

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

DEPT: Clerk Recorder - Elections

BOARD AGENDA #: \*B-2(b)

AGENDA DATE: February 28, 2017

**SUBJECT:**

Approval of the Request from Patterson Joint Unified School District to Consolidate and Hold Future Elections on the Same Day as the Statewide General Election Conducted in Even-Numbered Years

**BOARD ACTION AS FOLLOWS:**

No. 2017-79

On motion of Supervisor Withrow, Seconded by Supervisor Olsen  
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.

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

DEPT: Clerk Recorder - Elections  
Urgent  Routine

BOARD AGENDA #: \*B-2 (b)

AGENDA DATE: February 28, 2017

CEO CONCURRENCE: *phx*

4/5 Vote Required: Yes  No

**SUBJECT:**

Approval of the Request from Patterson Joint Unified School District to Consolidate and Hold Future Elections on the Same Day as the Statewide General Election Conducted in Even-Numbered Years

**STAFF RECOMMENDATIONS:**

1. Approve the request from the governing board of Patterson Joint Unified School District to consolidate future elections on the same day as the Statewide General Election conducted in even-numbered years.

**DISCUSSION:**

The California legislature has enacted the California Voter Participation Rights Act. Cited in California Elections Code (EC) sections 14050 through 14057, it would prohibit a political subdivision from holding an election other than on a statewide election date if holding an election on a non-statewide election date has *previously* resulted in a significant decrease in voter turnout. A "significant decrease in voter turnout" is defined as 25% less than the average voter turnout within that political subdivision for the previous four Statewide General Elections.

Registrar of Voters anticipates the desire of districts within Stanislaus County that have traditionally consolidated into the Uniform District Election Law (UDEL) election held on the first Tuesday following the first Monday in November of odd-numbered years to move to consolidate on the same day as the Statewide General Election conducted in even-numbered years.

The governing body of the Patterson Joint Unified School District has submitted a resolution to the Board of Supervisors to place its election of governing body members to be held on the same day as the Statewide General Election conducted in even-numbered years.

School District	Resolution Number	Date of Resolution
Patterson Joint Unified School District	11072016-A	November 7, 2016

If the Board of Supervisors approves this request, consistent with California Elections Code section 10404.5, the Patterson Joint Unified School District will change its election dates from November of odd-numbered years to the Statewide General Election held in even-numbered years. The Resolution (Attachment) requests the Board of Supervisors to approve the District's request to schedule its board member elections in 2018 for Trustee Areas 2, 4, 6 and

## Approval of the Request from Patterson Joint Unified School District to Consolidate and Hold Future Elections on the Same Day as the Statewide General Election Conducted in Even-Numbered Years

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2020 for Trustee Areas 1, 3, 5, 7 to consolidate with the Statewide General Election in even-numbered years.

Pursuant to Elections Code 10404.5 (c) the Board of Supervisors has notified all school districts and the Stanislaus County Board of Education of the receipt of the resolution to consolidate and requested input from each district on the effect of consolidation.

Pursuant to Elections Code 10404.5 (e), within thirty (30) days after the approval of the resolution by the Board of Supervisors, the Registrar of Voters shall notify all registered voters of the district affected by the consolidation. The notice shall be delivered by mail and at the expense of the school district.

### County Impact

An analysis conducted by the Elections office indicates that the Elections System and Software voting system currently used in Stanislaus County can accommodate these district changes. With the addition of districts to the Statewide General Election Ballot, the physical length of each ballot card increases from 14 inches to a maximum of 19 inches in length; the number of ballot cards can increase from one ballot card per voter per election to two ballot cards per voter per election; and additional ballot types, additional sample ballot pamphlets, voting units, printers, precinct ballot tabulators and vote-by-mail ballot tabulators will be required to process votes and to provide timely results.

The original purpose of the Unified District Election Law (UDEL) odd-numbered year election was to provide a local election platform for districts and candidates to appeal to voters, avoiding conflict with the extensive State and Federal general election cycle. Local candidates in an odd-numbered year election are prominent and can better educate voters on their election race. These same candidates and races in an even-year election are considered "down ballot" contests and receive fewer votes, and often are the recipients of "pattern" votes where a voter votes the first, second or last candidate on each race depending on the ballot position their selected presidential or gubernatorial candidate is positioned on the ballot.

The unique preparation and election requirements for a UDEL election require the Elections Office to prepare candidate nomination documents, Fair Political Practices Commission (FPPC) monetary requirements and election law filing requirements which are different from those in the current General Election even-year cycle. Once these two very different election types are consolidated into a single even-numbered year election, the Elections Office preparation and cost to the County will necessitate an increase in both budget and staffing to enable two separate mandated elections to coincide on the same ballot within the same election cycle.

### **POLICY ISSUE:**

As required by Elections Code 10404.5 (a), the Patterson Joint Unified School District has notified the Stanislaus County Board of Supervisors that it has passed a resolution requesting the consolidation of board member elections with future Statewide General Elections, which

## Approval of the Request from Patterson Joint Unified School District to Consolidate and Hold Future Elections on the Same Day as the Statewide General Election Conducted in Even-Numbered Years

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will move the current election dates of the seated board members from odd-numbered to even-numbered years.

Elections Code 10404.5 (d) (1) requires that the Board of Supervisors approve the resolutions unless it finds that Stanislaus County's ballot style, voting equipment or computer capacity is such that additional elections or materials cannot be handled. No evidence exists to support such a finding.

### **FISCAL IMPACT:**

The Registrar of Voters anticipates an increase in election related expenses for the even-numbered election years.

Local elections require a higher level of candidate support including nomination papers, candidate statements, ballots, sample ballot pamphlets and additional election preparation. Additional Elections staff support is anticipated, as well as impacts to the County General Fund because the County will be responsible to pay the increased division costs attributed to the Elections Division.

The Patterson Joint Unified School District will continue to be invoiced and reimburse Stanislaus County for election specific costs to conduct their district election in even-numbered years. The blending of local elections with statewide elections is anticipated to increase the overall level of services required of the Registrar of Voters.

Alternately, as fewer districts continue to consolidate with the Uniform District Election Law (UDEL), it is likely to drive up costs for those remaining districts that continue to hold their elections in odd-numbered years.

There is no immediate fiscal impact associated with this approval. Any increases in costs will be addressed in the respective budget year affected.

### **BOARD OF SUPERVISORS' PRIORITY:**

Approval of the recommended action supports the Board of Supervisors' priority of Efficient Delivery of Public Services by consolidating local district elections with the Statewide General Elections in even-numbered years.

### **STAFFING IMPACT:**

Starting in Budget Year 2017-2018, consolidation of local school district elections with Federal, State and County even-numbered year contests is anticipated to increase the level of staffing services in the Elections Division to conduct two different types of mandated elections on the same established election date.

### **CONTACT PERSON:**

Lee Lundrigan, County Registrar of Voters

209-525-5211

Approval of the Request from Patterson Joint Unified School District to Consolidate and Hold Future Elections on the Same Day as the Statewide General Election Conducted in Even-Numbered Years

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**ATTACHMENT(S):**

Governing Board of the Patterson Joint Unified School District Resolution to Reschedule Election of Governing Board Members

**Attachment**

**Governing Board of the Patterson Joint Unified School District  
Resolution to Reschedule Election of Governing Board Members**



*"OUR STUDENTS, OUR COMMUNITY, OUR FUTURE"*

510 Keystone Boulevard  
Patterson, CA 95363  
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Fax: (209) 892-5803



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November 21, 2016

**PHILIP M. ALFANO**  
Superintendent

**STEVE MENGE**  
Assistant Superintendent  
Administrative Services

**VERONICA MIRANDA**  
Assistant Superintendent  
Educational Services

**SHAWN POSEY**  
Assistant Superintendent  
Human Resources/CWA


**DAVID HODGE**  
Executive Director  
Student Services

**TRACY MANZONI**  
Executive Director  
Special Education

**JEFFREY ROWE**  
Executive Director  
Career & Technical  
Education

To Whom It May Concern:

Pursuant to Election Code Section 10404.5(C), that the Board of Trustees of the Patterson Joint Unified School District is submitting to the Board of Supervisors for approval a Resolution #11072016-A moving governing board member elections for the District, currently scheduled in November of odd-numbered years, to even-numbered years beginning 2018 and thereafter.



Steve Menge  
Assistant Superintendent  
Administrative Services

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BOARD OF TRUSTEES

•Michele Bays •Carlos Fierros •Alyssa Homen •James Leonard •Grace McCord •Michael McLaughlin •Jose Reynoso

**PATTERSON JOINT UNIFIED SCHOOL DISTRICT  
RESOLUTION # 11072016-A**

**RESCHEDULING ELECTION OF GOVERNING BOARD MEMBERS**

**WHEREAS**, the current date for election of governing board members of the Patterson Joint Unified School District (“District”) is every two (2) years on the first Tuesday after the first Monday in November of odd years (e.g., November 2017) (Education Code section 5000 and Elections Code section 1302 (a)); and

**WHEREAS**, statewide general elections are held in California only in June and November of even years (e.g., November 2018) (Elections Code section 1001); and

**WHEREAS**, the District is located within Stanislaus and Santa Clara Counties; and

**WHEREAS**, the District has been informed that there would be a cost savings for the District resulting from aligning the District’s elections with the statewide general elections; and

**WHEREAS**, generally voter turnout is greater for statewide general elections than for special local elections including school board member elections; and

**WHEREAS**, as a result of these facts, the Board desires to change the date of future board member elections to be consolidated with the California statewide general election in order to save District monies and to provide greater voter input into school board elections; and

**WHEREAS**, Elections Code 1302 (b) establishes a procedure whereby the Board may change the election date for its board members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county (Elections Code section 10404.5); and

**WHEREAS**, if the change in election date is approved, it is being requested that the new election date be moved from November 2017 to November 2018 with board members whose terms would have expired in 2017 being extended to 2018 and board members whose terms would have expired in 2019 being extended to 2020 [*refer to Appendix A*].

**NOW, THEREFORE, BE IT RESOLVED** that the Patterson Joint Unified School District Board of Education adopts this resolution to consolidate the election date for members of the Board with the date for the California general election in November in even years (Elections Code 1001) pursuant to Elections Code section 1302 (b).

**BE IT FURTHER RESOLVED** that the Superintendent will forward this resolution to the Stanislaus and Santa Clara County Boards of Supervisors explaining the rationale for the resolution and requesting formal approval of the change by the Board of Supervisors at a



public meeting within 60 days after submission and after the resolution has been posted in accordance with law.

**BE IT FURTHER RESOLVED** that the Superintendent will notify the Stanislaus and Santa Clara County Elections Office that the District is prepared to pay the expense of mailing notice of approval of the change in election date by the Stanislaus and Santa Clara County Boards of Supervisors as required by Elections Code 10404.5 (e).

**BE IT FURTHER RESOLVED** that if the consolidation of election is approved by the Board of Supervisors, the date of that election will be moved to November 2018 and each subsequent board member election will be held two years thereafter in November of even years.

**BE IT FURTHER RESOLVED** that if the consolidation of election is approved, the term of office of current board members expiring in November 2017 will be extended to November 2018 and the term of board members expiring in November 2019 will be extended to November 2020.

**PASSED AND ADOPTED** by the Patterson Joint Unified School District Board of Education at a regularly scheduled meeting this 7th day of November, 2016, by the following vote:

AYES: 7  
NOES: 0  
ABSENT: 0  
ABSTAIN: 0



Grace McCord,  
President of the Governing Board



James Leonard,  
Clerk of the Governing Board

**Appendix A  
to Resolution No. 11072016-A**

<u>Board Member</u>	<u>Current Election Year</u>	<u>New Election Year</u>
Michele Bays (Area 2)	2017	2018
Grace McCord (Area 6)	2017	2018
Alyssa Homen (Area 4)	2017	2018
James Leonard (Area 7)	2019	2020
Michael McLaughlin (Area 1)	2019	2020
Carlos Fierros (Area 3)	2019	2020
Jose Reynoso (Area 5)	2019	2020