

FILED
MAR 13 2023
FRESNO COUNTY CLERK
By _____ DEPUTY

Resolution No. 2023-1

RESOLUTION OF THE BOARD OF DIRECTORS

OF

THE RIVERDALE MEMORIAL DISTRICT

APPROVING RESCHEDULING OF ELECTION OF MEMBERS OF BOARD OF DIRECTORS

WHEREAS, the current date for election of members of the Board of Riverdale Memorial District is every two (2) on the first Tuesday after the first Monday in November of odd-numbered years (e.g., November 2013) Elections Code section 1302 (a));and

WHEREAS, statewide general elections are held in California only in June and November of even-numbered years (e.g., November 2014) (Elections Code section 1001); and

WHEREAS, the District is located within Fresno County; and

WHEREAS, generally voter turnout is greater for statewide general elections than for local elections, including school board member elections held in November of odd-numbered years; and

WHEREAS, moving the district's elections to coincide with the statewide general elections will result in a significant cost savings to the District and the Board desires to conserve its financial resources to advance the interests of the District and the citizens residing within it; and

WHEREAS, because of those facts, the board desires starting with November 2024, board elections will change the date of future board elections so that they

occur at the same time as statewide general elections, to occur on the first Tuesday after the first Monday in November of each even-numbered year; and

WHEREAS, the current board has 3 members that will expire in 2023 and 2 members that will expire in 2024, as more particularly described in exhibit A to this resolution, which is attached; and

WHEREAS, while the Board recognizes that the terms of its members would be extended as a result of holding its elections at the same time as statewide general elections, this is not the reason for the Board's decision; and

WHEREAS, if the change in election date is approved by the Fresno County Board of Supervisors, the Board requests the next election date be moved from 2023 being extended to 2024, with the Board members whose terms would have expired in 2023, be extended to 2024, and the Board members with the term ending 2025, be extended to 2026 as required; and

WHEREAS, if the change in election date is approved by the Fresno County Board of Supervisors, the specific dates for the filing of nomination papers, notices, canvass of votes, certification of election results, and all other procedural requirements of the Elections Code pertaining to the general election of Board members are as set forth in exhibit B to this resolution, which is attached;

NOW, THEREFORE BE IT ORDAINED the Board of Directors of the Riverdale Memorial District that the Board hereby resolves, finds, and orders as follows:

1. All of the recitals above are true and correct.
2. The Board adopts this resolution under Elections Code section 10404 to change the election dates for members of the Board so that they occur at the same time as statewide general election in November in even-numbered years, at the same time and place as the statewide general elections conducted by the Fresno County Clerk.
3. This resolution shall first become operative with the statewide general election held on November 2024 and each subsequent election of Board members shall occur in even-numbered years at the same time as the statewide general election.
4. For those Board members whose terms of office would have expired in 2023, their terms of office are extended to 2024. For those Board members whose terms of office would have expired in 2025, their terms of office will be extended to 2026.
5. The President of the District's Board, or his designee, will notify Fresno County Elections office that the District is prepared to pre-pay the estimated expenses of mailing notices of approval of the change in election dates by the Fresno County Board of Supervisors, as required by section 10404, subdivision (f) of the Elections Code.
6. The President of the District's Board, or his designee, is authorized to take additional and further actions and execute any instruments and documents as may be required by the Fresno County Board of Supervisors and other County Officials in order to effectuate the change of election dates required by this resolution.
7. The President of the District's Board shall submit this resolution to the Fresno County Board of Supervisors for approval under the Elections Code section 10404, subdivision (b)(2), and request formal approval of the change by the Board of Supervisors at a public meeting within 60 days after that submission and after the resolution has been posted as required by law. This resolution shall become effective upon approval by the Fresno County Board of Supervisors.

8. The District required by Election Code section 10520, shall reimburse the County for the actual costs incurred by the Fresno County Clerk in conducting the District's election of Board members during statewide general elections, within 45 days of being presented with an invoice.
9. The specific dates for the filing of nomination papers, notices, canvass of votes, certification of election results, and all other procedural requirements of the Elections Code pertaining to the election of Board members are as provided in exhibit B to this resolution.

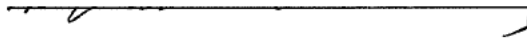
WHEREFORE, this Resolution was passed and adopted by the Board of Directors of the Riverdale Memorial District on March 3, 2023, by the following vote:

Ayes: Schultz, Leoni, Acquistapace, Flores, Colvin

Noes: 0

Absent: 0

Abstain: 0



Richard Schultz, President

Attest:



Lorna Roush, Secretary

Certificate of Secretary

I, Lorna Roush, the duly appointed and acting Secretary of the Board of Directors of the Riverdale Memorial District, do hereby certify that the foregoing Ordinance was passed and adopted at a Special Meeting of the Board of Directors of the Riverdale Memorial District, duly held at Riverdale, California on March 3, 2023.



Lorna Roush, Secretary

Exhibit A

Riverdale Memorial District

Board of Directors

Board Member	Current Election Year	Proposed Election Year
Richard Schultz	2025	2026
Gerald Leoni	2025	2026
Jeff Colvin	2025	2026
Leonard Acquistapace	2023	2024
Frances Flores	2023	2024

Exhibit B

Dates and Procedures for the Election of Board members

(All section references are to the Elections Code.)

1. No later than 125 days before the date of the general election, the District secretary shall deliver a notice of election to the County elections office listing the elective offices to be filled, specifying which offices, if any, are for the balance of an unexpired term and whether the District or the candidate is to pay for the publication of a statement of qualifications under section 13307. A map of the District must accompany the notice. (§§ 10509, 10522.)
2. Between the 120th and 90th day before the date of the general election, the County elections official will publish, one time, a notice of election in a newspaper of general circulation containing the date of the election, the offices to be filled, qualifications for candidacy required by the principal act, where nomination papers are available, the deadline for filing declarations for candidacy, and a notice that appointment will be made in lieu of election in accordance with law. (§12112.)
3. Between the 113th and 88th day before the date of the general election, candidates for the District's Board may obtain and file their declarations of candidacy along with their candidate's statement of qualifications if they choose to submit one. (§§ 10510, 10511, 13307, 13311.)
4. If an incumbent member of the Board does not file a declaration of candidacy by 5:00 p.m. on the 88th day before the date of the general election, any person other than the incumbent may file a declaration of candidacy by 5:00 p.m. on the 83rd day before the date of the general election. (§§ 10407, sub. (b), 10516, sub. (b).)
5. If, by 5:00 p.m. on the 83rd day before the date of the general election: (1) only one person has filed a declaration of candidacy for any position to be filled on the Board; or (2) no one has filed a declaration of candidacy for such office; the County Board of Supervisors may appoint a person to the position. (§ 10515.)
6. On the 82nd day before the date of the general election, the Secretary of State shall conduct the randomized alphabet at 11:00 a.m. to determine the order in which the Board candidates will appear on the general election ballot. (§ 13112.)
7. Between the 57th and 14th day before the date of the general election, write in candidates must file their statement of write-in candidacy and nomination Papers with the County elections official. (§ 8601.)
8. Between the 2nd and 30th day after the date of the general election, the official canvass of the returns is to be completed. (§§ 10547- 10549, 15300 etseq.)

If there is any future amendment of the Elections Code provisions identified above, the amended provisions are applicable. Where the dates described above are inconsistent with those provided in the Elections Code for the statewide general elections, the dates for statewide general elections are controlling.