



Board Agenda Item 28

DATE: September 6, 2022

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, County Administrative Officer

SUBJECT: Panoche Drainage District, Panoche Water District and Mercy Springs Water District Requests to Move from Odd Year to Even Year Elections

RECOMMENDED ACTION(S):

Approve Panoche Drainage District, Panoche Water District and Mercy Springs Water District requests to move from odd to even-numbered year elections and set the date for the Panoche Drainage District and Panoche Water District's elections to occur on the same day as the November 2022 Statewide General Election and Mercy Springs Water District's election to occur on the same day as the November 2024 Statewide General Election.

The Districts request to move their election year from odd-numbered to even-numbered years. The Elections Code requires the Board of Supervisors to notify districts located within Fresno County and request input from these districts on the requested election date change.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the Districts could still be required to change their elections from odd-numbered to even-numbered election years. Election law has changed regarding odd year district elections. With the passing of Senate Bill (SB) 415, special districts will be required to have elections on statewide election dates by 2022, unless the district meets a voter turnout threshold formula.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action.

DISCUSSION:

These Districts have filed Resolutions with the Clerk of the Board of Supervisors requesting the consolidation of their odd-numbered year district election with the even-numbered year Statewide General Election. The following Districts request the move from odd-numbered to even-numbered election years in accordance with Elections Code 10404:

- Panoche Drainage District
- Panoche Water District
- Mercy Springs Water District.

The Resolutions shall become operative upon approval by the Board of Supervisors pursuant to Elections Code section 10404 (e). This code section states that "the Board of Supervisors... shall approve the resolution unless it finds that the ballot style, voting equipment, or computer capacity is such that additional

elections or materials cannot be handled.” The Districts conduct their own elections and have indicated that the effect of the consolidation is to save costs. Prior to approval of the Resolution submitted by the Districts, Elections Code section 10404 (c) requires the Board of Supervisors to notify all districts located in the County of the receipt of the resolution to consolidate and shall request input from each district on the effect of the consolidation. Districts within Fresno County were notified by letter of the Panoche Drainage District, Panoche Water District, and Mercy Springs Water District’s consolidation requests with instructions to provide their comments to the Clerk of the Board. Comments received by the Clerk of the Board will be presented to the Board of Supervisors on or before September 6, 2022.

If your Board approves the recommended action, the Districts will be notified, with the request that they notify the voters of the district within 30 days after your Board’s approval pursuant to Elections Code section 10404 (f).

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Panoche Drainage District Resolution No. 792-2021
On file with Clerk - Panoche Water District Resolution No. 780-2021
On file with Clerk - Mercy Springs Water District Resolution No. 54-2021
Additional Information

CAO ANALYST:

Ronald Alexander