

County of Lassen

Julie M Bustamante
COUNTY CLERK-RECORDER
REGISTRAR OF VOTERS
CLERK OF THE BOARD OF
SUPERVISORS



220 S Lassen St Suite 5
Susanville CA 96130
(530) 251-8217
FAX (530) 257-3480
Email lcclerk@co.lassen.ca.us
Website www.lassencounty.org

Office of the County Clerk-Recorder

Lassen County Courthouse
Susanville CA 96130

TO: Board of Supervisors

FROM: Julie M. Bustamante, Registrar of Voters

DATE: April 16, 2019

SUBJECT: Consolidation of Stones Bengard Community Services District to Even-year Elections

SUMMARY:

Special districts whose governing body is elected in odd years may submit a resolution to the Board of Supervisors to request their elections to occur on the same date as the Statewide General Election, (Elections Code 10404). The resolution must be submitted no later than 240 days prior to the date of the currently scheduled district election (which was March 21, 2019). Stones Bengard Community Services District (SBCSD) met the deadline, submitting its resolution on March 11, 2019. As required by law, the Clerk of the Board will send a notice to all districts located in the County, advising them of the receipt of the resolution and asking for their input.

The Resolution shall become operative upon approval by the Board of Supervisors pursuant to Elections 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 material cannot be handled". The Election Management System currently used by Lassen County is capable of adding additional races to the ballot.

Approving the resolution will extend the term of office for three seats that would have expired on December 6, 2019, to December 31, 2020 in accordance with Elections Code 1040 (i)(b). The next scheduled even-year Statewide General Election is November 3, 2020.

BACKGROUND:

AB 155 (Chandler) was passed by the Legislature and signed by the Governor in 1987, allowing school districts and county boards of education to file resolutions with the Board of Supervisors requesting their elections to be consolidated during even numbered years. The Lassen County Superintendent of Schools submitted several school district resolutions to the Board of Supervisors on February 24, 1987, requesting consolidation with the General Election in 1988. No action was taken by the board because the resolutions were not filed 240 days prior to the regularly scheduled district elections.

On November 23, 1993 the Board of Supervisors asked the County Clerk to send information to the Stones Bendgard Community Services District (SBCSD) regarding the procedures from converting their Board of Directors from an appointed Board to an elected board. County Counsel outlined the process in a memo dated December 7, 1993, and the County Clerk delivered it to the district. The district never completed the required process and the Board of Supervisors continued to “appoint” their Board of Directors.

On June 24, 1994, the County Clerk sent notice to all districts in the county informing them of Consolidation Resolutions that were filed in her office, requesting input and urging each district to give serious consideration to request consolidation in order to keep election costs down.

In January of 1995, the Board of Supervisor approved Resolutions submitted by specified School Districts and Special Districts requesting a change of their elections to even numbered years and combining them with November General Elections.

SBCSD was not included in this consolidation because they did not submit a resolution. Therefore the Board of Supervisors continued to appoint their Board Directors during odd-numbered years.

Senate Bill 135 (Kehoe), Chapter in 2005 revised state laws governing Community Services Districts (CSD). Section 61008 states that CSD are now subject to the Uniform District Election Law, and that a Board of Directors may require that the election of members shall be held on the same day as the Statewide General Election pursuant to Section 10404 of the Elections Code.

The SBCSD submitted a letter to the County Clerk on January 14, 2019, requesting a change in terms of their Board of Directors from odd to even years to bring them in compliance with CSD Law 135. The district was provided the information needed to pass Resolution No. 19-01 requesting a Change of Election Day of the Governing Board and Requesting the Board of Supervisors to Authorize Consolidation with the November Election during Even-Numbered Years.

IMPACT ANALYSIS OF PROPOSED CONSOLIDATION:

The even-year General Statewide Elections currently have over 36 local entities eligible to go to election, along with federal, state and county offices and local measures that qualify for the ballot. The State of California now requires that most state propositions to be placed on the General even-year Election Ballot. In November 2018 only 4 of these local entities went to election, this varies for each election, the balance of the entities being either appointed "In-Lieu of Election" or eligible for appointment by the Board of Supervisors.

Ballot System Limitations: The ability to consolidate additional districts to the General Election is limited by the ballot tabulation and layout system currently used by Lassen County. The current system used by Lassen County is capable of producing duplex ballots in 11", 14" and 18" format. To date, we have only exceeded the capacity of a single 14" ballot for two elections, since November of 2000.

SBCSD currently has 69 voter who will be affected by the change adding minimal impact to the election process.

RECOMMENDATION:

Approve Stones-Bengard Community Services District (SBCSD) Resolution No. 19-01 requesting board members to be elected during even-numbered years, to coincide with the November General Elections, in accordance with Community Service District Code 10404.2 and the Government Codes 61042 and 61008.

In accordance with Election Code 10404 (i) three members, whose terms of office currently expire December 6, 2019, will be extended to December 31, 2020. The next Scheduled Statewide General Election is November 3, 2020, when three-four year (full-term) seats and two-two year (short-term) seats (expiring 12/3/22) will be up for election.