

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

DEPT: Clerk Recorder - Elections

BOARD AGENDA #: *B-11(b)

AGENDA DATE: June 13, 2017

SUBJECT:

Approval of the Request from Hughson Fire Protection 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. 2017-300

On motion of Supervisor Withrow, Seconded by Supervisor Olsen
and approved by the following vote,

Ayes: Supervisors: Olsen, Withrow, Monteith, and Vice-Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: Chairman Chiesa

Abstaining: Supervisor: None

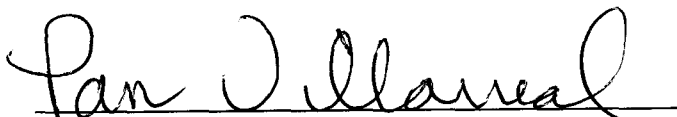
1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:



ATTEST: PAM VILLARREAL, Assistant Clerk

File No. **DF-04-A-8**

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

DEPT: Clerk Recorder - Elections
Urgent Routine

BOARD AGENDA #: *B-11(b)

AGENDA DATE: June 13, 2017

CEO CONCURRENCE: *phx*

4/5 Vote Required: Yes No

SUBJECT:

Approval of the Request from Hughson Fire Protection 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 Hughson Fire Protection 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 Hughson Fire Protection 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
Hughson Fire Protection District	2017-4	May 10, 2017

If the Board of Supervisors approves this request, consistent with California Elections Code section 10404, the Hughson Fire Protection 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 2017 and 2019 for five (5) year

Approval of the Request from Hughson Fire Protection District to Consolidate and Hold Future Elections on the Same Day as the Statewide General Election Conducted in Even-Numbered Years

terms. Subsequent board member elections will be for a term of four (4) years and starting in 2022 and 2024 and will consolidate with the Statewide General Election in even-numbered years.

Pursuant to Elections Code 10404 (c) the Board of Supervisors has notified all districts located in the County of Stanislaus of the receipt of the resolution to consolidate and requested input from each district on the effect of consolidation.

Pursuant to Elections Code 10404 (f), 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 Registrar of Voters office pursuant to Elections Code 10404 (d) 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 (b)(2), the Hughson Fire Protection 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 will

Approval of the Request from Hughson Fire Protection District to Consolidate and Hold Future Elections on the Same Day as the Statewide General Election Conducted in Even-Numbered Years

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

Elections Code 10404 (e) 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 Hughson Fire Protection 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 Hughson Fire Protection District to Consolidate and Hold Future Elections on the Same Day as the Statewide General Election Conducted in Even-Numbered Years

ATTACHMENT(S):

Governing Board of the Hughson Fire Protection District Resolution to Consolidate District Elections with the Statewide General Elections

Attachment

Governing Board of the Hughson Fire Protection District
Resolution to Consolidate District Elections with the Statewide General Elections

HUGHSON FIRE PROTECTION DISTRICT

RESOLUTION NO. 2017-4

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HUGHSON FIRE PROTECTION DISTRICT REQUESTING THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS AUTHORIZE THE CONSOLIDATION OF DISTRICT ELECTIONS WITH THE STATEWIDE GENERAL ELECTIONS

WHEREAS, in September 2015, the Governor signed Senate Bill No. 415, which in most instances requires political subdivisions, including cities, school districts, community college districts, and other districts organized pursuant to state law, to move their elections for governing board members from odd-numbered years to even numbered years if their elections currently occur on odd-numbered years and have not historically met certain voter turnout requirements; and

WHEREAS, California Health & Safety Code § 13886 and California Elections Code § 10404 permit the Board of Directors of the Hughson Fire Protection District (“District”) to change its election day with the approval of the Stanislaus County Board of Supervisors; and

WHEREAS, the District currently conducts its elections for members of the Board of Directors in November of odd-numbered years pursuant to Cal. Elections Code § 10505(c); and

WHEREAS, the District has not historically met the voter turnout requirements of Senate Bill No. 415, and it is the intent and desire of the Board of Directors of the District to provide its constituents with cost benefits, while promoting the increasingly efficient and effective use of government resources; and

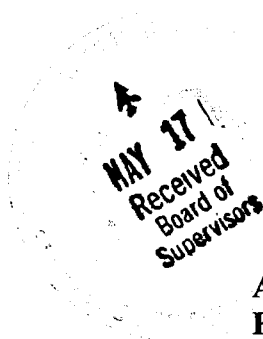
WHEREAS, the District has been informed that there would be a cost savings for the District resulting from consolidating the District’s elections with the statewide general elections; and

WHEREAS, as a result of the above facts, the District 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 District elections; and

WHEREAS, the rescheduled election cycle shall be achieved by scheduling Board member elections in 2017 and 2019 for a term of five (5) years. The subsequent Board member elections (2022 and 2024) shall be for a term of four (4) years; and

WHEREAS, if the change in election date is approved, it is requested that the new election date be moved from the first Tuesday after the first Monday in November of 2021 to the first Tuesday after the first Monday in November 2022.

NOW THEREFORE BE IT RESOLVED as follows:



1. That the Board of Directors declares its intent to adopt this Resolution to consolidate the date of the District election with the date of the statewide general election in November in even-numbered years beginning in the year 2022 (Elections Code § 1001) as authorized under California Health & Safety Code § 13886.

2. That pursuant to the requirements of Elections Code § 10404(i), the terms of officeholders whose terms begin in 2017 and 2019 shall be extended until the next even year election following their current term expiration date.

3. That the District shall forward this Resolution to the Stanislaus County Board of Supervisors explaining the rationale for the Resolution and requesting formal approval of the change by the Board of Supervisors at a public meeting held within sixty (60) days after submission and after the Resolution has been posted in accordance with the law. (Elections Code § 10404(e).)


4. That pursuant to the requirements of Elections Code § 10404(f), the Registrar of Voters shall cause, at District expense, a notice to be mailed to all registered voters of the District informing them of the change of election date specified herein and of the resultant changes in terms of the elected officeholders.

PASSED AND ADOPTED by the Board of Directors of the Hughson Fire Protection District on May 10, 2017 by the following vote:

Ayes, ABSHEN, D, CAMACHO, R, VILLARREAL, G, _____

Noes, 0, _____, _____, _____

Absent, SERPA, J, _____

President of the Board, 

Attest, Secretary of the Board, 