



# County of Fresno

Hall of Records, Rm. 301  
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Fresno, California  
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## Legislation Text

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**File #:** 17-1310, **Version:** 1

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**DATE:** November 14, 2017

**TO:** Board of Supervisors

**SUBMITTED BY:** Brandi L. Orth County Clerk/Registrar of Voters

**SUBJECT:** City of Clovis, Laguna Irrigation District, Fig Garden Fire Protection District, and Lanare Community Services District Requests to Move from Odd Year to Even Year Elections

**RECOMMENDED ACTION(S):**

**Approve City of Clovis, Laguna Irrigation District, Fig Garden Fire Protection District, and Lanare Community Services District's request to move from odd to even-numbered year elections and set the date for the City of Clovis's and the Districts' elections to occur on the same day as the Statewide General Election.**

The City of Clovis and 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 and request input from these districts on the requested election date change.

**ALTERNATIVE ACTION(S):**

If the recommended action is not approved, the City of Clovis and the Districts would still be required to change their elections from odd-numbered years to even-numbered years elections. Election law has changed regarding odd year district elections. With the passing of Senate Bill (SB) 415, all political subdivisions will be required to adopt a plan by January 1, 2018, to consolidate future elections with a statewide election (even-numbered years). Political subdivisions electing their governing board members in odd-numbered year elections 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. 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 is expected to result in each of the Districts receiving a 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:**

The Special Districts have filed Resolutions with the County Clerk requesting the consolidation of their district election with the Statewide General election. The City Council of the City of Clovis passed an Ordinance on September 5, 2017, to consolidate their elections with a Statewide General election. The following Districts and the City of Clovis request the move from odd-numbered year to even-numbered year elections in accordance with Elections Code sections 10404 and 1301:

- City of Clovis
- Laguna Irrigation District
- Fig Garden Fire Protection District
- Lanare Community Services District

The Resolutions filed by the Special Districts shall become operative upon approval by the Board of Supervisors pursuant to Elections Code sections 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”. Prior to approval of the Resolution submitted by the Special Districts, 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 districts were notified by letter on October 11, 2017, of the Special Districts’ consolidation requests with instructions to provide their comments to the Clerk to the Board by 9:00 am October 27, 2017. At this time, no districts have commented. Comments received by the Clerk to the Board after the submission of this agenda item will be presented to the Board of Supervisors on or before November 14, 2017.

The boundaries of Laguna Irrigation District also include Kings County. Election Code 10404 (h) requires that a District located in more than one county must request the move from odd election year to even election year from each county. If any County does not approve their request, the District cannot move their election date in any county. It is our understanding that Kings County Board of Supervisors will meet on or before November 14, 2017, to decide on the district’s request.

The adopted Ordinance filed by the City of Clovis shall become operative upon approval by the Board of Supervisors pursuant to Elections Code section 1301 (b). This code section states that an ordinance adopted pursuant to this subdivision shall become operative upon approval by the Board of Supervisors.

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. Each of the Special Districts’ Resolution state their election bill will be reimbursed to the County upon being presented with an invoice.

Within 30 days after your Board’s approval, all registered voters in the Districts will be notified of this approval. Notification expenses will be paid by the Districts, as authorized in the Resolutions.

#### OTHER REVIEWING AGENCIES:

City of Clovis, Laguna Irrigation District, Fig Garden Fire Protection District, and Lanare Community Services District have reviewed and concurred with this item.

#### ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - City of Clovis Adopted Ordinance  
On file with Clerk - Laguna Irrigation District Resolution  
On file with Clerk - Fig Garden Fire Protection District Resolution  
On file with Clerk - Lanare Community Services District Resolution

#### CAO ANALYST:

Ronald Alexander

