



County of Fresno

Hall of Records, Rm. 301
2281 Tulare Street
Fresno, California
93721-2198

Legislation Details (With Text)

File #: 17-0007

On agenda: 2/7/2017 **Final action:** 2/7/2017

Enactment date: **Enactment #:**

Title: Approve Bluffs Community Services District's request to move from odd to even-numbered year elections and set the date for the District's election to occur on the same day as the statewide General election

Attachments: 1. Agenda Item, 2. District Resolution, 3. Letter from Bluffs Community Services District, 4. Comments from other Districts

Date	Ver.	Action By	Action	Result
2/7/2017	1	Board of Supervisors	Consent Agenda be approved	Pass

DATE: February 7, 2017

TO: Board of Supervisors

SUBMITTED BY: Brandi L. Orth
Fresno County Clerk

SUBJECT: Bluffs Community Services District Request to Move Elections from Odd Years to Even Years

RECOMMENDED ACTION(S):

Approve Bluffs Community Services District's request to move from odd to even-numbered year elections and set the date for the District's election to occur on the same day as the statewide General election.

The Bluffs Community Services District requests the move of their election year from odd to even-numbered years. The Elections Code requires the Board of Supervisors to notify all districts and request input from these districts.

ALTERNATIVE ACTION(S):

The District's request for consolidation with statewide general elections may be denied if it is found 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 District would be required to continue to hold their elections in odd-numbered years.

FISCAL IMPACT:

There is no increase in Net County Cost with the recommended action. The result of this consolidation will increase the overall cost of the Statewide General Election, which will be shared by the districts involved in this election. The approval of this action would result in Bluffs Community Services District receiving a substantially lower election bill. There are many more entities that go to election in November even-numbered years and share in the cost of the election.

DISCUSSION:

On November 29, 2016, the Bluffs Community Services District approved Resolution Number 11 regarding the consolidation of district elections with the Statewide General election. The County Clerk received the Resolution including attachments on December 12, 2016. The District requests the move from odd-numbered year to even-numbered year elections in accordance with Election Code section 10404.

The Resolution shall become operative upon approval by the Board of Supervisors pursuant to Election Code section 10404. 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.” Prior to approval, Election Code section 10404 (c) requires the Board of Supervisors to notify all districts of the receipt of the resolution to consolidate and shall request input from each district on the effect of the consolidation. All special districts and school districts were notified by letter on December 20, 2016 of the District’s consolidation request, with instructions to provide their comments to the Clerk to the Board by 9:00 am January 6, 2017. As of the writing of this agenda item, five districts have responded. Sierra Cedars Community Services District and Golden Plains Unified School District are in favor, Malaga County Water District has no negative comment, Laton Community Services District has no objection, and Riverdale Irrigation District has concerns that this action will increase their costs and fees. If any other district comments are received by the Clerk to the Board after the submission of this agenda item, they will be presented to the Board of Supervisors on or before February 7, 2017.

The Elections Code allows, prior to the adoption of a resolution to either approve or deny a consolidation request, the Board of Supervisors shall obtain from the elections official a report of the cost-effectiveness of the proposed action. The even-year General statewide elections currently have over 133 local entities eligible to go to election, along with federal, state and county offices. In November 2016 only 67 of these local entities went to election, the balance of the entities being either appointed in lieu of election or eligible for appointment by the Board of Supervisors.

Election law requires ballots to be created based on geographic areas grouping together voters who vote on the same races. In November 2016 Fresno County had 230 different versions of the ballot, or styles. Different styles spread out the amount of races on each ballot card, which allows the County to permit local entities to go to election in even-year General elections. For this reason, based on the above information, Fresno County could accommodate Bluffs Community Services District’s request to move their elections to even-years.

The State of California now requires all state propositions to be placed only on the General even-year election ballot. The November 2016 ballot was 18 inches long and accommodated all the entities and propositions going to election. The addition of more races to the even-year 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. The Bluffs Community Services District’s Resolution 11, item 8 states the District’s election bill will be reimbursed to the County within 45 days of being presented with an invoice.

Within 30 days after your Board’s approval, all registered voters of the Bluffs Community Services District will be notified of this approval. Notification expenses will be paid by the District, as authorized in the Resolution.

OTHER REVIEWING AGENCIES:

The Bluffs Community Services District has reviewed, and concurred, with this item.

ATTACHMENTS:

On file with Clerk - District Resolution

On file with Clerk - Letter from Bluffs Community Services District
On file with Clerk - Comments from other Districts

CAO ANALYST:

Ronald Alexander