



Board of Administration Offsite Special Public Agency Member Board Election

July 13, 2021

Item Name: Special Public Agency Member Board Election

Program: Board of Administration Election

Item Type: Information

Executive Summary

Board member Jason Perez resigned his seat on the board creating a vacancy. The Public Employees' Retirement Law provides for a special election to fill such a vacancy.

This information item provides background and a tentative special election schedule for the board's consideration in filling this vacancy.

Strategic Plan

This agenda item is not a product of the Strategic Plan but is part of the regular and ongoing workload of the Operations Support Services Division, Board Election Program.

Background

On January 16, 2019, Jason Perez was elected to the Public Agency Member Representative position on the CalPERS Board of Administration. In June 2021, Mr. Perez resigned from the board, which created a vacancy in his position. In accordance with Government Code section 20090, subdivision (g)(4), this position is elected by and from the active local members of this system other than those who are employees of a school district or a county superintendent of schools. The term for this position is set to expire January 15, 2023.

But for the vacancy, the election to fill this position would be held in 2022 concurrently with the state and school member board elections. With regard to an election following a vacancy on the board, Government Code section 20095 provides:

"The board shall hold special elections to fill vacancies which occur during the term of elected members of the board. If at the time a vacancy occurs, the unexpired term is less than two years, the new member elected to fill that vacancy shall hold office for a period equal to the remainder of the term of the vacated office plus four years."

There are less than two (2) years remaining in the unexpired term of the current vacancy. Therefore, the new member elected to fill this vacancy will hold office through January 15, 2027.

Special elections are conducted in accordance with CalPERS' board election regulations. Before a special election to fill a vacancy pursuant to Government Code section 20095, a Notice of Election (Notice), which includes an election schedule, must be presented to the board as an agenda item at a regularly noticed public meeting of the board in accordance with California Code of Regulations, title 2, section 554.3.

CalPERS is currently engaged in the 2021 Member-at-Large Board Election. Voting will be completed by September 27, 2021.

Tentative Election Schedule

The tentative schedule for the Special Public Agency Member Election, set forth below, has been outlined to avoid overlap between the current election and the special election. Overlap could result in confusion among voters and difficulties in management of workload for CalPERS team members and vendors. Accordingly, the tentative election schedule is set to begin after the completion of voting in the 2021 Member-at-Large Board Election.

Activity	Tentative Schedule
CalPERS Board Approval of Notice	Mid-to-late October
Release Notice Through Public Agency Employers	Late-October
Nomination Period Ends	Mid-December
Random Drawing	Mid-January
Voting Period Begins	Early-April
Candidate Forum	Early-to-mid April
Voting Period Ends and Unofficial Results Announced	Early-to-mid May

Budget and Fiscal Impacts

The cost to conduct the Special Public Agency Member Board Election will be approximately \$500,000.00 paid in fiscal year 2021-22. Funds for the Public Agency Member Board Election were already allocated to fiscal year 2022-23. However, if the Special Public Agency Member Board Election is held as shown in the tentative schedule above, then funds will be reallocated to fiscal year 2021-22.

Attachments

None.

Dallas Stone, Chief
Operations Support Services Division

Doug Hoffner
Chief Operating Officer