

Spreckels Memorial District  
SPECIAL MEETING OF THE BOARD OF DIRECTORS  
**Wednesday December 21, 2016 6:30pm**  
Spreckels Veterans Memorial Building, 5<sup>th</sup> & Llano, Spreckels, CA 93962

**AGENDA**

*Agenda order may be adjusted by Chair for purposes of meeting flow and to be respectful of the time concerns of guests present.*

1. CALL TO ORDER:

2. ROLL CALL & ESTABLISHMENT OF QUORUM:

Scott Henningsen, Rick Magno, Ron Eastwood, Cathy McDougall, Rich Foster

3. PUBLIC COMMENTS: *At this time any person may comment on any item which is not on the agenda. Please state your name and address for the record. Action will not be taken on any item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on the next agenda. Board members may briefly respond to statements made or questions posed as permitted by Government Code Section 54954.2. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of five (5) minutes. Any member of the public may comment on any matter listed on this agenda at the time the matter is being considered by the Board of Directors.*

4. ACTION ITEMS: DISCUSSION AND APPROVAL

- a. Adopt Resolution 2016\_02: Move District elections from odd to even years resulting in extension of current terms expiring 12/31/2017 to 12/31/2018.

5. ACCOUNTS PAYABLE

- a. Due to postponement of regular board meeting from January 4, 2017 to January 11, 2017 approve the following checks to be dated January 1, 2017:

Joe Velasquez	\$2,705.85
Paul Ingram	\$1,143.12
Clarke's Turf and Water	<u>\$2,080.00</u>
TOTAL	\$5,928.97

6. ADJOURN MEETING: Next Regular Meeting: January 11,, 2017.

**ADA COMPLIANCE**

**In compliance with the American Disabilities Act (ADA), disabled individuals requiring special accommodations to access, attend, or participate in District Board meetings, should contact the District Administrative Office, [831] 455-7855. To ensure that your request is granted please notify this office at least one business day prior to the scheduled public meeting.**

**In Compliance with Government Code section 54957.5**, non-exempt writings that are distributed to a majority or all of the Board in advance of a meeting, may be viewed at Spreckels Veterans Memorial Building, 5<sup>th</sup> and Llano Streets, Spreckels, CA 93962, or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact the District during normal business hours. Email requests please use spreckelmd.main@gmail.com.

**Certification**

I, Paul J. Ingram, Business Manager/Board Clerk for Spreckels Memorial District, do hereby declare that the foregoing agenda was posted at least (24) hours prior to the December 21, 2016 Special Meeting of the District Board of Directors scheduled for 6:30 pm at Spreckels Veterans Memorial Building, 5<sup>th</sup> and Llano Streets Spreckels, CA 93962

  
\_\_\_\_\_  
Paul J. Ingram, Business Manager/Board Clerk

12/15/2016  
Date

# MONTEREY COUNTY ELECTIONS



PO Box 4400  
Salinas, CA 93912

1370-B South Main Street  
Salinas, CA 93901

831-796-1499 Phone  
831-755-5485 Fax

[www.MontereyCountyElections.us](http://www.MontereyCountyElections.us)

[elections@co.monterey.ca.us](mailto:elections@co.monterey.ca.us)

**Claudio Valenzuela**  
Registrar of Voters

**Gina Martinez**  
Assistant Registrar of Voters

Paul Ingram  
Spreckels Memorial District  
PO Box 7266  
Spreckels, CA 93962

December 2, 2016

Subject: Moving Board Member Election Date to November of Even-Numbered Years

The Monterey County Elections Department is providing you with an important update to election laws that will impact your schedule of elections. It is strongly recommended that Districts consult with their respective legal counsel regarding this matter.

## **Overview of SB 415**

Senate Bill ("SB") 415 requires your district to transition from odd-year to even-year governing board elections. This memorandum provides a summary of SB 415, and an overview of the process for transitioning from odd-year to even-year elections.

On September 1, 2015, Governor Jerry Brown signed SB 415 into law. The law requires districts with regularly scheduled odd-year elections which have experienced "significant decrease in voter turnout" in the last regularly scheduled election to adopt a plan to transition to even-numbered year general elections no later than January 1, 2018. Significant decrease in voter turnout is described as voter turnout at least 25% less than the average turnout for the previous four statewide general elections.

## **Applying SB 415 to Monterey County**

The average turnout for the previous four statewide general elections (2014, 2012, 2010, and 2008) is 66.68%; in comparison, the turnout for the regularly scheduled 2015 election is 18.62%, the difference in turnout is 48.06%. Voter turnout for odd year elections in comparison to even year elections consistently yields a difference greater than 25%. As such, it is our understanding that your district will be required to adopt a resolution to initiate the transition to even-numbered year board elections, no later than January 1, 2018. It is our interpretation that if a resolution to initiate the transition to even-numbered year board elections is passed before January 1, 2018 pursuant to SB 415, the district has the option to delay the official transition to even-numbered year elections to the 2022 statewide general election, at the latest.

### **Districts can move 2017 governing body election to 2018**

Elections Code section 1303(b) allows the governing body of a special district the ability to transition to even-numbered year elections regardless of whether they experience decreased voter turnout.

### **Fiscal impact**

Waiting until 2018 to move to even-year elections will increase your district's election cost for the 2017 election. Due to prorated cost sharing of elections, the actual cost of an election depends in large part upon the number of districts sharing the cost. Remaining districts holding odd-year elections in 2017 may experience an increase in costs. The Monterey County Office of Education is pursuing transition to even-numbered years for board member elections for MCOE and all school districts. This move will reduce the number of jurisdictions sharing the cost of the odd-year elections.

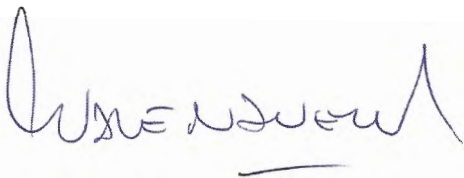
### **Steps required for district to move**

Briefly, here are the steps that Elections Code 10404 specifies:

1. The district submits a resolution at least 240 days (March 12, 2017) prior to the next board election date to the Registrar of Voters;
2. The Board of Supervisors notifies all districts of the resolution and seeks input;
3. The Board of Supervisors must approve the consolidation within 60 days unless it finds cause not to;
4. After Board of Supervisors approval, the elections official sends a notice to all registered voters regarding the change at the district's expense; and
5. The terms of incumbent officeholders are extended accordingly, in this case for one year.

Please note, Monterey County Elections will be going before the Board of Supervisors in late January. If you would like your district included in this board meeting, submit your resolution no later than January 6, 2017. We have included a sample resolution with this letter for your reference; however we recommend that you consult with your own legal counsel as to the proper format of the resolution for your district's purposes.

Please refer questions to Claudio Valenzuela, Registrar of Voters, [elections@co.monterey.ca.us](mailto:elections@co.monterey.ca.us) or call (831) 796-1499.



Claudio Valenzuela  
Registrar of Voters

Enclosures: Sample of Resolution  
Statement of Facts –Annual Roster Update of Agency

BEFORE THE GOVERNING BODY OF THE  
**DISTRICT**  
\_\_\_\_\_  
COUNTY OF MONTEREY, STATE OF CALIFORNIA

A Resolution of the Governing Body of the \_\_\_\_\_ 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 Monterey to Consolidate the Same with the Statewide General Election Pursuant to Elections Code § 10404.

RESOLUTION NO: \_\_\_\_\_

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 \_\_\_\_\_ 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 Monterey 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 [2018] 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 Monterey 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 [2018] with governing body members whose terms would have expired in [2017] being extended to [2018] and governing body members whose terms would have expired in [2019] being extended to [2020], 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 \_\_\_\_\_ 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 [2018] pursuant to Elections Code § 1303(b).
3. The District shall forward the original copy of this resolution to the Monterey 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 Monterey 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 Monterey 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 [2018], 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 [2017] will be extended to November [2018] and the terms of members expiring in November [2019] will be extended to November [2020] (see Exhibit A).

7. In the event that the Monterey County Board of Supervisors declines to authorize consolidation in [2018] on the grounds specified in Elections Code § 10404(e), the \_\_\_\_\_ District Governing Body requests that the Monterey 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 \_\_\_\_ day of \_\_\_\_\_, 2016, at a regular meeting of the Governing Body of the \_\_\_\_\_ District, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Dated: \_\_\_\_\_

\_\_\_\_\_  
President

\_\_\_\_\_  
District

### CERTIFICATION

I, \_\_\_\_\_, District Secretary of the \_\_\_\_\_ District, do hereby certify that the foregoing Resolution was proposed by Governing Body Member \_\_\_\_\_, seconded by Governing Body Member \_\_\_\_\_, 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 \_\_\_\_\_.

Dated: \_\_\_\_\_, Clerk

**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.



# MONTEREY COUNTY ELECTIONS

PO Box 4400  
Salinas, CA 93912

1370-B South Main Street  
Salinas, CA 93901

831-796-1499 Phone  
831-755-5485 Fax

[www.MontereyCountyElections.us](http://www.MontereyCountyElections.us)

[elections@co.monterey.ca.us](mailto:elections@co.monterey.ca.us)

**Claudio Valenzuela**  
Registrar of Voters

**Gina Martinez**  
Assistant Registrar of Voters



## STATEMENT OF FACTS ANNUAL ROSTER UPDATE OF AGENCY

### INSTRUCTIONS:

1. Complete and mail to: Monterey County Elections  
1370-B South Main Street  
Salinas, CA 93901
2. Enter the names of each member, the date (month, day and year) each member took office, and the date (month, day and year) each member is up for election.

Name of Agency: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Chairman, President or other Presiding Officer** (Indicate Title): \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

**Secretary or Clerk** (Indicate Title): \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

### **Members:**

Name: \_\_\_\_\_ Date Took Office: \_\_\_\_\_ Date Up for Election: \_\_\_\_\_

Did this member replace someone? If so, Who? \_\_\_\_\_ When? \_\_\_\_\_

Name: \_\_\_\_\_ Date Took Office: \_\_\_\_\_ Date Up for Election: \_\_\_\_\_

Did this member replace someone? If so, Who? \_\_\_\_\_ When? \_\_\_\_\_

Name: \_\_\_\_\_ Date Took Office: \_\_\_\_\_ Date Up for Election: \_\_\_\_\_

Did this member replace someone? If so, Who? \_\_\_\_\_ When? \_\_\_\_\_

Name: \_\_\_\_\_ Date Took Office: \_\_\_\_\_ Date Up for Election: \_\_\_\_\_

Did this member replace someone? If so, Who? \_\_\_\_\_ When? \_\_\_\_\_

Name: \_\_\_\_\_ Date Took Office: \_\_\_\_\_ Date Up for Election: \_\_\_\_\_

Did this member replace someone? If so, Who? \_\_\_\_\_ When? \_\_\_\_\_

Date: \_\_\_\_\_

Signature

\_\_\_\_\_  
Typed Name and Title