

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Clerk Recorder

BOARD AGENDA # B-12

Urgent

Routine

AGENDA DATE April 30, 2013

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of the Requests from the Hughson Unified School District, Newman-Crows Landing School District, Salida School District, Stanislaus Union School District and Waterford Unified School District to Consolidate and Change Future Elections from Odd-Numbered Years to Even-Numbered Years

STAFF RECOMMENDATIONS:

Approve the requests from the governing boards to move future elections from odd-numbered years to even-numbered years for the Hughson Unified School District, Newman-Crows Landing School District, Salida School District, Stanislaus Union School District and Waterford Unified School District

FISCAL IMPACT:

The Registrar of Voters anticipates an increase in election related expenses for the even-numbered election years. The Hughson Unified School District, Newman-Crows Landing School District, Salida School District, Stanislaus Union School District and Waterford Unified School District will reimburse Stanislaus County for election specific costs of providing services to conduct their district election in even-numbered years. The blending of local elections with statewide elections is anticipated to increase the overall level of services required of the Elections Division.
(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2013-203

On motion of Supervisor Withrow, Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Withrow, Monteith, De Martini and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

FISCAL IMPACT (Continued):

For example, local elections require a higher level of candidate support when it comes to nomination papers, candidate statements, etc.. This will most likely result in a need for additional staff support and it is anticipated that the County General Fund will be impacted as the County will be responsible to pay the increased division costs attributed to the Elections Division.

DISCUSSION:

The following five school districts are requesting Board of Supervisors' approval to change the date of their board's election from November of odd-numbered years to coincide with the statewide elections conducted by the Registrar of Voters in November of even-numbered years.

| School District | Resolution Number | Date of Resolution |
|--------------------------------------|-------------------|--------------------|
| Hughson Unified School District | 12/13:08 | March 7, 2013 |
| Newman-Crows Landing School District | 12-13/06 | March 5, 2013 |
| Salida School District | 1213-19 | March 5, 2013 |
| Stanislaus Union School District | 12-13/11 | March 7, 2013 |
| Waterford Unified School District | 130306-01 | March 6, 2013 |

DISTRICT IMPACT

The projected cost to the districts moving from odd-numbered years to even-numbered years will increase per district as follows:

| School District | Number of Registered Voters as of March 2013 | Projected Cost for November 2013 | Price per voter for Nov. 2013 | Projected Cost for November 2014 | Price per voter for Nov. 2014 |
|----------------------|--|----------------------------------|-------------------------------|----------------------------------|-------------------------------|
| Hughson Unified | 6,183 | \$4,575.42 to \$7,728.75 | \$0.74 to \$1.25 | \$6,183.00 to \$9,274.50 | \$1.00 to \$1.50 |
| Newman-Crows Landing | 4,827 | \$3,571.98 to \$6,033.75 | \$0.74 to \$1.25 | \$4,827.00 to \$7,240.50 | \$1.00 to \$1.50 |
| Salida | 8,758 | \$6,480.92 to \$10,947.50 | \$0.74 to \$1.25 | \$8,758.00 to \$13,137.00 | \$1.00 to \$1.50 |
| Stanislaus Union | 11,705 | \$8,661.70 to \$14,631.25 | \$0.74 to \$1.25 | \$11,705.00 to \$17,557.50 | \$1.00 to \$1.50 |

Approval of the Requests from the Hughson Unified School District, Newman-Crows Landing School District, Salida School District, Stanislaus Union School District and Waterford Unified School District to Consolidate and Change Future Elections from Odd-Numbered Years to Even-Numbered Years
 Page 3

| | | | | | |
|-------------------|-------|--------------------------------|------------------------|--------------------------------|------------------------|
| Waterford Unified | 4,119 | \$3,048.06 to \$5,148.75 | \$0.74 to \$1.25 | \$4,119.00 to \$6,178.50 | \$1.00 to \$1.50 |
|-------------------|-------|--------------------------------|------------------------|--------------------------------|------------------------|

The projected increase in election cost is due to a larger sample ballot pamphlet, a longer official ballot and the probability of multiple official ballot cards, creating an increase cost in logic and accuracy testing, ballot layout and an increase in complication of programming and report processing. The division will also see an increase in postage due to additional pages in each of the sample ballot pamphlets and multiple ballot cards mailed to each vote by mail voter. Additional staff hours will be required to process the official ballot if it contains two ballot cards and the entire canvass and certification process will lengthen.

Individual requests were received from each of the five school districts. Four of the five school districts are seeking this request for the same reasons. Hughson Unified School District, Newman-Crows Landing School District, Salida School District and Waterford Unified School District seek to consolidate the school district election with the even-year statewide general election for greater voter turn-out; potential cost savings for the district; to convert from at-large election method to a by-trustee area election method to avoid liability under the California Voting Rights Act utilizing data from the 2010 census.

Stanislaus Union School District seeks to consolidate its election with the even-year statewide general election for the following reasons: achieve a savings in the cost of its elections if they are consolidated with the statewide general elections and the elections are held in either two or three trustee areas at each general election; voter turnout is greater for statewide general elections than for local elections; including school board elections held in November of odd-numbered years; change election method to district-based method and desires to utilize data from the 2010 census to create trustee areas; insufficient time to implement a district-based method of election in time for a November 2013 election; save public funds; provide greater voter input and participation into school board elections; avoid potential liability under the California Voting Rights Act (Election Code Section 14025).

If approved by the Board, the terms of each current governing board member would be increased by one year.

COUNTY IMPACT

An analysis conducted by the Registrar of Voters office indicates that the Elections System & Software voting system currently used in Stanislaus County can accommodate these district changes. With the addition of districts to the

Approval of the Requests from the Hughson Unified School District, Newman-Crows Landing School District, Salida School District, Stanislaus Union School District and Waterford Unified School District to Consolidate and Change Future Elections from Odd-Numbered Years to Even-Numbered Years

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General Election Ballot, the physical length of each ballot card increases from 14 inches to a maximum of 19 inches in length; the number of ballot cards can increase from one ballot card per voter per election to two ballot cards per voter per election; additional ballot types, additional sample ballot pamphlets, voting units, printers, precinct ballot tabulators and vote by mail ballot tabulators will be required to process votes and to provide timely results.

The original purpose of the Unified District Election Law (UDEL) odd-year election is to provide a local election platform for districts and candidates to appeal to voters, avoiding conflict with the extensive state and federal general election cycle. Local candidates in an odd-year election are prominent and can better educate voters on their election race. These same candidates and races in an even-year election are considered “down ballot” contests and receive fewer votes, and often are the recipients of “pattern” votes where a voter votes the first, second or last candidate on each race depending on the ballot position their selected presidential or gubernatorial candidate is positioned on the ballot.

The unique preparation and election requirements for a UDEL election require the Elections Office to prepare candidate nomination documents, FPPC monetary requirements and election law filing requirements which are different from those in the current General Election even-year cycle. Once these two very different election types are consolidated into a single even-year election, the Elections Office preparation and cost to the County will necessitate an increase in both budget and staffing to enable two separate mandated elections to coincide on the same ballot within the same election cycle.

POLICY ISSUES:

As required by Elections Code section 10404.5 (a), the Hughson Unified School District, Newman-Crows Landing School District, Salida School District, Stanislaus Union School District and Waterford Unified School District have notified the Stanislaus County Board of Supervisors that each has passed a resolution requesting the consolidation of board member elections with future statewide general elections, which will move the current election dates of the seated board members of the respective governing boards from odd-numbered to even-numbered years.

Elections Code Section 10404.5 (d) (1) requires that the Board approve the resolutions unless it finds that Stanislaus County’s ballot style, voting equipment or computer capacity is such that additional elections or materials cannot be handled. No evidence exists to support such a finding.

Approval of the Requests from the Hughson Unified School District, Newman-Crows Landing School District, Salida School District, Stanislaus Union School District and Waterford Unified School District to Consolidate and Change Future Elections from Odd-Numbered Years to Even-Numbered Years
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Approval of the five consolidations requests by the Board would move the current election dates of the members of the respective governing boards from odd-numbered years to even-numbered years and would support the Board of Supervisors' priority of Efficient Delivery of Public Services.

STAFFING IMPACT:

Starting in Budget Year 2014-2015, consolidation of local school district elections with federal, state and county even-year contests is anticipated to increase the level of staffing services in the Clerk Recorder Elections Division, to conduct two different types of mandated elections on the same established election date.

CONTACT PERSON:

Lee Lundrigan, Clerk-Recorder. (209) 525-5211

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OUR FILE NUMBER:

005690.00001
11059126.1

2013 MAR - 8 A 10:57
BOARD OF SUPERVISORS

March 8, 2013

VIA HAND DELIVERY

Board of Supervisors
County of Stanislaus
c/o The Clerk of the Stanislaus County Board of Supervisors
1010 10th Street
Suite 6700
Modesto, CA 95354

Re: Hughson Unified School District Request To Reschedule Governing Board Member Elections From Odd-Numbered Years To Even-Numbered Years; Elections Code Section 10404.5

Dear Supervisors:

Please be advised that the Hughson Unified School District ("District") at a special meeting held Thursday, March 7, 2013, voted to change its governing board member election schedule from odd-numbered years to even-numbered years.

Pursuant to Elections Code section 10404.5, the District hereby submits a copy of the District's resolution along with this formal request to the County Board of Supervisors to approve the change sought by the District.

Under Elections Code section 10404.5(d)(1), the County Board of Supervisors shall approve the resolution within sixty (60) days of receiving the request unless it finds that the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled.

The District seeks to consolidate its election with the statewide general election for several reasons. First, voter turnout is generally greater for statewide general elections than for special local elections including school board member elections. Second, there is a potential cost savings to the District for consolidating. Finally, the District is requesting this change in order to provide sufficient time for the District to convert from an at-large election method to a by-trustee

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

Board of Supervisors
March 8, 2013
Page 2

area election method to avoid liability under the California Voting Rights Act, utilizing data from the 2010 Census.

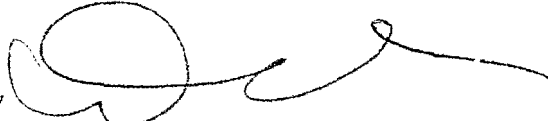
Currently, there is insufficient time to change District's election method in advance of the November 2013 election.

The District is prepared to bear the cost of the notice to the voters pursuant to Elections Code section 10404.5(e).

Please feel free to contact the undersigned should you have any questions or concerns. The District appreciates your attention to this matter.

Very truly yours,

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

By 
David A. Soldani

DAS/jrt

C: Brian Beck, Superintendent HUSD

Hughson Unified School District Governing Board

BOARD OF SUPERVISORS

RESOLUTION NO. 12/13:08

2013 MAR -8 A 10:57

HUGHSON UNIFIED SCHOOL DISTRICT RESCHEDULING ELECTION OF GOVERNING BOARD MEMBERS

WHEREAS, the current date for election of governing board members of the Hughson Unified School District ("District") is every two (2) years on the first Tuesday after the first Monday in November of odd years (e.g., November 2013) (Education Code section 5000 and Elections Code section 1302 (a)); and

WHEREAS, statewide general elections are held in California only in June and November of even years (e.g., November 2014) (Elections Code section 1001); and

WHEREAS, the District is located within Stanislaus County; and

WHEREAS, the District has been informed that there would be a cost savings for the District resulting from aligning the District's elections with the statewide general elections; and

WHEREAS, generally voter turnout is greater for statewide general elections than for special local elections including school board member elections; and

WHEREAS, the District is also changing its election method to a by-trustee area method and desires to utilize data from the 2010 Census to create trustee areas; and

WHEREAS, the District will not have sufficient time to implement a by-trustee area method of election in time for a November 2013 election; and

WHEREAS, as a result of these facts, the Board desires to change the date of future board member elections to be consolidated with the California statewide general election in order to save District monies and to provide greater voter input into school board elections, and to provide the District with sufficient time to implement a by-trustee area election method; and

WHEREAS, Elections Code 1302 (b) establishes a procedure whereby the Board may change the election date for its board members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county (Elections Code section 10404.5); and

WHEREAS, if the change in election date is approved, it is being requested that the new election date be moved from November 2013 to November 2014 with board members whose terms would have expired in 2013 being extended to 2014 and board members whose terms would have expired in 2015 being extended to 2016 *[refer to Appendix A]*.

Board Resolution No. 12/13:08
Rescheduling Election
Page 2

NOW, THEREFORE, BE IT RESOLVED that the Hughson Unified School District Board of Education adopts this resolution to consolidate the election date for members of the Board with the date for the California general election in November in even years (Elections Code 1001) pursuant to Elections Code section 1302 (b).

BE IT FURTHER RESOLVED that the Superintendent will forward this resolution to the Stanislaus County Board of Supervisors explaining the rationale for the resolution and requesting formal approval of the change by the Board of Supervisors at a public meeting within 60 days after submission and after the resolution has been posted in accordance with law.


BE IT FURTHER RESOLVED that the Superintendent will notify the Stanislaus County Elections Office that the District is prepared to pay the expense of mailing notice of approval of the change in election date by the Stanislaus County Board of Supervisors as required by Elections Code 10404.5 (e).

BE IT FURTHER RESOLVED that if the consolidation of election is approved by the Board of Supervisors, the date of that election will be moved to November 2014 and each subsequent board member election will be held two years thereafter in November of even years.

BE IT FURTHER RESOLVED that if the consolidation of election is approved, the term of office of current board members expiring in November 2013 will be extended to November 2014 and the term of board members expiring in November 2015 will be extended to November 2016.

PASSED AND ADOPTED by the Hughson Unified School District Board of Education at a regularly scheduled meeting this 7th day of March, 2013, by the following vote:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0



Rick Applegate,
President of the Governing Board



Brian Beck,
Secretary of the Governing Board

**Appendix A
to Resolution No. 12/13:08**

| <u>Board Member</u> | <u>Current Election Year</u> | <u>New Election Year</u> |
|-----------------------|----------------------------------|--------------------------|
| Rick Applegate | 2013 | 2014 |
| Cindy Cunningham-Gipp | 2013 | 2014 |
| Randall Heckman | 2013 | 2014 |
| Mark Harman | 2015 | 2016 |
| Jim Hudelson | 2015 | 2016 |

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

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OUR FILE NUMBER:
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11059219.1

March 6, 2013

VIA HAND DELIVERY

Board of Supervisors
County of Stanislaus
c/o The Clerk of the Stanislaus County Board of Supervisors
1010 10th Street
Suite 6700
Modesto, CA 95354

BOARD OF SUPERVISORS
2013 MAR - 6 P 4:00

Re: Newman-Crows Unified School District Request To Reschedule Governing Board Member Elections From Odd-Numbered Years To Even-Numbered Years; Elections Code Section 10404.5

Dear Supervisors:

Please be advised that the Newman-Crows Unified School District ("District") at a special meeting held Tuesday, March 5, 2013, voted to change its governing board member election schedule from odd-numbered years to even-numbered years.

Pursuant to Elections Code section 10404.5, the District hereby submits a copy of the District's resolution along with this formal request to the County Board of Supervisors to approve the change sought by the District.

Under Elections Code section 10404.5(d)(1), the County Board of Supervisors shall approve the resolution within sixty (60) days of receiving the request unless it finds that the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled.

The District seeks to consolidate its election with the statewide general election for several reasons. First, voter turnout is generally greater for statewide general elections than for special local elections including school board member elections. Second, there is a potential cost savings to the District for consolidating. Finally, the District is requesting this change in order to provide sufficient time for the District to convert from an at-large election method to a by-trustee

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

Board of Supervisors
March 6, 2013
Page 2

area election method to avoid liability under the California Voting Rights Act, utilizing data from the 2010 Census.

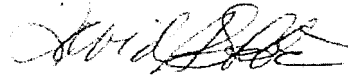
Currently, there is insufficient time to change District's election method in advance of the November 2013 election.

The District is prepared to bear the cost of the notice to the voters pursuant to Elections Code section 10404.5(e).

Please feel free to contact the undersigned should you have any questions or concerns. The District appreciates your attention to this matter.

Very truly yours,

ATKINSON, ANDELSON, LOYA, RUUD & ROMO



By
David A. Soldani

DAS/jrt

C: Ed Felt, Superintendent NCUSD

NEWMAN CROWS LANDING UNIFIED SCHOOL DISTRICT 4:06
RESOLUTION #12-13/06

RESCHEDULING ELECTION OF GOVERNING BOARD MEMBERS

WHEREAS, the current date for election of governing board members of the Newman Crows Landing Unified School District (“District”) is every two (2) years on the first Tuesday after the first Monday in November of odd years (e.g., November 2013) (Education Code section 5000 and Elections Code section 1302 (a)); and

WHEREAS, statewide general elections are held in California only in June and November of even years (e.g., November 2014) (Elections Code section 1001); and

WHEREAS, the District is located within Stanislaus County; and

WHEREAS, the District has been informed that there would be a cost savings for the District resulting from aligning the District’s elections with the statewide general elections; and

WHEREAS, generally voter turnout is greater for statewide general elections than for special local elections including school board member elections; and

WHEREAS, the District is also changing its election method to a by-trustee area method and desires to utilize data from the 2010 Census to create trustee areas; and

WHEREAS, the District will not have sufficient time to implement a by-trustee area method of election in time for a November 2013 election; and

WHEREAS, as a result of these facts, the Board desires to change the date of future board member elections to be consolidated with the California statewide general election in order to save District monies and to provide greater voter input into school board elections, and provide the District with sufficient time to implement a by-trustee area election method; and

WHEREAS, Elections Code 1302 (b) establishes a procedure whereby the Board may change the election date for its board members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county (Elections Code section 10404.5); and

WHEREAS, if the change in election date is approved, it is being requested that the new election date be moved from November 2013 to November 2014 with board members whose terms would have expired in 2013 being extended to 2014 and board members whose terms would have expired in 2015 being extended to 2016 [*refer to Appendix A*].

NOW, THEREFORE, BE IT RESOLVED that the Newman Crows Landing Unified School District Board of Education adopts this resolution to consolidate the election

date for members of the Board with the date for the California general election in November in even years (Elections Code 1001) pursuant to Elections Code section 1302 (b).

BE IT FURTHER RESOLVED that the Superintendent will forward this resolution to the Stanislaus County Board of Supervisors explaining the rationale for the resolution and requesting formal approval of the change by the Board of Supervisors at a public meeting within 60 days after submission and after the resolution has been posted in accordance with law.

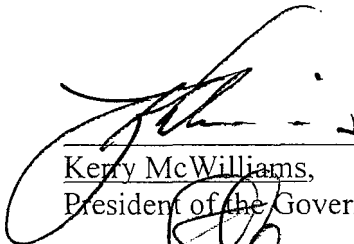
BE IT FURTHER RESOLVED that the Superintendent will notify the Stanislaus County Elections Office that the District is prepared to pay the expense of mailing notice of approval of the change in election date by the Stanislaus County Board of Supervisors as required by Elections Code 10404.5(e).

BE IT FURTHER RESOLVED that if the consolidation of election is approved by the Board of Supervisors, the date of that election will be moved to November 2014 and each subsequent board member election will be held two years thereafter in November of even years.

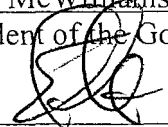
BE IT FURTHER RESOLVED that if the consolidation of election is approved, the term of office of current board members expiring in November 2013 will be extended to November 2014 and the term of board members expiring in November 2015 will be extended to November 2016.

PASSED AND ADOPTED by the Newman Crows Landing Unified School District Board of Education at a regularly scheduled meeting this 5th day of March, 2013, by the following vote:

AYES: 4
NOES: 1
ABSENT: 1
ABSTAIN: 0



Kerry McWilliams,
President of the Governing Board



Ed Felt,
Secretary of the Governing Board

Appendix A
to Resolution No. #12-13/06

| <u>Board Member</u> | <u>Current Election</u> <u>Year</u> | <u>New Election Year</u> |
|---------------------|--|--------------------------|
| Kerry McWilliams | 2013 | 2014 |
| Janice Conforti | 2015 | 2016 |
| Paul Wallace | 2013 | 2014 |
| Rose Lee Hurst | 2015 | 2016 |
| Tim Bazar | 2015 | 2016 |

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

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OUR FILE NUMBER:

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March 6, 2013

VIA HAND DELIVERY

Board of Supervisors
County of Stanislaus
c/o The Clerk of the Stanislaus County Board of Supervisors
1010 10th Street
Suite 6700
Modesto, CA 95354

BOARD OF SUPERVISORS
2013 MAR - 7 P 2:1

Re: Salida School District Request To Reschedule Governing Board Member Elections From Odd-Numbered Years To Even-Numbered Years; Elections Code Section 10404.5

Dear Supervisors:

Please be advised that the Salida School District ("District") at a special meeting held Tuesday, March 5, 2013, voted to change its governing board member election schedule from odd-numbered years to even-numbered years.

Pursuant to Elections Code section 10404.5, the District hereby submits a copy of the District's resolution along with this formal request to the County Board of Supervisors to approve the change sought by the District.

Under Elections Code section 10404.5(d)(1), the County Board of Supervisors shall approve the resolution within sixty (60) days of receiving the request unless it finds that the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled.

The District seeks to consolidate its election with the statewide general election for several reasons. First, voter turnout is generally greater for statewide general elections than for special local elections including school board member elections. Second, there is a potential cost savings to the District for consolidating. Finally, the District is requesting this change in order to provide sufficient time for the District to convert from an at-large election method to a by-trustee area election method to avoid liability under the California Voting Rights Act, utilizing data from the 2010 Census.

Atkinson, Andelson, Loya, Ruud & Romo

Board of Supervisors

March 6, 2013

Page 2

Currently, there is insufficient time to change District's election method in advance of the November 2013 election.

The District is prepared to bear the cost of the notice to the voters pursuant to Elections Code section 10404.5(e).

Please feel free to contact the undersigned should you have any questions or concerns. The District appreciates your attention to this matter.

Very truly yours,

ATKINSON, ANDELSON, LOYA,
RUUD & ROMO



By

David A. Soldani

DAS/jrt

C: Twila Tosh, Superintendent SSD

**SALIDA UNION SCHOOL DISTRICT
RESOLUTION NO. 1213-19**

RESCHEDULING ELECTION OF GOVERNING BOARD MEMBERS

WHEREAS, the current date for election of governing board members of the Salida Union School District (“District”) is every two (2) years on the first Tuesday after the first Monday in November of odd years (e.g., November 2013) (Education Code section 5000 and Elections Code section 1302 (a)); and

WHEREAS, statewide general elections are held in California only in June and November of even years (e.g., November 2014) (Elections Code section 1001); and

WHEREAS, the District is located within Stanislaus County; and

WHEREAS, the District has been informed that there would be a cost savings for the District resulting from aligning the District’s elections with the statewide general elections; and

WHEREAS, generally voter turnout is greater for statewide general elections than for special local elections including school board member elections; and

WHEREAS, the District is also changing its election method to a by-trustee area method and desires to utilize data from the 2010 Census to create trustee areas; and

WHEREAS, the District will not have sufficient time to implement a by-trustee area method of election in time for a November 2013 election; and

WHEREAS, as a result of these facts, the Board desires to change the date of future board member elections to be consolidated with the California statewide general election in order to save District monies and to provide greater voter input into school board elections, and provide the District with sufficient time to implement a by-trustee area election method; and

WHEREAS, Elections Code 1302 (b) establishes a procedure whereby the Board may change the election date for its board members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county (Elections Code section 10404.5); and

WHEREAS, if the change in election date is approved, it is being requested that the new election date be moved from November 2013 to November 2014 with board members whose terms would have expired in 2013 being extended to 2014 and board members whose terms would have expired in 2015 being extended to 2016 [*refer to Appendix A*].

NOW, THEREFORE, BE IT RESOLVED that the Salida Union School District Board of Education adopts this resolution to consolidate the election date for members of the

Board with the date for the California general election in November in even years (Elections Code 1001) pursuant to Elections Code section 1302 (b).

BE IT FURTHER RESOLVED that the Superintendent will forward this resolution to the Stanislaus County Board of Supervisors explaining the rationale for the resolution and requesting formal approval of the change by the Board of Supervisors at a public meeting within 60 days after submission and after the resolution has been posted in accordance with law.

BE IT FURTHER RESOLVED that the Superintendent will notify the Stanislaus County Elections Office that the District is prepared to pay the expense of mailing notice of approval of the change in election date by the Stanislaus County Board of Supervisors as required by Elections Code 10404.5 (e).

BE IT FURTHER RESOLVED that if the consolidation of election is approved by the Board of Supervisors, the date of that election will be moved to November 2014 and each subsequent board member election will be held two years thereafter in November of even years.


BE IT FURTHER RESOLVED that if the consolidation of election is approved, the term of office of current board members expiring in November 2013 will be extended to November 2014 and the term of board members expiring in November 2015 will be extended to November 2016.

PASSED AND ADOPTED by the Salida Union School District Board of Education at a special scheduled meeting this 5th day of March, 2013, by the following vote:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0



President of the Governing Board



Secretary of the Governing Board

**Appendix A
to Resolution No. 1213-19**

| <u>Board Member</u> | <u>Current Election Year</u> | <u>New Election Year</u> |
|----------------------------|---|---------------------------------|
| Ivan Wyeth, II | 2013 | 2014 |
| Virginia Berry | 2013 | 2014 |
| Catie Englebright | 2013 | 2014 |
| Dennis Thompson | 2015 | 2016 |
| Dr. Gary Dew | 2015 | 2016 |

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

CERRITOS
(562) 653-3200
FAX (562) 653-3333

IRVINE
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FAX (858) 485-9412

OUR FILE NUMBER:

005448.00001
11059413.1

BOARD OF SUPERVISORS
2013 MAR - 8 A 11:29

March 8, 2013

VIA HAND DELIVERY

Board of Supervisors
County of Stanislaus
c/o The Clerk of the Stanislaus County Board of Supervisors
1010 10th Street
Suite 6700
Modesto, CA 95354

Re: Waterford Unified School District Request To Reschedule Governing Board Member Elections From Odd-Numbered Years To Even-Numbered Years; Elections Code Section 10404.5

Dear Supervisors:

Please be advised that the Waterford Unified School District ("District") at a special meeting held Wednesday, March 6, 2013, voted to change its governing board member election schedule from odd-numbered years to even-numbered years.

Pursuant to Elections Code section 10404.5, the District hereby submits a copy of the District's resolution along with this formal request to the County Board of Supervisors to approve the change sought by the District.

Under Elections Code section 10404.5(d)(1), the County Board of Supervisors shall approve the resolution within sixty (60) days of receiving the request unless it finds that the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled.

The District seeks to consolidate its election with the statewide general election for several reasons. First, voter turnout is generally greater for statewide general elections than for special local elections including school board member elections. Second, there is a potential cost savings to the District for consolidating. Finally, the District is requesting this change in order to provide sufficient time for the District to convert from an at-large election method to a by-trustee

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

Board of Supervisors
March 8, 2013
Page 2

area election method to avoid liability under the California Voting Rights Act, utilizing data from the 2010 Census.

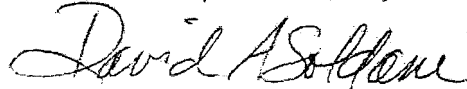
Currently, there is insufficient time to change District's election method in advance of the November 2013 election.

The District is prepared to bear the cost of the notice to the voters pursuant to Elections Code section 10404.5(e).

Please feel free to contact the undersigned should you have any questions or concerns. The District appreciates your attention to this matter.

Very truly yours,

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

A handwritten signature in cursive script that reads "David A. Soldani".

By
David A. Soldani

DAS/jrt

C: Don Davis, Superintendent WUSD

BOARD OF SUPERVISORS

2013 MAR - 8 A 11:30

**WATERFORD UNIFIED SCHOOL DISTRICT
RESOLUTION # 130306-01**

RESCHEDULING ELECTION OF GOVERNING BOARD MEMBERS

WHEREAS, the current date for election of governing board members of the Waterford Unified School District (“District”) is every two (2) years on the first Tuesday after the first Monday in November of odd years (e.g., November 2013) (Education Code section 5000 and Elections Code section 1302 (a)); and

WHEREAS, statewide general elections are held in California only in June and November of even years (e.g., November 2014) (Elections Code section 1001); and

WHEREAS, the District is located within Stanislaus County; and

WHEREAS, the District has been informed that there would be a cost savings for the District resulting from aligning the District’s elections with the statewide general elections; and

WHEREAS, generally voter turnout is greater for statewide general elections than for special local elections including school board member elections; and

WHEREAS, the District is also changing its election method to a by-trustee area method and desires to utilize data from the 2010 Census to create trustee areas; and

WHEREAS, the District will not have sufficient time to implement a by-trustee area method of election in time for a November 2013 election; and

WHEREAS, as a result of these facts, the Board desires to change the date of future board member elections to be consolidated with the California statewide general election in order to save District monies and to provide greater voter input into school board elections, and to provide the District with sufficient time to implement a by-trustee area election method; and

WHEREAS, Elections Code 1302 (b) establishes a procedure whereby the Board may change the election date for its board members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county (Elections Code section 10404.5); and

WHEREAS, if the change in election date is approved, it is being requested that the new election date be moved from November 2013 to November 2014 with board members whose terms would have expired in 2013 being extended to 2014 and board members whose terms would have expired in 2015 being extended to 2016 *[refer to Appendix A]*.

NOW, THEREFORE, BE IT RESOLVED that the Waterford Unified School District Board of Education adopts this resolution to consolidate the election date for

members of the Board with the date for the California general election in November in even years (Elections Code 1001) pursuant to Elections Code section 1302 (b).

BE IT FURTHER RESOLVED that the Superintendent will forward this resolution to the Stanislaus County Board of Supervisors explaining the rationale for the resolution and requesting formal approval of the change by the Board of Supervisors at a public meeting within 60 days after submission and after the resolution has been posted in accordance with law.


BE IT FURTHER RESOLVED that the Superintendent will notify the Stanislaus County Elections Office that the District is prepared to pay the expense of mailing notice of approval of the change in election date by the Stanislaus County Board of Supervisors as required by Elections Code 10404.5 (e).

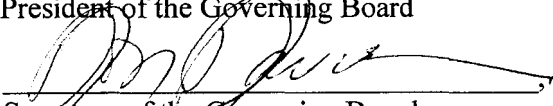
BE IT FURTHER RESOLVED that if the consolidation of election is approved by the Board of Supervisors, the date of that election will be moved to November 2014 and each subsequent board member election will be held two years thereafter in November of even years.

BE IT FURTHER RESOLVED that if the consolidation of election is approved, the term of office of current board members expiring in November 2013 will be extended to November 2014 and the term of board members expiring in November 2015 will be extended to November 2016.

PASSED AND ADOPTED by the Waterford Unified School District Board of Education at a special board meeting this 6th day of March, 2013, by the following vote:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0



President of the Governing Board


Secretary of the Governing Board

Appendix A
to Resolution No. 130306-01

| <u>Board Member</u> | <u>Current Election Year</u> | <u>New Election Year</u> |
|----------------------------|-------------------------------------|---------------------------------|
| Tim Bomgardner | 2013 | 2014 |
| Sheila Collins | 2013 | 2014 |
| Jim Weaver | 2013 | 2014 |
| Matt Erickson | 2015 | 2016 |
| Lisa Hawkins | 2015 | 2016 |

STANISLAUS

UNION

SCHOOL

DISTRICT

*"Light the Flame
for the Future"*



2410 Janna Avenue

Modesto, California 95350

(209) 529-9546

FAX (209) 529-0243

March 7, 2013

County of Stanislaus
Christine Ferraro Tallman
Clerk of the Board of Supervisors
1010 10th Street
Suite 6700
Modesto, CA 95354

BOARD OF SUPERVISORS
2013 MAR - 8 A 8:36

**Re: Request for Rescheduling Election of Governing Board
Members -Resolution # 12-13/11**

Dear Ms. Tallman:

Please find attached our Resolution # 12-13/11 - Rescheduling Election of Governing Board Members for the Stanislaus Union School District. On March 7, 2013, our Governing Board adopted the above-mentioned resolution to request a change from odd-year elections to even-year elections.

The District Board adopted this resolution in order to save public funds, provide greater voter input and participation into school board elections, and avoid any potential liability under the California Voting Rights Act (Election Code section 14025 et seq.). The District may achieve a savings in the cost of its elections if the District's elections are consolidated with the statewide general elections and the elections are held in either two or three trustee areas at each general election. Additionally, voter turnout is greater for statewide general elections than for local elections, including school board member elections held in November of odd-numbered years. The District is also considering changing its election method to a district-based method and desires to utilize data from the 2010 Census to create trustee areas. The District may not have sufficient time to implement a district-based method of election in time for a November 2013 election, and still allow for adequate public participation in the process of establishing trustee areas. Therefore, the District Board seeks to change the election year cycle in order to save public funds, increase voter turnout and participation, and avoid any potential liability under the California Voting Rights Act.

Under California Elections Code section 10404.5, Stanislaus Union School District adopted a resolution to change their election dates from November of odd-numbered years to the statewide direct primary of even-numbered years. The resolution requests the Board of Supervisors to approve the District's request for consolidation of its elections with the

Resolution # 12-13/11

March 7, 2013

Page 2

statewide primary elections beginning in 2014. California Elections Code section 10404.5(d)(1) provides that the Board of Supervisors shall approve such a school district consolidation resolution unless it finds that the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled.

If the change in election date is approved, the new election date will be moved from the first Tuesday after the first Monday in November 2013 to the first Tuesday after the first Monday in November 2014 with board members whose terms would have expired in 2013 being extended to 2014 and board members whose terms would have expired in 2015 being extended to 2016.

If you should have any questions, please feel free to contact me at (209) 529-9546.

Sincerely,

A handwritten signature in black ink that reads "Wayne Brown". The signature is written in a cursive style with a long horizontal flourish at the end.

Wayne Brown
Superintendent
Stanislaus Union School District

Attachments: Four (4) Original signed Resolution # 12-13/11 - Rescheduling Election of Governing Board Members

cc: Gilbert Jackson, Board President
Sandy Putnam, Chief Business Officer
Lee Lundrigan, Stanislaus County Registrar of Voters and Clerk Recorder
Roman J. Muñoz, Kronick Moskovitz Tiedemann & Girard

BOARD OF SUPERVISORS STANISLAUS UNION SCHOOL DISTRICT
GOVERNING BOARD RESOLUTION #12-13/11

2013 MAR -8 A 8:36

A RESOLUTION OF THE GOVERNING BOARD OF
THE STANISLAUS UNION SCHOOL DISTRICT
TO RESCHEDULE ELECTION OF
GOVERNING BOARD MEMBERS

WHEREAS, the current date for election of members of the governing board of the Stanislaus Union School District (“District”) is every two (2) years on the first Tuesday after the first Monday in November of odd-numbered years (e.g. November 2013) (Education Code section 5000 and Elections Code section 1302 (a)); and

WHEREAS, statewide general elections are held in California only in June and November of even-numbered years (e.g., November 2014) (Elections Code section 1001); and

WHEREAS, the District is located within Stanislaus County; and

WHEREAS, generally voter turnout is greater for statewide general elections than for local elections, including school board member elections held in November of odd-numbered years; and

WHEREAS, the District is also considering changing its election method to a by-trustee area method and desires to utilize data from the 2010 Census to create trustee areas; and

WHEREAS, the District may achieve a savings in the cost of its elections, if the District’s elections are consolidated with the statewide general elections and the elections are held in either two or three trustee areas at each general election; and

WHEREAS, the District does not have sufficient time to implement a by-trustee area method of election in time for a November 2013 election, and still allow for adequate public participation in the process of establishing trustee areas; and

WHEREAS, as a result of these facts, the Board desires to change the date of future board member elections to be consolidated with the California statewide general election in order to save public funds, provide greater voter input into school board elections, and avoid any potential liability under the California Voting Rights Act (Election Code section 14025 *et seq.*); and

WHEREAS, Elections Code 1302(b) establishes a procedure whereby the Board may change the election date for its board members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county (Elections Code section 10404.5); and

WHEREAS, if the change in election date is approved, it is requested that the new election date be moved from the first Tuesday after the first Monday in November 2013 to the first Tuesday after the first Monday in November 2014 with board members whose terms would have expired in 2013 being extended to 2014 and board members whose terms would have expired in 2015 being extended to 2016 [*refer to Appendix A*].

NOW, THEREFORE, BE IT RESOLVED that the Governing Board hereby finds, determines and/or declares, as follows:

1. Each of the foregoing is true and correct.
2. The Governing Board declares its intent to adopt this resolution to consolidate the election date for members of the Board with the date for the California general election in November in even-numbered years (Elections Code section 1001) pursuant to Elections Code section 1302(b).
3. The Superintendent will forward this resolution to the Stanislaus County Board of Supervisors explaining the rationale for the resolution and requesting formal approval of the change by the Board of Supervisors at a public meeting held within 60 days after submission and after the resolution has been posted in accordance with law.

4. The Superintendent will notify the Stanislaus County Elections Office that the District is prepared to pay the expense of mailing notice of approval of the change in election date by the Stanislaus County Board of Supervisors as required by Elections Code 10404.5(e).

5. If the consolidation of election is approved by the Board of Supervisors, the date of that election will be moved to the first Tuesday after the first Monday in November 2014 and each subsequent board member election will be held two years thereafter in November of even years.

THE FOREGOING RESOLUTION was introduced at a regular meeting of the Stanislaus Union School District Governing Board held on the 7th day of March, 2013, by Governing Board Member Jeff McKay, who made the motion being duly seconded by Norm Lee, was, upon roll call vote, carried into Resolution passed by the following vote:


AYES: GOVERNING BOARD MEMBERS: Gilbert Jackson, Susan Elliott, Norm Lee
Nate Howard, Jeff McKay

NOES: GOVERNING BOARD MEMBERS:

ABSTAIN: GOVERNING BOARD MEMBERS:

ABSENT: GOVERNING BOARD MEMBERS:

ATTEST:



Gilbert Jackson, President
Stanislaus Union School District
Governing Board

ATTEST:



Susan Elliott, Clerk
Stanislaus Union School District
Governing Board

Susan Elliott, Clerk
Stanislaus Union School District
Governing Board

Date: March 7, 2013
GBRES:#1213/11

Appendix A

RESOLUTION TO RESCHEDULE ELECTION OF GOVERNING BOARD MEMBERS

RESOLUTION #12-13/11

| <u>Board Member</u> | <u>Current Election Year</u> | <u>New Election Year</u> |
|----------------------------|-------------------------------------|---------------------------------|
| Susan Elliot | 2015 | 2016 |
| Nate Howard | 2013 | 2014 |
| Gilbert Jackson | 2013 | 2014 |
| Norm Lee | 2013 | 2014 |
| Jeff McKay | 2015 | 2016 |