

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY

DEPT: Board of Supervisors BOARD AGENDA #: *A-3
AGENDA DATE: January 10, 2017

SUBJECT:

Approval of the Oakdale Irrigation District Request for the Registrar of Voters to Render Election Services and Conduct a Special Recall Election on April 25, 2017

BOARD ACTION AS FOLLOWS:

No. 2017-03

On motion of Supervisor Monteith, Seconded by Supervisor Withrow
and approved by the following vote,
Ayes: Supervisors: Olsen, Withrow, Monteith, DeMartini, and Chairman Chiesa
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:

ATTEST: 
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No. DI-01-A-01

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Board of Supervisors
Urgent Routine

BOARD AGENDA #: *A-3

AGENDA DATE: January 10, 2017

PV

CEO CONCURRENCE:

4/5 Vote Required: Yes No

SUBJECT:

Approval of the Oakdale Irrigation District Request for the Registrar of Voters to Render Election Services and Conduct a Special Recall Election on April 25, 2017

STAFF RECOMMENDATIONS:

1. Approve the Oakdale Irrigation District request for the Registrar of Voters to render all services, facilities, supplies and equipment necessary to conduct the special recall election for Oakdale Irrigation District – Division 4 Director on April 25, 2017.
2. Authorize the increase in appropriations and revenue of \$21,560 for the Clerk-Recorder, Elections Division budget for associated costs to conduct the special recall election on April 25, 2017, funded by reimbursement from the Oakdale Irrigation District.

DISCUSSION:

The Oakdale Irrigation District requests that the Stanislaus County Board of Supervisors authorize the County Registrar of Voters to conduct a special recall election on April 25, 2017.

Pursuant to Elections Code 11320 and 11381, the special recall election shall submit both the question of recall or removal of Oakdale Irrigation District Director – Division 4 and the election of one of those candidates nominated to succeed the recalled officer if a majority of the votes on a recall proposal are “yes”.

If the District 4 – Director is recalled, the candidate receiving the highest number of votes for the office shall be declared elected for the unexpired term of the recalled officer, pursuant to Elections Code 11385.

If a majority of the votes on a recall proposal are “no”, the District 4 – Director shall continue in office, pursuant to Elections Code 11383.

POLICY ISSUE:

Pursuant to Elections Code 10002 and subject to the approval of the Board of Supervisors, the County Registrar of Voters shall provide the specified election services necessary to conduct an election requested by a district.

Approval of the Oakdale Irrigation District Request for the Registrar of Voters to Render Election Services and Conduct a Special Recall Election on April 25, 2017

FISCAL IMPACT:

The Oakdale Irrigation District will reimburse the County pursuant to Election Code 10002 for services performed upon completion of the election and presentation to the District of an invoice. The Registrar of Voters estimates the election cost to be between \$15,840 and \$21,560.

Cost of recommended action:		\$	21,560
Source(s) of Funding:			
Reimbursement from Oakdale Irrigation District	21,560		
Funding Total:		\$	21,560
Net Cost to County General Fund		\$	-

Fiscal Year:	2016-2017
Budget Adjustment/Appropriations needed:	Yes

Fund Balance as of N/A

BOARD OF SUPERVISORS' PRIORITY:

Authorizing the Registrar of Voters to provide the requested services to conduct a special election for the Oakdale Irrigation District supports the Board of Supervisors' priority of Efficient Delivery of Public Services.

STAFFING IMPACT:

The Registrar of Voters has sufficient staff to perform the requested services.

CONTACT PERSON:

Elizabeth A. King, Clerk of the Board 209-525-4494

ATTACHMENT(S):

1. Oakdale Irrigation District's Resolution No. 2016-81, Approved on December 21, 2016
2. Budget Journal for Clerk-Recorder, Elections Division

Attachment 1

Oakdale Irrigation District's Resolution No. 2016-81

Approved on December 21, 2016



BOARD OF SUPERVISORS
2016 DEC 21 P 2:57

Elizabeth King
Clerk of the Board
Stanislaus County Board of Supervisors
1010 10th Street
Modesto, CA. 95354

December 21, 2016

RE: Oakdale Irrigation District Resolution 2016-81
Division 4 Recall – Linda Santos

Dear Ms. King,

Please find attached the original signed document of Oakdale Irrigation District Resolution No. 2016-81 attached to the full Board Agenda dated December 21, 2016. OID submits these documents in fulfillment of the instructions from the County of Stanislaus – Registrar of Voters.

Should you have any questions, please call Lori Fitzwater-Presley, Administrative Assistant to the General Manager at (209) 840-5507.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Knell". The signature is written in a cursive, flowing style.

Steve Knell, P.E.
General Manager

Enclosures: Board Agenda with Resolution

**OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2016-81**

**TO ISSUE AN ORDER THAT AN ELECTION SHALL BE HELD TO
DETERMINE WHETHER OR NOT OAKDALE IRRIGATION
DISTRICT – DIVISION 4, LINDA SANTOS SHALL BE RECALLED**

WHEREAS, Oakdale Irrigation District received the Registrar of Voters' Certificate of Recall Petition from Lee Lundrigan, Registrar of Voters by email on December 14, 2016, and held a Special Meeting on December 21, 2016 where said Certificate was distributed; and

WHEREAS, the Registrar of Voters' Certificate certifies that the Recall Petition for Oakdale Irrigation District, Division 4, for Linda Santos was filed on November 10, 2016 and contains the number of sufficient signatures; and

WHEREAS, the Board of Directors is required to issue an order within 14-days of the meeting at which the certificate of sufficiency was received, and the election shall be held not less than 88 nor more than 125 days after the issuance of the order.

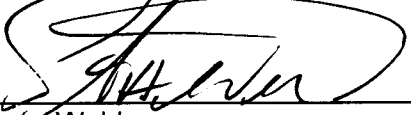
WHEREAS, the Board of Directors request the Registrar of Voters to provide necessary election services and acknowledge District to pay Registrar of Voters all costs to conduct election.

NOW THEREFORE BE IT RESOLVED that the Board of Directors do hereby order that an election shall be held on Tuesday, April 25, 2017 to determine whether or not Oakdale Irrigation District Director – Division 4, Linda Santos shall be recalled.

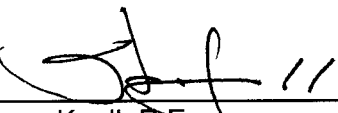
Upon Motion of Director Doornenbal, seconded by Director Osmundson, and duly submitted to the Board for its consideration, the above-titled Resolution was adopted this 21st day of December 2016 by the following vote:

Ayes:	Directors Webb, Doornenbal, Osmundson
Noes:	Directors Santos, Altieri
Absent:	None

OAKDALE IRRIGATION DISTRICT



Steve Webb
President



Steve Knell, P.E.
General Manager/Secretary

**AGENDA
SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF THE
OAKDALE IRRIGATION DISTRICT
WEDNESDAY, DECEMBER 21, 2016**

Agendas and Minutes are on our website at www.oakdaleirrigation.com

CALL TO ORDER 9:00 a.m., the Boardroom of the District Office
1205 East F Street, Oakdale, California 95361

PLEDGE OF ALLEGIANCE

ROLL CALL Directors Webb, Doornenbal, Osmundson, Altieri, Santos

ADDITIONS OR DELETION OF AGENDA ITEMS

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

PUBLIC COMMENTS – ITEM 1

1. The Board of Directors welcomes participation in meetings. This time is provided for the public to address the Directors of the District on matters of concern that fall within the jurisdiction of the Board that are not on the agenda.

Speakers are encouraged to consult District Management or Directors prior to agenda preparation regarding any District operation or responsibility as no action will be taken on non-agenda issues. It is not required, but speakers may provide their name and address.

Because these are non-agenda matters, generally no discussion or comment by the Board should be expected except to properly refer the matter for review or action as appropriate.

Public Comments will be limited to five minutes per speaker.

ACTION CALENDAR – ITEM 2

2. Review and take possible action to **Adopt a Resolution to Issue an Order That an Election Shall be Held to Determine Whether or Not Oakdale Irrigation District – Division 4, Linda Santos Shall be Recalled**

OTHER ACTION – ITEM 3

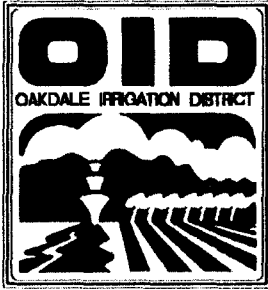
3. Adjournment:

- A. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, January 3, 2017 at 9:00 a.m.** in the board room at 1205 East F Street, Oakdale, CA.

- B. The next Joint Board Meeting of the **South San Joaquin and Oakdale Irrigation Districts** serving the **Tri-Dam Projects** and **Tri-Dam Authority** and other joint business matters is scheduled for **Thursday, January 19, 2017 at 9:00 a.m.** in the board room of the Oakdale Irrigation District, 1205 East F Street, Oakdale, CA.

Writings distributed to Board Members in connection with the open session items on this agenda are available for public inspection in the office of the Board Secretary. Any person who has a question concerning any of the agenda items may call the Administrative Assistant at (209) 840-5507.

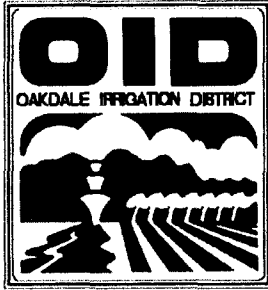
ADA Compliance Statement: In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the Administrative Assistant at (209) 840-5507. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.



PUBLIC COMMENTS

No Information Included

SPECIAL BOARD MEETING OF DECEMBER 21, 2016



AGENDA ITEMS ACTION CALENDAR

SPECIAL BOARD MEETING OF DECEMBER 21, 2016

BOARD AGENDA REPORT

Date: December 21, 2016
Item Number: 2
APN: N/A

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A RESOLUTION TO ISSUE AN ORDER THAT AN ELECTION SHALL BE HELD TO DETERMINE WHETHER OR NOT OAKDALE IRRIGATION DISTRICT – DIVISION 4, LINDA SANTOS SHALL BE RECALLED

RECOMMENDED ACTION: Approve Resolution

BACKGROUND AND/OR HISTORY:

The District received the Registrar of Voters' Certificate of Recall Petition from the County of Stanislaus on December 14, 2016 by email. The certificate verifies the number of sufficient signatures on the recall petition. The Elections Code requires that within fourteen (14) days after the meeting at which the governing body receives the certificate of sufficiency the governing body shall issue an order stating that an election shall be held to determine whether or not the officer named in the petition shall be recalled (Elections Code §11240).

The election shall be held not less than 88 days, nor more than 125 days after the issuance of the order (Elections Code §11242).

Issuance of Order:	December 21, 2016
88 days:	April 2, 2017*
125 days:	May 9, 2017

The District shall pay for the costs incurred for the recall which are estimated to be \$9-\$11 per voter.

The Stanislaus County Registrar of Voters has set the recall election date for April 25, 2017 (Elections Code §§ 1000 and 1500).

If the Oakdale Irrigation District fails to issue the order within 14-days, the County Elections Official, within 5-days, shall set the date for holding the election (Elections Code §11241).

*If election date falls on a weekend or holiday; it will be moved to the next business day.

FISCAL IMPACT: Up to \$21,560

ATTACHMENTS:

- Registrar of Voters' Certificate of Recall Petition
- 2017 Recall Linda Santos – OID Division 4
- Special Recall Election OID Division 4
- 2017 Recall Election Estimate
- Resolution No. 2017-NIL

Board Motion:

Motion by: _____ **Second by:** _____

VOTE

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:



REGISTRAR OF VOTERS' CERTIFICATE OF RECALL PETITION

I, **LEE LUNDRIGAN, COUNTY CLERK / RECORDER / REGISTRAR OF VOTERS** of the **County of Stanislaus, State of California**, do hereby certify:

That the **PETITION FOR THE RECALL OF LINDA SANTOS, DIRECTOR OF DIVISION 4 OF THE OAKDALE IRRIGATION DISTRICT** was delivered to this office on **11/10/16** and that said petition consists of **105** sections;

That each section contains signatures purporting to be signatures of qualified electors of the County;

That attached to this petition at the time it was received was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported electors signed this petition;

That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her knowledge and belief each signature to that section was the genuine signature of the person whose name it purports to be;

That after the proponent filed this petition I verified the required number of signatures by examining the records of registration in this County, current and in effect at the respective purportive dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

1. Number of sufficient signatures required: **421**
2. Number of unverified signatures filed by proponent: **660**
3. Number of signatures **VERIFIED**: 660
 - A. Number of signatures found **SUFFICIENT**: 628
 - B. Number of signatures found **NOT SUFFICIENT**: 32



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal

this 13th day of December, 2016.

LEE LUNDRIGAN, REGISTRAR OF VOTERS

BY: Lee Lundrigan

2017 Recall Linda Santos - Oakdale Irrigation District Division 4

County of Stanislaus – Registrar of Voters
 (All code references are to Election Code unless otherwise stated)

November 10, 2016	Proponents of recall filed petition signatures filed with Stanislaus County Registrar of Voters (ROV)
December 28, 2016	Deadline to Certify Results of Signature Verification The elections official has 30 days from the date of filing of the petition, excluding Saturdays, Sundays and Holidays, to determine whether the petition is signed by the required number of voters, certify the results of the examination and notify the proponents. If the petition is found to have sufficient signatures, the elections official must certify the results to the governing board at its next regular meeting. If the petition is found to have insufficient signatures, the elections official must certify this result. EC 11224
December 13, 2016	Petition Certification Completed Presented to Governing Body on 12/14/16
December 21, 2016	Oakdale Irrigation District Governing Board Meeting
January 2, 2017	County Office Closure
January 4, 2017	Within 14 days after the meeting at which the governing body received the certificate of sufficiency the governing body shall issue an order stating that an election shall be held to determine whether or not the officer named in the petition shall be recalled. EC 11240 Governing body to submit board agenda item to Clerk of the Board of Supervisors (BOS) to be calendared for the January 10, 2017 BOS meeting. Board Agenda Item should include the Order of Recall Election and request ROV to provide necessary election services and acknowledge district to pay ROV all costs to conduct election.
January 9, 2017	If the governing body fails to issue the order within 14 days, the county elections official, within 5 days, shall set the date for holding the election. EC 11241
April 2* – May 9 E-88 / E-125	The election shall be held not less than 88 nor more than 125 days after the issuance of the order. EC 11242
April 25, 2017	Election Date Set EC 1000 and EC 1500

*E-date falls on a weekend or holiday; moved to next business day. EC 15

**Oakdale Irrigation District – Division 4
Special Recall Election - Tuesday, April 25, 2017**

**County of Stanislaus – Registrar of Voters
(All code references are to Election Code unless otherwise stated)**

January 11, 2017 through February 9, 2017 (E-104 to E-75)	Candidate Nomination Period Candidates must file nomination documents with the county election official during this period. <u>Optional Candidate Statements of Qualifications</u> and statement of officer sought to be recalled are due during this period. EC 11381, 10510, 13307, 11327
January 16, 2017	County Office Closure
February 10, 2017 (E-74)	Randomized Alphabet Drawing Conducted by the Secretary of State to determine candidate name order as it will appear on the ballot. EC 13113
February 20, 2017	County Office Closure
March 16 – April 15 (E-40 to E-10)	Sample Ballot Pamphlets Pamphlets are mailed to each registered voter during this time. EC 13300, 11324
March 27 – April 18 (E-29 to E-7)	Regular Vote by Mail Ballot Mailing and processing period for Vote by Mail ballots. Ballots will be available at the county elections office. EC 3001
April 10 (E-15)	15-Day Close Last day to register for this election. Postmarks, DMV and personal delivery to the election office are acceptable. EC 2107
April 19 – April 25 (E-6 to E)	Special 7- day Ballots Available Available at the county election official's office for those voters unable to vote at the polls on election day. EC 3021
April 25, 2017 (E)	ELECTION DAY Polls are open from 7 a.m. until 8 p.m. EC 1000, 14212
April 27 – May 25 (E+2 to E+30)	Canvass of the Vote The official canvass of precinct returns shall commence and be completed during this time. The county election official shall prepare a certified statement of the results and submit it to the governing bodies involved with this election. EC 15301, 15372

*E-date falls on a weekend or holiday; moved to next business day. EC 15

Proponents of recalls, officers subject to recall, and candidates may have financial disclosure requirements under the Political Reform Act. Government Code 81000, et seq.
Questions should be directed to the Fair Political Practices Commission, 428 "J" Street, Suite 450, Sacramento, CA 95814, (916) 322-5660



**OFFICE OF COUNTY CLERK / RECORDER
& REGISTRAR OF VOTERS
ELECTIONS DIVISION**

LEE LUNDRIGAN
County Clerk / Recorder / Registrar of Voters &
Commissioner of Civil Marriage

Elections: 1021 "I" Street, Suite 101, Modesto, CA 95354
Telephone: 209.525.5200
Facsimile: 209.525.5802

**Oakdale Irrigation District
Division 4
2017 Recall Election Estimate**

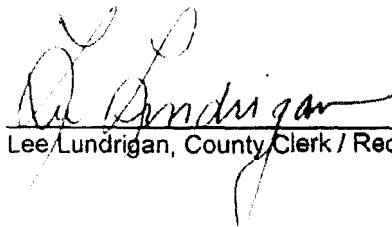
Number of Voters Oakdale Irrigation District
Division 4 1,860 1,760-1,960 (projected estimate)

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Printing
Publications
Polls
Personnel
Information Technology Support
Miscellaneous

Estimate includes:
Cost to conduct recall election April 25, 2017

1. County ROV services to conduct election: \$9.00-\$11.00 per voter
(Costs dependent and can increase contingent on number
of candidate statements.)


Lee Lundrigan, County Clerk / Recorder & Registrar of Voters
December 14, 2016
Dec. 14, 2016

Attachment 2
Budget Journal for
Clerk-Recorder, Elections Division

