



# Board Agenda Item 22

DATE: April 11, 2023

TO: Board of Supervisors

SUBMITTED BY: James A. Kus, County Clerk/Registrar of Voters

SUBJECT: Westside Elementary School District, Riverdale Memorial District, Tranquillity Public Utility District, and Orange Cove Police Protection District Requests to Move From Odd Year to Even Year Elections

RECOMMENDED ACTION(S):

**Approve Westside Elementary School District, Riverdale Memorial District, Tranquillity Public Utility District, and Orange Cove Police Protection Districts' (Districts) requests to move from odd-numbered to even-numbered year elections and set the date for the Districts' next elections 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 and to consolidate their elections with the November 2024 Statewide General Election. The California Elections Code requires the Board of Supervisors to notify all districts located within Fresno County of the requests to consolidate, including all school districts and the Fresno County Board of Education for the request by Westside Elementary School District, and request input from these districts on the effect of consolidation. This item pertains to locations in Districts 1, 4, and 5.

ALTERNATIVE ACTION(S):

The Districts' requests for consolidation with statewide general elections may be denied if it is found that the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled.

If the recommended action is not approved, the Districts could still be required to change their elections from odd-numbered years to even-numbered years. With the passing of the California Voter Participation Rights Act (Elections Code section 14050, *et seq.*), special districts will be required to hold their elections on a statewide election date unless a district meets a voter-turnout threshold formula.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The result of this consolidation will increase the overall cost of the Statewide General Election, which will be shared by all the districts involved in the election. The approval of this action will result in each of the Districts receiving a lower election bill. Except for the four districts mentioned above, and Freewater County Water District, who was unable to approve a Resolution prior to the March 12, 2023 deadline, all other special districts and school districts within Fresno County currently conduct their elections in even-numbered years and share in the cost of the election.

DISCUSSION:

These Districts have filed Resolutions with the County Board of Supervisors and the County Clerk/Registrar of Voters 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 year to even-numbered year elections in accordance with Elections Code sections 10404 and 10404.5:

- Westside Elementary School District
- Riverdale Memorial District
- Tranquillity Public Utility District
- Orange Cove Police Protection District

All four districts are wholly located in Fresno County.

The Districts' Resolutions shall become operative upon approval by the Board of Supervisors pursuant to California Elections Code sections 10404(e) and 10404.5(d)(1). These code sections state 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". Prior to approval of the Resolutions submitted by the Districts, Elections Code sections 10404(c) and 10404.5(c) requires the Board of Supervisors to notify all districts within Fresno County, including school districts and the Fresno County Board of Education for the Westside Elementary School District, of the receipt of the resolutions to consolidate and shall request input from each district on the effect of the consolidation. School districts and the Fresno County Board of Education were notified by a letter dated February 28, 2023 of Westside Elementary School District's consolidation request with instructions to provide their comments to the Clerk of the Board. All districts were notified by a letter dated March 14, 2023 of Riverdale Memorial District, Tranquillity Public Utility District, and Orange Cove Police Protection 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 on or before April 11, 2023.

The addition of more races to the even year Statewide General Election ballot will increase the overall cost of the election. However, all entities going to election pay their pro-rata share of the election costs, thereby providing offsetting revenue to the Net County Cost of the election .

If your Board approves the recommended action, all registered voters in the four Districts will be notified by mail of this approval within 30 days. Notification expenses will be paid by the Districts in accordance with Elections Code sections 10404(f) and 10404.5(e).

OTHER REVIEWING AGENCIES:

Westside Elementary School District, Riverdale Memorial District, Tranquillity Public Utility District, and Orange Cove Police Protection District have reviewed and concurred with this item.

Coalinga Huron Unified School District, and Clay Joint Elementary School District have no objections or concerns with Westside Elementary School District moving from odd-numbered year to even-numbered year elections.

ATTACHMENTS INCLUDED AND/OR ON FILE:

- On file with Clerk - Westside Elementary School District Resolution No. 2023-10
- On file with Clerk - Riverdale Memorial District Resolution No. 2023-1
- On file with Clerk - Tranquillity Public Utility District Resolution No. 2023-0002
- On file with Clerk - Orange Cove Police Protection District Resolution

CAO ANALYST:

Ahla Yang