

CERES FIRE PROTECTION DISTRICT

Jerry Hancock, Chairman of the Board

Date: December 21, 2017

To: Elizabeth King, Clerk of the Board of Supervisors

RE: Resolution to Reschedule Governing Board Members' Elections

BOARD OF SUPERVISORS
2017 DEC 22 A 11:32

Here is the Resolution adopted by the Ceres Fire Protection District December 21, 2017. Please forward to the Board of Supervisors for approval of the change.

If you have any questions please contact Stan Sinclear at (209) 402-6006 or by email at stanmilkman@aol.com.

GOVERNING BOARD OF THE
CERES FIRE PROTECTION DISTRICT
RESOLUTION # 2017-01

Resolution to Reschedule Election of Governing Board Members

A Resolution by the Governing Board of the Ceres Fire Protection District ("Board") for consolidation of future governing board member election with the state-wide general election pursuant to Elections Code section 1303(b).

RECITALS

WHEREAS, the Governing Board of the Ceres Fire Protection District ("District") consists of three (3) members elected from within the District; and

WHEREAS, Elections Code section 1304 sets forth the general rule that Fire Protection District governing board members serve staggered terms and are elected in odd numbered years; and

WHEREAS, the current date for the election of governing board members of the District is every two (2) years on the first Tuesday after the first Monday in November of odd numbered years (e.g., November 2017) (Elections Code sections 1303(b) and 10404(b)); and

WHEREAS, the next Governing Board elections for positions held by Jerry Hancock and Harlan Smith are currently scheduled for 2019 and the next Governing Board election for position held by Robert Rensted is currently scheduled for November 2021; and

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

WHEREAS, the District is located within Stanislaus County; and

WHEREAS, generally voter participation is greater for statewide general elections conducted in even numbered years than for local elections conducted in odd numbered years; and

WHEREAS, commencing January 1, 2018, Elections Code sections 14050 through 10457 known as the *California Voter Participation Rights Act* requires districts to adopt a plan 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, a significant decrease in voter turnout is defined as voter turnout at least 25% less than the average voter turnout for the previous four statewide general elections; and

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

WHEREAS, a political subdivision may hold an off-cycle election if, by January 1, 2018, the political subdivision has adopted a plan to consolidate future elections with a statewide general election no later than the November 8, 2022, statewide general election; and

WHEREAS, regardless of whether the District is required to formulate a plan and as a result of these facts, the Governing Board desires to change the date of future Governing Board member elections to be consolidated with the California statewide general election which may result in a cost savings of public funds and provide greater voter input into Fire Protection board elections; and

WHEREAS, Elections Code section 1303(b) establishes a procedure whereby the Governing Board may change the election date for its Governing Board members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county (Elections Code § 10404(b); Elections Code section 10505(d), Health & Safety Code section 13886); and

WHEREAS, if the change in election date is approved, the November 2019 Governing Board election date will be moved to the first Tuesday after the first Monday in November 2020 and the November 2021 Governing Board election date will be moved to the first Tuesday after the first Monday in November 2022. The terms of Governing Board members which would have expired in 2019 and 2021 will be extended by one (1) year (not to exceed beyond December 31 of the extended year). Elections Code section 10404(i) [refer to Appendix A]; and

NOW, THEREFORE, BE IT RESOLVED that the Ceres Fire Protection District adopts this resolution to consolidate the election date for members of the Governing Board with the date for the California general election on the first Tuesday after the first Monday in November of each even numbered year (Elections Code section 1001) pursuant to Elections Code section 1303(b).

BE IT FURTHER RESOLVED the General Manager will forward this resolution to the Board of Supervisors 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 made public and posted in accordance to Elections Code section 10404(e) unless the Board of Supervisors finds that the ballot style, voting equipment or computer capacity is such that additional elections or materials cannot be handled.

BE IT FURTHER RESOLVED if the consolidation of election is approved by the Board of Supervisors, the terms of office of all members of the Governing Board shall be extended one (1) year as described in Appendix A.

BE IT FURTHER RESOLVED that if the consolidation of election is approved, the term of office of Governing Board members expiring in December 2019, will be extended to December 2020, and the term of Governing Board members expiring in December 2021, will be extended

to December 2022 and each subsequent Governing Board member election will be held two (2) years thereafter in November of even numbered years.

BE IT FURTHER RESOLVED that the District will pay the Stanislaus County Registrar of Voters for the expense of mailing the notice of approval of the change in election dates as required by Elections Code section 10404(f).

BE IT FURTHER RESOLVED the General Manager and his designees are hereby authorized and directed to take any other steps necessary to effectuate the purpose and intent of this resolution.

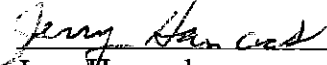
PASSED AND ADOPTED by the Ceres Fire Protection District Board on this 21st day of 2017 by the following vote:

AYES: 2 Hancock & Rensted

NOES: 0

ABSENT: 1 Smith

ABSTAIN: 0



Jerry Hancock
President of the Governing Board

Appendix A

Resolution to Reschedule Election of Governing Board Members

Resolution No. 2017-01

	Positions Held by Current Board Member	Elections Conducted	Current Election Year Cycle	Proposed Election Year Cycle
1	Jerry Hancock	2015	2019	2020
2	Harlan Smith	2015	2019	2020
3	Robert Rensted	2017	2021	2022
4				
5				
6				
7				

Under the proposed rescheduled election cycle, Governing Board member elections in 2017 and 2019 will be for a five (5) year term. Subsequent Governing Board member elections in 2020 and 2022 will be for a four (4) year term.