



Legislation Details (With Text)

File #: 21-1038

On agenda: 11/2/2021 **Final action:** 11/2/2021

Enactment date: **Enactment #:**

Title: Receive Retirement Administrator’s certification to the Board of Supervisors that Alysia Bonner, a duly nominated and eligible candidate for the 2021 Board of Retirement Election of the Fresno County Employees’ Retirement Association (“Board of Retirement”), for General Member Seat No. 2, was unopposed at the close of nominations under the Board of Supervisors elections procedures for Board of Retirement elections (“Election Procedures”); as provided by the Election Procedures, order that no election be held for such seat; and, as provided by the Election Procedures, direct the Clerk of the Board of Supervisors, pursuant to Government Code § 31523, to cast a unanimous ballot, in the form of the official ballot accompanying this agenda item, in favor of Alysia Bonner as General Member Seat No. 2 on the Board of Retirement for a three-year term commencing January 1, 2022 and expiring December 31, 2024, and deliver the casted ballot to the Board of Retirement and a copy thereof to the Fresno County Clerk/Registrar of Voters

Attachments: 1. Agenda Item, 2. Retirement Administrator Certification, 3. Sample Ballot, 4. Additional Documents - Transmittal letter

Date	Ver.	Action By	Action	Result
11/2/2021	1	Board of Supervisors	Consent Agenda be approved	Pass

DATE: November 2, 2021

TO: Board of Supervisors

SUBMITTED BY: Donald Kendig, CPA
Retirement Administrator

SUBJECT: Alysia Bonner as General Member Seat No. 2 - Board of Retirement

RECOMMENDED ACTION(S):

- 1. Receive Retirement Administrator’s certification to the Board of Supervisors that Alysia Bonner, a duly nominated and eligible candidate for the 2021 Board of Retirement Election of the Fresno County Employees’ Retirement Association (“Board of Retirement”), for General Member Seat No. 2, was unopposed at the close of nominations under the Board of Supervisors elections procedures for Board of Retirement elections (“Election Procedures”);**
- 2. As provided by the Election Procedures, order that no election be held for such seat; and**
- 3. As provided by the Election Procedures, direct the Clerk of the Board of Supervisors, pursuant to Government Code § 31523, to cast a unanimous ballot, in the form of the official ballot accompanying this agenda item, in favor of Alysia Bonner as General Member Seat No. 2 on the Board of Retirement for a three-year term commencing January 1, 2022 and expiring December 31, 2024, and deliver the casted ballot to the Board of Retirement and a copy thereof to the Fresno County Clerk/Registrar of Voters.**

For the 2021 Board of Retirement election, there is only one seat, the General Member Seat No. 2, that is vacant for election.

Alysia Bonner was unopposed at the close of nominations for the 2021 Board of Retirement election as

General Member Seat No. 2 on the Board of Retirement. As provided by the Elections Procedures, upon your Board receiving the accompanying certification of the Retirement Administrator, Ms. Bonner must be seated by your Board ordering that no election be held, and directing the Clerk of the Board of Supervisors to undertake the recommended actions, and by her thereafter being sworn in by the Board of Retirement.

ALTERNATIVE ACTION(S):

There is no viable alternative action.

FISCAL IMPACT:

There is no fiscal impact associated with the recommended actions.

DISCUSSION:

In accordance with Government Code§ 31520.1, the Board of Supervisors established elections procedures for the Board of Retirement election process (“Election Procedures”). The Election Procedures were adopted on November 25, 1969 and amended on October 30, 2001, March 1, 2005, September 11, 2007, August 11, 2009, December 8, 2015, June 18, 2019, and again on June 22, 2021 and state the following:

“If any duly nominated and eligible candidate is unopposed for election at the close of nominations, the Retirement Administrator shall so certify to the Board of Supervisors, and the Board of Supervisors shall order that no election be held for such seat and shall direct the Clerk of the Board of Supervisors to cast a unanimous ballot in favor of the candidate pursuant to Government Code§ 31523, subdivision I. The Clerk of the Board of Supervisors shall deliver the casted ballot to the Board of Retirement, and a copy thereof to the County Registrar of Voters.” (Sec. IV.H., p. 22)

Accordingly, Government Code§ 31523 provides:

“(c) If an election has been called on the expiration of the term of office of any member... for the second... member of a board of retirement, and only one candidate has been duly nominated in accordance with the rules established for the holding of that 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 the candidate.”

On September 3, 2021, as Retirement Administrator for FCERA, under the Election Procedures, I provided or caused to be provided appropriate and timely notice that an active member election will be held on November 18, 2021 for General Member Seat No. 2 for the Board of Retirement. General Member Seat No. 2 is the only seat vacant for the 2021 election to the Board of Retirement. The close of nominations for such election was September 24, 2021 under the Election Procedures.

As the Retirement Administrator for FCERA, I have determined that Alysia Bonner, as a duly nominated and eligible candidate for the 2021 Board of Retirement Election, for General Member Seat No. 2, was unopposed at the close of nominations under the Board of Supervisors elections procedures for Board of Retirement elections.

I provide a certification to your Board of the foregoing facts, which certification accompanies this agenda item.

In addition, on October 6, 2021, the Board of Retirement, by unanimous approval, and without any public opposition during the relevant public comment portion of their agenda, certified that Alysia Bonner was duly nominated and unopposed for election to General Member Seat No. 2 on the Board of Retirement, and directed its Staff to place the certification on your Board’s agenda.

Pursuant to the Election Procedures and California law, your Board is requested to order that no election be held, and to direct the Clerk of your Board to cast a unanimous ballot in favor of Alysia Bonner, for General Member Seat No. 2 on the Board of Retirement and to deliver such casted ballot to the Board of Retirement and a copy thereof to the Fresno County Clerk/Registrar of Voters.

The official ballot for the Clerk of the Board to cast, upon your Board's direction, is on file with her Office, and a copy of such official ballot accompanies this agenda item.

Once the foregoing recommended actions, above, are completed, and Ms. Bonner is sworn in by the Board of Retirement, her term would commence January 1, 2022 and expire December 31, 2024.

REFERENCE MATERIAL

BAI # 36	June 22, 2021
BAI # 7	June 18, 2019
BAI # 25	December 8, 2015
BAI # 31	August 11, 2009
BAI # 24	September 11, 2007
BAI # 32	March 1, 2005
BAI # 19	October 30, 2001
BAI # NA	November 25, 2001

ATTACHMENTS INCLUDED AND/OR ON FILE:

Retirement Administrator Certification

Sample Ballot

On file with Clerk - Additional Documents -Transmittal letter re Unanimous Ballot.Alysia Bonner.Gen Member.Seat 2

CAO ANALYST:

Raul Guerra