



**MEMORANDUM**  
**OFFICE OF THE**  
**PLACER COUNTY CLERK-RECORDER-**  
**REGISTRAR OF VOTERS**

**TO:** Honorable Board of Supervisors  
**FROM:** Jim McCauley, County Clerk-Recorder-Registrar of Voters  
Ryan Ronco, Assistant Recorder-Registrar of Voters  
**DATE:** May 18, 2010  
**SUBJECT:** Twin Rivers Unified School District Request for Election Consolidation

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**Recommendation**

Under section 10404.5 of the California Elections Code, Twin Rivers Unified School District has requested to change in their election dates from November of odd-numbered years to the statewide direct primary of even-numbered years.

It is recommended that your Board approve the request of Twin Rivers Unified School District to consolidate its election to the statewide direct primary in even-numbered years and direct this office to provide mailed notice to all registered voters within the district as required by the California Elections Code. The District will pay all costs associated with the mailing.

**Background**

In 2007, four school districts in Placer and Sacramento Counties took action to consolidate into one school district, resulting in the newly formed Twin Rivers Unified School District. A small portion of the Twin Rivers District is within Placer County, with the majority of the District being in Sacramento County. The original election schedule for the new district was to be in November of odd-numbered years, with their first election to be held in November 2011.

Only three special districts in Placer County have remained in the odd-numbered year cycle, and these districts have not usually gone to an election in recent years. This could mean that Twin Rivers Unified School District would be required to pay the total cost of conducting an odd-numbered year November election.

California Election Code Section 10404.5 authorizes school districts to request consolidation of their elections with statewide elections. On March 11, 2010, the Board of Trustees of the District approved Resolution No. 171 – “Requesting Consolidation of the November 2011 Governing Board Election with the Primary Election of June 2012 and Thereafter.” The resolution requests the Boards of Supervisors of both Placer and Sacramento Counties approve the District’s request for consolidation of its elections with the statewide primary elections beginning in 2012.

The Election Code provides that each Board of Supervisors shall approve such a school district consolidation resolution unless the addition cannot be handled by the voting

system. The Placer County Elections Office has reviewed the current capacity of the County's voting system and ballot typing and has determined that the system has the capacity to handle this addition to the statewide direct primary election. Additionally, within 30 days after approval, each County's Election Official shall notify all registered voters within the district of the proposed consolidation.

Assuming approval, Twin Rivers Unified School District shall conduct its election for the governing board members, commencing with the June 2012 election, on even-numbered years to coincide with the statewide primary elections. This approval will extend the first term of office of all incumbent governing board members by approximately 7 months.

**Fiscal Impact**

Twin Rivers Unified School is required to reimburse the Counties for the costs associated with their elections. Thus, there is no additional net cost to the County to conduct the District's elections in even-numbered years to coincide with the statewide direct primary elections. Additionally, the District will pay the cost of mailing notification of the consolidation to the voters residing in the District.

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF PLACER, STATE OF CALIFORNIA**

In the matter of:

Resol. No: \_\_\_\_\_

**A RESOLUTION REQUESTING THE PLACER COUNTY  
BOARD OF SUPERVISORS TO CONSOLIDATE THE  
ELECTION OF THE TWIN RIVERS UNIFIED SCHOOL  
DISTRICT TO STATEWIDE DIRECT PRIMARIES OF  
EVEN-NUMBERED YEARS**

The following RESOLUTION was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held May 18, 2010 by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

\_\_\_\_\_  
Chair, Board of Supervisors

Attest:

Clerk of said Board \_\_\_\_\_

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WHEREAS, the Twin Rivers Unified School District must currently hold its governing board member elections in November of odd-numbered years pursuant to California Elections Code Section 1302(a); and

WHEREAS, this school district has requested by resolution (See Exhibit A attached) to move these elections to the statewide direct primary of even-numbered years pursuant to California Elections Code Section 10404.5; and

WHEREAS, under the provisions of California Elections Code Section 10404.5, the Board of Supervisors shall approve this request within 60 days after the date of the submission of the resolution requesting consolidation unless it finds that the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled; and

WHEREAS, this change will not exceed the capabilities of Placer County's present ballot counting equipment; and

WHEREAS, pursuant to California Elections Code Section 10404.5(e), the Placer County Office of Elections shall, within 30 days after the approval of the resolution by the Placer

County Board of Supervisors, notify all registered voters of the Twin Rivers Unified School District of its approval of the District's request to change the election year for Twin Rivers Unified School District governing board members; and

WHEREAS, upon approval of the resolution by the Placer County Board of Supervisors, the Placer County Office of Elections shall deliver this notice by mail at the expense of the Twin Rivers Unified School District; and

WHEREAS, pursuant to California Elections Code Section 10404.5(g), in the event that the election day for Twin Rivers Unified School District governing board members is changed pursuant California Elections Code Section 1302(b), the term of office of all then incumbent members of the Twin Rivers Unified School District governing board shall be extended accordingly;

NOW, THEREFORE, BE IT RESOLVED that the Placer County Board of Supervisors hereby approves the request of the Twin Rivers Unified School District to consolidate their elections with the statewide direct primaries of even-numbered years beginning with the June 2012 Statewide Direct Primary Election.

**EXHIBIT A**

**TWIN RIVERS UNIFIED SCHOOL DISTRICT GOVERNING BOARD  
RESOLUTION NO. 171**

**REQUESTING CONSOLIDATION OF THE NOVEMBER 2011  
GOVERNING BOARD ELECTION WITH THE PRIMARY ELECTION  
OF JUNE 2012 AND THEREAFTER**

**WHEREAS**, pursuant to Education Code section 5300, “[s]chool district elections ... shall be governed by the Elections Code, except as otherwise provided in this code”; and

**WHEREAS**, the Twin Rivers Unified School District’s next regularly scheduled election is scheduled for the first Tuesday after the first Monday in November 2011, and are scheduled biennially on the first Tuesday after the first Monday in November of each succeeding odd-numbered year thereafter; and

**WHEREAS**, pursuant to Elections Code section 1302, subdivision (b)(1), a governing board, using the procedures set forth in Elections Code section 10404.5, may establish by resolution, that the election of Board Members shall regularly occur on the same day as the statewide direct primary election, the statewide general election, or the general municipal election(see also, Ed. Code § 5432 providing for consolidation of school district elections pursuant to the Elec. Code); and

**WHEREAS**, pursuant to Elections Code section 10404.5, subdivision (a), “[a] resolution of the governing board of a school district to establish an election day pursuant to subdivision (b) of Section 1302 shall be adopted and submitted to the Board of Supervisors not later than 240 days prior to the date of the currently scheduled election of the district...”; and

**WHEREAS**, pursuant to Elections Code section 10517, the Placer County Elections Official and the Sacramento County Elections Official are required to conduct the elections for the Twin Rivers Unified School District, and pursuant to Elections Code section 10520, the Twin Rivers Unified School District is required to reimburse Placer County and Sacramento County for the actual costs incurred by the County Elections Officials, respectively, in conducting general district elections; and

**WHEREAS**, the Governing Board of the Twin Rivers Unified School District has determined that the cost of having the County Elections Officials conduct its elections on even-numbered years to coincide with the statewide primary

elections would substantially reduce the District's election costs pursuant to Elections Code section 10520, and would therefore provide a substantial cost benefit to the District; and

**WHEREAS**, Elections Code section 1201 provides that the statewide primary elections shall be held on the first Tuesday after the first Monday in June of each even-numbered year; and

**WHEREAS**, other county elections occur in June of each even-numbered year, including elections for county Board of Education members, but the election for governing board members of the Twin Rivers Unified School District would be the only scheduled school district election; and

**WHEREAS**, Twin Rivers Unified School District is mostly in Sacramento County and the Sacramento County Elections Official has informed the District that the cost of consolidating its regular election with the statewide primary election in June 2012 would be approximately \$35,574.00; and

**WHEREAS**, if the Twin Rivers Unified School District Governing Board approves a change of the election of Board Members to coincide with the statewide primary election, the Placer County Board of Supervisors and the Sacramento County Board of Supervisors, pursuant to Elections Code section 10404.5, subdivision (d)(1) shall, within 60 days from the date of submission, 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; and

**WHEREAS**, pursuant to Elections Code section 10404.5, subdivision (f), "[a]n election day established pursuant to subdivision (b) of Section 1302 shall prescribed to occur not less than one month, nor more than 12 months, subsequent to the election day prescribed in Section 5000 of the Education Code or pursuant to Section 1007 of the Education Code, as appropriate..."; and

**WHEREAS**, consolidation with the June 2012 statewide primary election occurs within the time period specified in Elections Code section 10404.5, subdivision (f); and

**WHEREAS**, within 30 days after approval of an election consolidation request, the County Elections official for the County of Placer and the County Elections official for the County of Sacramento shall notify by mail all registered voters in the school district (within each of their Counties, respectively) of the approval of consolidation. The notice by mail shall be at the expense of the school district.

The Sacramento County Elections Official has informed the District that the mailing cost for that County will be approximately \$35,000.00; and

**WHEREAS**, pursuant to Elections Code section 10404.5, subdivision (g), in the event that the election day for Twin Rivers Unified School District Governing Board members is changed to consolidate with the statewide primary election in June 2012 pursuant to subdivision (b) of Section 1302, the term of office of all then incumbent members Governing Board shall be extended, and

**WHEREAS**, in the event that the election day for Twin Rivers Unified School District Governing Board members is changed to consolidate with the statewide primary election in June 2012, then the successor trustees from the even-numbered trustee areas will have terms ending on the first day in July (or on the date of certification of the election results to the District by the Registrar of Voters, if later) of the first even-numbered year after their election to the board. The successor trustees from the odd-numbered trustee areas will have terms ending on the first day in July (or on the date of certification of the election results to the District by the Registrar of Voters, if later) of the second even-numbered year after their election to the board.

**WHEREAS**, pursuant to Elections Code section 1302, subdivision (b)(2), if the Placer County Board of Supervisors and the Sacramento County Board of Supervisors approve the Twin Rivers Unified School District Governing Board's resolution pursuant to Elections Code section 10404.5, the election of Board Members for the Twin Rivers Unified School District shall be conducted on even-numbered years to coincide with the statewide primary election, unless the approval is later rescinded by the Board of Supervisors.

**NOW THEREFORE, BE IT RESOLVED** that the Governing Board of the Twin Rivers Unified School District makes the following findings of fact and conclusions:

1. Good cause exists to change the election year for Twin Rivers Unified School District Governing Board members from odd-numbered year elections to even-numbered year elections to coincide with the statewide primary election.
2. The Twin Rivers Unified School District Governing Board respectfully requests that the Board of Supervisors of Placer County and the Board of Supervisors of Sacramento County, within the 60 day period provided for by Elections Code 10404.5(d)(1), approve consolidation of the Twin Rivers Unified School District Governing Board elections, currently scheduled to occur in November of odd-numbered years, to coincide with the statewide primary election in June 2012 and thereafter.

3. The Twin Rivers Unified School District Governing Board respectfully requests that the Clerk of the Board of Supervisors for Placer County and the Clerk of the Board of Supervisors for the County of Sacramento comply with the notice requirements pursuant to Government Code section 25151 prior to their respective County Board of Supervisors' consideration of the consolidation request.
4. If this request is granted by the Board of Supervisors of the Counties of Placer and Sacramento, the School Board respectfully requests that, pursuant to Elections Code section 10404.5, within 30 days after approval of this election consolidation request, the County Elections official for the County of Placer and the County Elections official for the County of Sacramento shall notify by mail all registered voters in the Twin Rivers Unified School District (within each of their Counties, respectively) of the approval of consolidation. The School Board recognizes that such notification will be mailed at the School District's expense.
5. If this request be granted by the Board of Supervisors of the Counties of Placer and Sacramento, the term of office of all incumbent Twin Rivers Unified School District Governing Board Members shall be extended by approximately 7 months.
6. If consolidation is approved by the Board of Supervisors of Placer and Sacramento Counties, Twin Rivers Unified School District shall conduct its election for its Governing Board, commencing with the 2012 elections, on even-numbered years to coincide and be consolidated with the statewide primary elections.

The Twin Rivers Unified School District Governing Board adopted the foregoing resolution at a meeting of this Board on March 11, 2010, by the following vote:

AYES: 4      NOES: 2      Abstentions:          Absent: 1

Bob Bastian

Bob Bastian, Board Vice President

March 11, 2010

Date