

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

DEPT: Elections

BOARD AGENDA:5.B.6  
AGENDA DATE: December 19, 2017

**SUBJECT:**

Approval of the Request from Patterson Irrigation 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:**

**RESOLUTION NO. 2017-0711**

On motion of Supervisor Withrow , Seconded by Supervisor Monteith  
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: Elections

BOARD AGENDA:5.B.6  
AGENDA DATE: December 19, 2017

CEO CONCURRENCE: YES

4/5 Vote Required: No

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**SUBJECT:**

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

**STAFF RECOMMENDATION:**

1. Approve the request from the governing board of Patterson Irrigation 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 Irrigation 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.

<b>Special District</b>	<b>Resolution Number</b>	<b>Date of Resolution</b>
Patterson Irrigation District	07-2017	November 15, 2017

If the Board of Supervisors approves this request, consistent with California Elections Code section 10404, the Patterson Irrigation 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 for a term of four (4) years in 2018 and 2020 and to 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 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 Patterson Irrigation 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 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 Patterson Irrigation 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 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

**ATTACHMENT(S):**

1. Governing Board of the Patterson Irrigation District Resolution to Consolidate District Elections with the Statewide General Elections

**PATTERSON IRRIGATION DISTRICT  
RESOLUTION NO. 07-2017**

**RESOLUTION OF THE PATTERSON IRRIGATION DISTRICT AMENDING ITS  
BYLAWS TO SHIFT ELECTIONS TO EVEN YEARS TO COINCIDE WITH THE  
GENERAL ELECTION**

**WHEREAS**, Elections Code Section 10404 establishes a procedure whereby the special district may change the election date for its board members by adopting a resolution seeking approval of the change by the Board of Supervisors in Stanislaus County; and,

**WHEREAS**, if this change in election date is approved, it is requested that the new election date for Divisions 3 and 5 be moved from the first Tuesday after the first Monday in November 2019 to the first Tuesday after the first Monday in November of 2018 and that the election date for Divisions 1, 2, and 4 be moved from the first Tuesday after the first Monday in November 2021 to the first Tuesday after the first Monday in November of 2020 (refer to Appendix A); and,

**NOW, THEREFORE**, be it resolved, that the Patterson Irrigation District Board of Directors hereby finds, determines and/or declares, as follows:

1. The Board of Directors declares its intent to adopt this resolution to consolidate the election date for the Directors of the Board with the Date for the California general election in November in even-numbered years pursuant to Elections Code Section 10404.
2. The District will 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 60 days after submission and after the resolution has been posted in accordance with the law.
3. The District will notify the Stanislaus County Elections Office that the District is prepared to pay the expense of mailing notice of approval of the change in election by the Stanislaus County Board of Supervisors as required by Elections Code Section 10404(f).
4. If consolidation of election is approved by the Board of Supervisors, the date of that election for Divisions 3 and 5 will be moved to the first Tuesday after the first Monday in November of 2018 and that the date of election for Divisions 1, 2, and 4 will be moved to the first Tuesday after the first Monday in November 2020.

On motion by Director Fantozzi and seconded by Director Barbaste, the forgoing resolution was passed and adopted on November 15, 2017 by the following vote.

AYES – Azevedo, Reichmuth, Fantozzi, Barbaste, Prevostini  
NOES –  
ABSTAINS –  
ABSENT –

By:   
President

ATTEST:  
By:   
Secretary

## Appendix A

### Resolution to Reschedule Election of Governing Board Members

#### Resolution No. 07-2017

Division Number	Position Held By Current Board Member	Elections Conducted	Current Election Year Cycle	Proposed Election Year Cycle
1	David Fantozzi	2017	2021	2020
2	David Reichmuth	2017	2021	2020
3	John Azevedo	2015	2019	2018
4	Richard Barbaste	2017	2021	2020
5	Steve Prevostini	2015	2019	2018

Under the proposed rescheduled election cycle, Governing Board member elections in 2015 and 2017 will be for a three (3) year term. Subsequent Governing Board member elections in 2020 and 2022 will be for a four (4) year term.