



County of Fresno

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

Legislation Text

File #: 19-0319, **Version:** 1

DATE: April 23, 2019

TO: Board of Supervisors

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

SUBJECT: Hills Valley Irrigation District's Request to Move from Odd Year to Even Year Elections

RECOMMENDED ACTION(S):

Approve Hills Valley Irrigation District's request to move from odd to even-numbered year elections and set the date for the District's elections to occur on the same day as the Statewide General Election.

The District requests to move their election year from odd-numbered to even-numbered years. California Elections Code requires the Board of Supervisors to notify districts and request input from these districts on the requested election date change. This item pertains to Districts 4 and 5.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the District would still be required to change their elections from odd-numbered years to even-numbered year elections. Election law has changed regarding odd year district elections. With the passing of Senate Bill (SB) 415, special districts 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 the District 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 District has filed a Resolution with the County Clerk requesting the consolidation of their district election with the Statewide General Election. The District requests the move from odd-numbered year to even-numbered year elections in accordance with California Elections Code sections 10404. The Resolution shall become operative upon approval by the Board of Supervisors pursuant to California 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 District, 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 March 14, 2019, of the Special District's consolidation request with instructions to provide their comments to the Clerk to the Board by 9:00 am April 8, 2019. 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 April 23, 2019.

The boundaries of Hills Valley Irrigation District also include Tulare County, with Fresno County being the principal county. The District is made up of three divisions and Board Members are voted at large. California 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 in any county. It is our understanding that Tulare County's Board of Supervisors will meet on April 30, 2019, to decide on the district's request.

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 Special District's Resolution states that the District will reimburse the County for all costs incurred by the County Clerk to conduct the elections for Hills Valley Irrigation Board Members.

Within 30 days after your Board's approval, the registered voters in the District, will be notified of this approval. Notification expenses will be paid by the District, as authorized in the District's notice.

OTHER REVIEWING AGENCIES:

Hills Valley Irrigation District

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Hills Valley Irrigation District Resolutions

CAO ANALYST:

Yussel Zalapa