) An elected incumbent governing body member who is a candidate for the office he/she then holds may designate the word "incumbent". (A person appointed mid-term to fill a vacancy cannot use the word "incumbent", but may be designated as "appointed incumbent".)
- c) No more than three words designating the principal professions, vocations, or occupations of the candidate.
- d) For candidates who do not have a principal profession, occupation, or vocation the candidate may use "Community Volunteer."

No candidate shall assume a designation which:

- a) Would mislead the voters;
- b) Suggests an evaluation of the candidate such as outstanding, leading, expert, virtuous, or eminent;
- c) Abbreviates the word "retired" or places it following any word or words which modifies it;
- d) Uses a word or prefix such as "former" or "ex-" which means a prior status (the only exception is the use of the word "retired").
- e) Uses the name of any political party, whether or not it has qualified for the ballot;
- f) Uses a word or words referring to a racial, religious, or ethnic group; or
- g) Refers to any activity which is prohibited by law.

10. POSITION ON THE BALLOT: Candidates will be positioned on the ballot in the order in which their names correspond to the elections randomized alphabet established by the Secretary of State.

11. UNOPPOSED CANDIDATES

If by 5p.m. on **August 11, 2016,** the number of declarations of candidacy filed does not exceed the number of available positions, the supervising authority shall appoint the person or persons to the office, so long as no petition requesting that a general election be held is submitted (Cal Elec Code § 10515). If no person has filed a declaration of candidacy for any office, the supervising authority shall appoint any person to the office who is qualified on the date when the election would have been held. If the candidate

requested that a candidate statement appear on the ballot and paid the \$500 portion of the cost, the candidate has until 5:00 p.m. on the next business day to request a refund from the Registrar of Voters.

12. CONFLICT OF INTEREST CODE REPORTING:

Each candidate must also file with the Authority Clerk of the Board, no later than 5:00 p.m. on **Thursday August 11, 2016**, a disclosure of certain financial assets in compliance with the Authority's Conflict of Interest Code. Forms and instructions are available from the Clerk of the Board at the Authority's Administration office.

Elected Board Members shall file a Statement of Economic Interests within 30 days after assuming the designated position (Government Code §87202).

13. MASS MAILING:

See sheet entitled "Notice to All Persons and Organizations Participating in Election Campaigns".

14. CAMPAIGN DISCLOSURE:

(Government Code Sections 81000 et seq.). The Public Reform Act of 1974 (Proposition 9) imposes strict campaign reporting requirements on candidates for public office, incumbent office holders and committees supporting or opposing candidates or measures. Reporting forms and instructions prescribed by the Fair Political Practices Commission will be provided to candidates and known committees in advance of the reporting deadline. The instructions should be followed carefully in order to ensure full compliance with the law and to avoid possible penalties and court action as a result of improper filing or failure to file.

Form 470 is required for officeholders and candidates who do not have a controlled committee, do not receive contributions totaling \$1,000 or more during the calendar year, and do not spend \$1,000 or more during the calendar year.

15. FILING SCHEDULE:

An original and one copy of each statement required to be filed shall be filed in the Office of the Registrar of Voters according to a schedule provided.

16. PENALTY FOR LATE FILING:

Late filings are subject to penalties of \$10 per day up to a ceiling of either \$100 or the cumulative amount included in the late statement whichever ceiling permits the greater fine. Persons who do not comply with the requirements of the law are also subject to criminal and civil penalties.