

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

DEPT: Elections

BOARD AGENDA: 5.B.8
AGENDA DATE: December 19, 2017

SUBJECT:

Approval of the Request from Central California 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. 2017-0713

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.8
AGENDA DATE: December 19, 2017

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval of the Request from Central California 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 Central California 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.

The Registrar of Voters anticipates that the 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 Central California 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.

Special District	Resolution Number	Date of Resolution
Central California Irrigation District	No. 17-14	November 16, 2017

If the Board of Supervisors approves this request, consistent with California Elections Code section 10404, the Central California 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 move the next scheduled election for Division No. 1 from the first Tuesday after the first Monday in November 2021 to 2022 to hereafter 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 Central California 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 Central California 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 Central California Irrigation District Resolution to Consolidate District Elections with the Statewide General Elections

RESOLUTION NO. 17-14

RESOLUTION REQUESTING THAT THE BOARDS OF SUPERVISORS OF THE
COUNTIES OF STANISLAUS AND MERCED AUTHORIZE THE CONSOLIDATION
OF ELECTIONS OF CENTRAL CALIFORNIA IRRIGATION DISTRICT
DIVISION NO. 1 WITH THE STATEWIDE GENERAL ELECTIONS

WHEREAS THE BOARD OF DIRECTORS of the Central California Irrigation District consists of five members elected from five divisions, serving staggered four-year terms, with elections held in November of odd-numbered years; and

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

WHEREAS, CCID Division No. 1 covers portions of Stanislaus and Merced Counties; and

WHEREAS, SB 415, enacted in 2015, known as the *California Voter Participation Rights Act*, added Sections 14050 through 14057 to the Elections Code, essentially mandating districts by January 1, 2018 to transition their governing board elections to the same date as Statewide general elections conducted in even-numbered years if past governing board elections held on election dates in odd-numbered years resulted in a significant decrease in voter turnout; and

WHEREAS, based on the history of voter participation within the boundaries of the District it is likely that the District will be required to adopt a plan to transition to even-numbered year statewide elections no later than January 1, 2018, pursuant to Elections Code Section 14052(b); and

WHEREAS the District may achieve a savings in the cost of its elections and also provide for greater voter participation:

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors of the Central California Irrigation District hereby requests the Boards of Supervisors of Stanislaus and Merced Counties to approve the District's request to consolidate the election date for its Division No. 1 with the date for the California general election in November of even-numbered years; and

BE IT FURTHER RESOLVED THAT this change be accomplished by extending the existing term of the incumbent by one year, such that the next scheduled election for Division No. 1 would be moved from the first Tuesday after the first Monday in November 2021 to the first Tuesday after the first Monday in November 2022; and


BE IT FURTHER RESOLVED THAT if this request is approved by both of the County Boards of Supervisors, the District is prepared to pay the expense of mailing notice of approval to the change in election date, as required by Elections Code Section 10404(f).

PASSED AND ADOPTED THIS 16th day of November, 2017 by the following vote:

AYES: KIRK JENSEN, ANDREW BLOOM, CHRIS FAGUNDES, JAMES O'BANION, ERIC FONTANA

NOES: None

ABSENT: None



JAMES O'BANION, President

ATTEST:

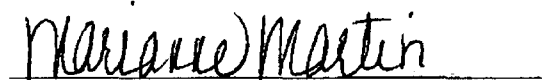


MARIANNE MARTIN, Secretary

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I, MARIANNE MARTIN, Secretary of the Board of Directors of CENTRAL CALIFORNIA IRRIGATION DISTRICT, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by said Board of Directors of said District at a regular meeting of the Board held on Thursday, November 16, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said District this 17th day of November, 2017.



MARIANNE MARTIN, Secretary
of the Board of Directors of the Central
California Irrigation District