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Fresno County Elections

**BALD MOUNTAIN FIRE PROTECTION DISTRICT**

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**RESOLUTION # 2017-1 - Amended**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BALD MOUNTAIN FIRE PROTECTION DISTRICT BOARD OF DIRECTORS CHANGING DISTRICT ELECTION TO BE HELD ON SAME DAY AS THE STATEWIDE GENERAL ELECTION.**

**WHEREAS**, BALD MOUNTAIN FIRE PROTECTION DISTRICT (the "District") is formed and operated under Health & Safety Code of the State of California and

**WHEREAS**, pursuant to Health & Safety Code, elective officers of the District are governed by the Uniform District Election Law, found at Elections Code Section 10404 and

**WHEREAS**, the District has held Elections, pursuant to Elections Code on the first Tuesday after the first Monday in November in each odd-numbered year and

**WHEREAS**, pursuant to Elections Code, the Fresno County elections official is required to conduct the elections for the District, and pursuant to Elections Code and Health & Safety Code, the District is required to reimburse the county for the actual costs incurred by the county elections official in conducting the District election and

**WHEREAS**, the Board of Directors (the "Board") of the District has determined that the cost of having the county elections official conduct the District's election could be substantially reduced if the District's elections were to be changed to coincide with the statewide general election and

**WHEREAS**, pursuant to the passing of Senate Bill 415 requiring District's electing their Board members in odd year elections to adopt a plan by January 1, 2018 to consolidate their elections with statewide general elections which are held on even numbered years and

**WHEREAS**, Elections Code provide that the statewide general election shall be held on the first Tuesday after the first Monday in November of each even numbered year and

**WHEREAS**, Elections Code and Health & Safety Code authorize the governing body of a Special District, by resolution, to require, subject to approval of the County Board of Supervisors, that elections of governing body member of the District be held on the same day as the state wide general election and

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Directors of BALD MOUNTAIN FIRE PROTECTION DISTRICT as follows,

**Section 1.**

For the purpose of reducing the costs the District expends on District elections during odd numbered year and to comply with Senate Bill 415, the District hereby changes the District election date to that of the statewide general election.

The Board requests the Fresno County Board of Supervisors to order such a change under Election Code Section 10404.

The Board further requests the Fresno County Board of Supervisors to direct the Fresno County Elections Department to provide any and all services for conducting the future District elections.

The District as required by Election Code section 10520, shall reimburse the County for the actual costs incurred by the Fresno County Clerk-Registrar of Voters ("ROV") in conducting the District's election(s) of Board members during statewide general elections, within 45 days of being presented with an invoice. The District shall further reimburse the ROV, within 45 days of presentation of an invoice, for the necessary cost of informing voters in the District of the aforementioned election change.

**Section 2.**

Pursuant to Health & Safety Codes 13885-13887, Elections Code Section 10404 and to preserve the staggered elections style for local District elections pursuant to Elections Code, all those members of the Board whose term of office expires in December 2019 shall continue their offices until the statewide general election is held in November 2020 and their successors are elected and qualified; likewise, all those Board members whose term of office expires in December of 2021, shall continue in their offices until the statewide general election is held in November 2022 and their successors are elected and qualified; as more particularly described in the attached and incorporated Exhibit A to this Resolution.

The specific dates for the filing of nomination papers, notices canvass of votes, certification of elections results, and all other procedural requirements of the Elections Code pertaining to the election of Board members are, as required by Elections Code section 10404(b)(1), provided in the attached and incorporated Exhibit B to this Resolution.

The President of the District's Board, or 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.

This change to the District election date shall, subject to the approval of this Resolution by the County Board of Supervisors, be permanent and apply to all future District elections pursuant to Elections Code 10404.

The Secretary is directed to forward this Resolution to the County Board of Supervisors for its approval pursuant to Section 10404 of the Elections Code.

**Exhibit A**

**Bald Mountain Fire Protection District**

**Board of Directors**

<b><u>Board Member</u></b>	<b><u>Current Election Year</u></b>	<b><u>Proposed Election Year</u></b>
<b>Ricardo Ramirez</b>	<b>2019</b>	<b>2020</b>
<b>Sharon Welker</b>	<b>2019</b>	<b>2020</b>
<b>Don Ashbrook</b>	<b>2021</b>	<b>2022</b>
<b>Clint Nichols</b>	<b>2021</b>	<b>2022</b>
<b>Gloria Sprague</b>	<b>2021</b>	<b>2022</b>



## **Exhibit B**

**The following shall be the dates, procedures and election schedule to be adhered to in future Bald Mountain Fire Protection District elections; all section references are to the Election 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 the 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 120<sup>th</sup> and 90<sup>th</sup> 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 113<sup>th</sup> and 88<sup>th</sup> 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 88<sup>th</sup> 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 83<sup>rd</sup> day before the date of the general election. (10407, sub. (b), 10516, sub.(b).)**
- 5. If, by 5:00 p.m. on the 83<sup>rd</sup> 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 82<sup>nd</sup> 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 57<sup>th</sup> and 14<sup>th</sup> 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 2<sup>nd</sup> and 30<sup>th</sup> day after the date of the general election, the official canvass of the returns is to be completed. (10547 – 10549, 15300 et seq.)**

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

PASSED AND ADOPTED BY THE BALD MOUNTAIN FIRE PROTECTION DISTRICT BOARD OF DIRECTORS  
ON May 25, 2017, by the following Board Member Vote:

AYES: 3

NOES: 0

ABSENT: 2

ABSTAIN: 0

BY: Gloria Sprague  
Gloria Sprague, President of the Board of Bald Mountain Fire Protection District

ATTEST: Clint Nichols  
Clint Nichols, Secretary to the Board