

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
2.8  
(ID # 6173)

MEETING DATE:  
Tuesday, January 23, 2018

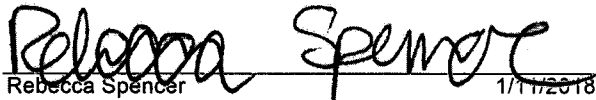
FROM : REGISTRAR OF VOTERS:

SUBJECT: REGISTRAR OF VOTERS: Request for Change in Election Date, Home Gardens  
Sanitary District; Districts 1 and 2; [\$1,400].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Home Gardens Sanitary District's request for election date change.

ACTION: Consent

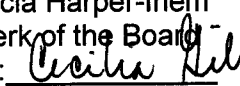
  
Rebecca Spencer 1/17/2018

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MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley  
Nays: None  
Absent: None  
Date: January 23, 2018  
xc: ROV

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 1,400	\$ 0	\$ 1,400	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> Home Gardens Sanitary District			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b> 18/19	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The Home Gardens Sanitary District has submitted the attached resolution requesting the Board of Supervisors' approval to change the District's odd-year Governing Board election date to occur on the same date as the even-year General Elections. California Elections Code § 10404 allows special districts to consolidate their election with Elections held in November of even numbered years with the Board of Supervisors' approval. The code further stipulates that the Board shall approve such request unless the ballot style, voting equipment, or computer capability is such that additional elections or materials cannot be handled. The Registrar of Voters can accommodate this change of election date.

State law also requires that within 30 days after approval of the resolution, a notice is to be mailed to all registered voters of the District informing them of the change in election date and the terms of officeholders which will be changed. The cost of this mailing will be reimbursed by the District.

**Impact on Residents and Businesses**

The change in election date to occur on the same date as the even-year General Election would encourage greater voter participation at no additional cost. Registered voters will save a trip to the polling place voting for both this district election and the even-year General Election.

**ATTACHMENTS:**

**ATTACHMENT A. HOME GARDENS SANITARY DISTRICT RESOLUTION NO. 484**

  
 Rehini Maske, Principal Management Analyst 1/16/2018

RESOLUTION NO. 484

BEFORE THE GOVERNING BODY OF THE  
**Home Gardens Sanitary District**  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

A Resolution of the Governing Body of the Home Gardens Sanitary District Approving the Rescheduling of Governing Body Member Elections from Odd-Numbered Years to Even-Numbered Years, in Accordance with Elections Code § 1303(b) and Senate Bill 415 (2015-2016 Regular Session), and Requesting the Approval of the County of Riverside to Consolidate the Same with the Statewide General Election Pursuant to Elections Code § 10404.

WHEREAS, on September 1, 2015, Governor Brown signed Senate Bill 415 (Reg. Sess.), codified at Stats. 2015, ch. 235, enacting Elections Code §§ 14050-14057, which prohibits the holding of an election other than on a statewide election date if holding an election on a nonconcurrent date resulted in a significant decrease in voter turnout, as defined, and further authorizes voters to enforce this prohibition by filing an action in superior court; and

WHEREAS, the Home Gardens Sanitary District currently conducts its elections for members of the District in November of odd-numbered years (*e.g.*, November 2015) pursuant to Elections Code § 1303 subdivision (a); and

WHEREAS, voter participation in Riverside County is greater for statewide general elections than for odd-year local elections, including special district governing body member elections; and

WHEREAS, the District believes that rescheduling to even-numbered year elections may enhance voter participation and further increase the percentage of voters participating in the Special Districts elections; and

WHEREAS, it is considered the view of the District that starting with the November 2022 Special Districts elections, the public interest will be better served by election of its governing body members in even-numbered year elections, held in conjunction with the statewide general elections; and

WHEREAS, the District further recognizes that there may also be a cost savings to the District resulting from aligning the District's elections with the statewide general elections; and

WHEREAS, as a result of these facts, the District desires to change the date of future governing body member elections to be consolidated with the California statewide general election in order to increase and enhance voter participation; and

WHEREAS, Elections Code § 1303(b) establishes a procedure whereby the District may change the election date for its governing body members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county, *see* Elec. Code § 10404; and

WHEREAS, if the change in election date is approved by the Riverside County Board of Supervisors, it is requested that the new election date be moved from November of odd-numbered years to November of even-numbered years commencing in 2022 with governing body members whose terms would have expired in 2019 being extended to 2024 and governing body members whose terms would have expired in 2021 being extended to 2022, as required by Elections Code § 10404(i) (refer to Exhibit A),

NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are true and correct.
2. The undersigned, constituting at least a majority of the members of the Home Gardens Sanitary District Governing Body, do hereby adopt this resolution to consolidate the election date for members of the District with the state general election in November of even-numbered years, beginning in November 2022 pursuant to Elections Code § 1303(b).
3. The District shall forward the original copy of this resolution to the Riverside County Elections, who will compile the district resolutions, and will explain the rationale for the resolutions and request formal approval of the change by the Riverside County Board of Supervisors at a public meeting within 60 days after submission and after the resolutions have been posted in accordance with law.
4. The District shall pay the expenses of mailing notice of approval of the change in election date by the Riverside County Board of Supervisors as required by Elections Code § 10404 subdivision (f).
5. If the consolidation of election is approved by the Board of Supervisors, the date of the District's next election will be moved to November 8, 2022, and each subsequent governing body member election will be held two years thereafter in November of even-numbered years.
6. If the consolidation of election is approved, the terms of office of current governing body members expiring in November 2019 will be extended to November 2024 and the terms of members expiring in November 2021 will be extended to November 2022 (see Exhibit A).
7. In the event that the Riverside County Board of Supervisors declines to authorize consolidation in 2022 on the grounds specified in Elections Code § 10404(e), the Home

Gardens Sanitary District Governing Body requests that the Riverside County Board of Supervisors authorize such consolidation at the soonest feasible date.

8. The District and/or her designee is authorized to take such actions and execute such agreements and documentation as are necessary to effect the intent of this Resolution.

The foregoing RESOLUTION was adopted this 19<sup>th</sup> day of December, 2017, at a regular meeting of the Governing Body of the Home Gardens Sanitary District, by the following vote:

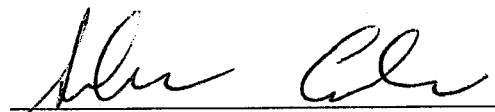
AYES: 5

NOES: 0

ABSTAIN: 0

ABSENT: 0

Dated: 12-19-17

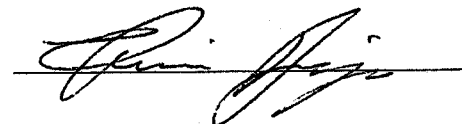
  
\_\_\_\_\_  
President

Home Gardens Sanitary District

### CERTIFICATION

I, Efrain Barajas, District Secretary of the Home Gardens Sanitary District, do hereby certify that the foregoing Resolution was proposed by Governing Body Member Miguel Serrato, seconded by Governing Body Member Karen Samson-Runna and was duly passed and adopted by a majority of the members of said Governing Body, at an official and public meeting thereof held on December 19, 2017.

Dated: 12-19-17

  
\_\_\_\_\_, Clerk

## EXHIBIT A

### Consolidation of Elections - California Elections Code Section 10404

10404. (a) This section applies only to special districts electing members of the governing body in odd-numbered years. As used in this section, "special district" means an agency of the state formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries, except a city, county, city and county, school or community college district, or special assessment district.

(b) Notwithstanding any other law, a governing body of a special district may, by resolution, require that its elections of governing body members be held on the same day as the statewide general election.

(1) The resolution setting the election shall also include dates that are consistent with the primary or general election with respect to nominations, notices, canvass of votes, certification of election, and all other procedural requirements of this code pertaining to the primary or general election.

(2) The resolution shall be submitted to the board of supervisors no later than 240 days prior to the date of the currently scheduled district election.

(c) The board of supervisors shall notify all districts located in the county of the receipt of the resolution to consolidate and shall request input from each district on the effect of consolidation.

(d) The elections official shall prepare and transmit to the board of supervisors an impact analysis of the proposed consolidation.

(e) The board of supervisors, within 60 days from the date of submission, 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 the adoption of a resolution to either approve or deny a consolidation request, the board or boards of supervisors shall each obtain from the elections official a report on the cost-effectiveness of the proposed action.

(f) Within 30 days after the approval of the resolution, the elections official shall notify all registered voters of the districts affected by the consolidation of the approval of the resolution by the board of supervisors. The notice shall be delivered by mail and at the expense of the district.

(g) Public notices of the proceedings in which the resolution is to be considered for adoption shall be made pursuant to Section 25151 of the Government Code.

(h) If a special district is located in more than one county, the special district may not consolidate an election if any county in which the special district is located denies the request for consolidation.

(i) If, pursuant to subdivision (b), a special district election is held on the same day as the statewide general election, those governing body members whose terms of office would have, prior to the adoption of the resolution, expired prior to that election shall, instead, continue in their offices until their successors are elected and qualified, but in no event shall the term be extended beyond December 31 of the year following the year in which the request for consolidation is approved by the board of supervisors.

(j) If a board of supervisors approves the resolution pursuant to subdivision (e), the special district election shall be conducted on the date specified by the board of supervisors, in accordance with subdivision (a), unless the approval is later rescinded by the board of supervisors.

(k) If the date of a special district election is changed pursuant to this section, at least one election shall be held before the resolution, as approved by the board of supervisors, may be subsequently repealed or amended.