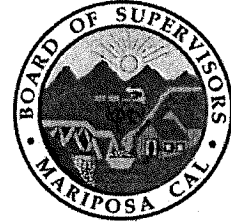




MARIPOSA COUNTY

Treasurer-Tax Collector-County Clerk ·



RESOLUTION - ACTION REQUESTED 2015-134

MEETING: March 24, 2015

TO: The Board of Supervisors

FROM: Keith Williams, Treasurer/Tax Collector

RE: YACSD Request to Change Election Dates

RECOMMENDATION AND JUSTIFICATION:

Approve the Yosemite Alpine Community Services District Request to Change the District Election Dates from Odd Numbered Years to Even Numbered Years. Under Elections Code §1303(b), a special district may require, by resolution, that elections of its governing body members be held on the same day as the statewide general election. That special district resolution becomes operative once approved by the Board of Supervisors pursuant to Elections Code §10404.

The Yosemite Alpine Community Services District has requested to change the election dates for its Board Members from odd to even numbered years thereby consolidating with the general elections held in November of even numbered years.

The consolidation from odd numbered years to even numbered years will save the District money and will not have an impact on the Elections office.

All procedures in Elections Code §10404 have been followed.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has previously approved other Districts request to change from odd to even years for their elections.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the resolution and require the district to continue holding it's elections in odd numbered years.

FINANCIAL IMPACT:

None.

ATTACHMENTS:

YACSD Resolution (PDF)

Analysis and Impact (DOCX)

CAO RECOMMENDATION

Requested Action Recommended

Mary Hoeson

Mary Hoeson, CAO

3/17/2015

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Rosemarie Smallcombe, Merlin Jones, Marshall Long, Kevin Cann

EXCUSED: John Carrier

Resolution 2014-002
A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE YOSEMITE ALPINE COMMUNITY SERVICES DISTRICT
CONSOLIDATING ELECTIONS WITH THE GENERAL ELECTIONS

FEB 17 2015

WHEREAS, The California Election Code in Section 10404 outlines the requirements for a special district to consolidate the election of governing body members to be held on the same day as the statewide general elections , and;

WHEREAS, CA Election Code in Section 10404 (k) requires that 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; and

WHEREAS, CA Election Code in Section 10404 (i) defines 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; and

WHEREAS, CA Election Code Section 10418 gives the requirements for how the election will be held and conducted which will be followed by the Yosemite Alpine Community Services District; and

WHEREAS, CA Election Code in Section 10403 (a) requires that the district shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official a Resolution requesting a consolidation of the election with the Statewide election; and

WHEREAS, CA Election Code in Section 10404 (b) (2) requires the submission to the board of supervisors no later than 240 days prior to the date of the currently scheduled district election a resolution, and

WHEREAS, CA Election Code 10404 (b) (1) sets forth the requirements of how the election is to be held; and

WHEREAS, CA Election Code 10404(b)(1) requires that the Canvassing of ballots will commence within 2 days of the election and the Canvassing will be completed 28 days after Election Day; and

WHEREAS, CA Election Code in Section 10404 (k) requires that 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; and

WHEREAS, CA Election Code in Section 10404 (i) states 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; and

WHEREAS, CA Election Code Section 10418 gives the requirements for how the election will be held and conducted which will be followed by the Yosemite Alpine Community Services District; and

WHEREAS, CA Election Code in Section 10404 (i) requires 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; and

WHEREAS, CA Election Code Section 10418 gives the requirements for how the election will be held and conducted which will be followed by the Yosemite Alpine Community Services District; and

WHEREAS, CA Election Code Section 10500-10556 inclusive gives procedures for the election of elective officers of districts; and

WHEREAS, CA Election Code 10509 requires on the 125th day prior to the day fixed for the general election a notice shall be delivered to the county elections official by the board secretary; and

WHEREAS, CA Election Code 10510 requires forms of declaration of candidacy shall be obtained from and filed with the office of the county elections by the candidate between the 113th and 88th day prior to the general election, and the county elections official shall administer the oath of affirmation set forth in Section 3 of Article XX of the California Constitution; and

WHEREAS, CA Election Code 10515 sets the 83rd day prior to the elections, directives for the having one or no candidates for elective office; and

WHEREAS, CA Election Code 10516 sets the dates of filing for incumbents by the 88th day prior to the date of the general election and the 83rd day prior to the date of the general election for new candidates; and

WHEREAS, CA Election Code 10522 requires a map of the district be supplied to the county elections officials; and

WHEREAS, CA Election Code 10530 directs how voting by mail for a general election shall be performed; and

WHEREAS, CA Election Code 10540 requires Candidates' statements shall be submitted in accordance with Section 13307; and

WHEREAS, CA Election Code 10552 requires the county elections officials to file the paperwork listed in the full text to the Secretary of State's office; and

WHEREAS, CA Election Code 10553 requires the county elections official to deliver to each person elected a certificate of election; and

WHEREAS, CA Election Code 10554 states the first Friday in December next following the general district election is when the elective officers shall take office at noon. Prior to taking office, each elective officer shall take the official oath and execute any bond required by the principal act; and

WHEREAS, the Yosemite Alpine Community Services District is wholly within Mariposa County and wholly within the boundaries of the unincorporated community of Fish Camp; and

WHEREAS, the Yosemite Alpine Community Services District in endeavoring to make voting more convenient to its property owners; and

WHEREAS, the Yosemite Alpine Community Services District in an effort to minimize the expense of the cost of elections of the governing members to its property owners; and

NOW THEREFORE BE IT RESOLVED, the Yosemite Alpine Community Services District hereby requests that the election of the governing members to the Yosemite Alpine Community Services District be consolidated with the statewide elections and placed on the ballots issued to voters.

The foregoing resolution was approved and adopted at a regular meeting of the Board of Directors of the Yosemite Alpine Community Services District held on the twenty-third day of August, 2014, by the following vote:

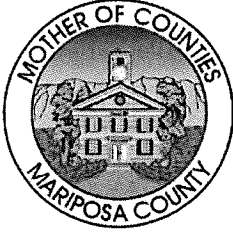
AYES: Ryon, Swenson, Fox, Bopp, Glendenning

NOES: None

ABSENT: None

ABSTAIN: None

 
Richard W. Ryon YACSD Chair



Keith M. Williams
Treasurer – Tax Collector and
County Clerk

Treasurer (209) 966-2830 - Tax Collector (209) 966-2621 - County Clerk / Registrar of Voters (209) 966-2007 - Fax (209) 966-6496

MEMORANDUM

Date: March 9, 2015

To: Mariposa County Board of Supervisors

From: Keith M. Williams, County Clerk

Re: Yosemite Alpine CSD

Analysis and Impact

The Yosemite Alpine Community Services District has requested that they be allowed to consolidate their district elections, which are currently held in November of odd numbered years, with the Statewide General Elections, which are held in even numbered years. Elections Code 10404 provides that process that is used for this request. The request involves a resolution by the District Board, an analysis by the Elections Official, and approval by the Board of Supervisors. In addition, EC 10404 outlines dates, time frames and other requirements that this document will list.

The Yosemite Alpine Community Services District has complied with their requirements under EC 10404. On February 19, 2015, they provided the Clerk of the Board with a resolution dated August 23, 2014, requesting the date of their election be changed from odd years to even years. They outlined the Director's terms and the future election dates each would be on a ballot.

The impact of this consolidation to our office will be minimal. During the Statewide General Election cycle, the office is in full election mode. The various tasks associated with an election are already being carried out. The Elections Office has the capacity to handle this request. The Yosemite Alpine Directors Elections will function in the same manner as the John C. Fremont Healthcare District and the Lake Don Pedro Community Services District Directors.

The majority of the cost of conducting a district election is passed on directly to the district. By consolidating the election, the district will either share costs or have cost offset by the SB90 claiming process (when reinstated).

Elections Code 1303

1303. (a) Unless the principal act of a district provides that an election shall be held on one of the other dates specified in Chapter 1 (commencing with Section 1000) of Division 1, or except as provided in Section 1500, or except as provided in subdivision (b), a general district election to elect members of the governing board shall be held in each special district subject to Division 10 (commencing with Section 10000) on the first Tuesday following the first Monday in November of each odd-numbered year.

(b) Notwithstanding any other provision of law, a governing body of a special district may require, by resolution, that its elections of governing body members be held on the same day as the statewide general election. The resolution shall become operative upon the approval of the board of supervisors pursuant to Section 10404.

Elections Code 10404

10404. (a) This section applies only to special districts electing members of the governing body in November of 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 provision of 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 the Elections 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.

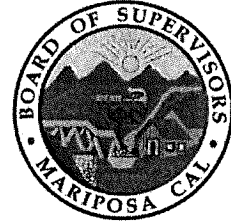
(j) If a board of supervisors approves the resolution pursuant to subdivision (e), the special district election shall be conducted on the date specified by the board of supervisors, in accordance with subdivision (a), unless the approval is later rescinded by the board of supervisors.

(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.



MARIPOSA COUNTY

Sheriff's Office • (209) 966-3615



RESOLUTION - ACTION REQUESTED 2015-133

MEETING: March 24, 2015

TO: The Board of Supervisors

FROM: Doug Binnewies, Sheriff-Coroner-Public Administrator

RE: 2015-2016 Boating Safety Enforcement Financial Aid Contract

RECOMMENDATION AND JUSTIFICATION:

Approve an Agreement with the California Department of Parks and Recreation, Division of Boating and Waterways to participate in the Boating Safety and Enforcement Financial Aid Program for Fiscal Year 2015-2016 and authorize Chair of the Board of Supervisors to sign agreement.

The Department of Boating and Waterways is obligated under Harbor and Navigation Code 663.7 (a) to provide financial aid for Boating Safety and Enforcement Programs to each county in the State of California. The proposed contract amount for the fiscal year 2015-2016 is \$231,827.

The Mariposa County Sheriff's Office is responsible for boating safety and enforcement on the Merced River, Lake McClure and Lake McSwain. The Mariposa County Sheriff's Office currently has two full time Deputy Sheriffs assigned to the Boating Safety and Enforcement Program but historically has had three when fully staffed. The funding received pays for the personnel costs for the assigned Deputy Sheriffs and a portion of the operation costs. The Deputy Sheriffs are charged with providing boating safety and enforcement to the guests that visit Lake McClure, Lake McSwain, and the Merced River. The current drought conditions are not expected to impact this agreement.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
Mariposa County has been participating in the financial aid program since 1987.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The Mariposa County Sheriff's Office is responsible for boating safety and enforcement on the Merced River, Lake McClure and Lake McSwain. Failure to sign the financial aid program contract would result in Mariposa County incurring 100% of the cost to provide boating safety and enforcement or to reduce services in boating safety and enforcement.

FINANCIAL IMPACT:

Failure to sign the financial aid program contract would result in Mariposa County providing 100% of the cost to provide boating safety and enforcement which currently has operational costs of approximately \$450,000 or a reduction of services in boating safety and enforcement.

ATTACHMENTS:

2015-2016 Boating Safety and Enforcement Agreement (PDF)
Title 14, California Code of Regulations (PDF)

CAO RECOMMENDATION

Requested Action Recommended

Mary Hodson

Mary Hodson, CAO

3/18/2015

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Rosemarie Smallcombe, Merlin Jones, Marshall Long, Kevin Cann

EXCUSED: John Carrier