

CAPISTRANO BAY DISTRICT  
AGENDA REPORT  
March 25, 2014

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Manager's Reports

ITEM J.1

Directors' Terms Expiring/Upcoming Vacancies



March 12, 2014

**TO: Don Russell, Manager**  
**Capistrano Bay Community Services District**

**FM: Kay Cotton, Candidate and Voter Services Manager**  
**Registrar of Voters' Office**

**RE: November 4, 2014 General Election**

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This memo is in response to your request for additional information on incumbents running for office.

There are no provisions in the Elections Code for incumbents to be automatically appointed to their current seats for another term of office. If an incumbent wants to hold the office for another term, he/she **must** file papers, including the Declaration of Candidacy, with the Registrar of Voters' office by the filing deadline. For the November 4, 2014 General Election, the filing deadline is August 8, 2014.

However, if the incumbent files the necessary documents and no one else files for the same contest, then he/she would be appointed-in-lieu of election. As long as the number of candidates does not exceed the number of seats up for election, those candidates can be appointed-in-lieu of election. The Orange County Board of Supervisors would approve the appointment after the General Election.

If the number of candidates for a contest does exceed the number of seats up for election in that contest, the candidates' names would appear on the ballot for the voters to decide.

For further clarification, you may review Elections Code Sections 10510 and 10515 on this subject. If you have any other questions, you may contact me at (714) 567-7606 or [kay.cotton@rov.ocgov.com](mailto:kay.cotton@rov.ocgov.com).