

## STAFF REPORT

**BOARD MEETING DATE:** December 5, 2023

**CATEGORY:** Regular Calendar {{item.number}}

**SUBJECT:** Declare persons elected and results as to each measure for the November 7, 2023, Special Election based on the certified results and adopt a resolution which declares the Shasta Fire Protection District duly organized under the Fire Protection District Law pursuant to California Health & Safety Code, Section 13829.

**DEPARTMENT:** County Clerk-Elections

**SUPERVISORIAL DISTRICT #:** All

**DEPARTMENT CONTACT:** Cathy Darling Allen, Shasta County Clerk/Registrar of Voters (530)-225-5730

**STAFF REPORT APPROVED BY:** Cathy Darling Allen, County Clerk-Registrar of Voters

<u>Vote Required?</u>	<u>General Fund Impact?</u>
Simple Majority Vote	No Additional General Fund Impact

### **RECOMMENDATION**

Declare persons elected and results as to each measure for the November 7, 2023, Special Election based on the certified results and adopt a resolution which declares the Shasta Fire Protection District duly organized under the Fire Protection District Law pursuant to California Health & Safety Code, Section 13829.

### **DISCUSSION**

California Elections Code, Section 15372, requires election officials to prepare a certified statement of the results of an election and submit it to the governing body within 30 days of the election. The County Clerk/Registrar of Voters has already delivered the Statement of Vote and Certification of the Results of the Canvass for the November 7, 2023, Special Election to the Board of Supervisors.

California Elections Code, Section 15400, directs that the governing body “shall” declare elected or nominated to each office voted on each election under its jurisdiction the persons having the highest number of votes for that office, or who was elected or nominated under the exceptions noted in Elections Code section 15452 and declare the results of each election under its jurisdiction as to each measure voted on at the election.

California Health & Safety Code, Section 13829, directs that the Board of Supervisors “shall” declare by resolution that the district has been duly organized under the Fire Protection District Law as the “Shasta Fire Protection District.” Once approved by the Board, the County Clerk shall cause to be recorded at the County Recorder’s office a certified copy of the resolution forming the district, and the district formation shall be complete (CA H&S 13830).

### **ALTERNATIVES**

There are no alternatives. Declaring elections and nominations on the certified results of the November 7, 2023, Special Election is a ministerial obligation.

### **OTHER AGENCY INVOLVEMENT**

County Counsel has approved the resolution as to form. The recommendation has been reviewed by the County Administrative Office.

### **FISCAL IMPACT**

There is no additional General Fund impact to this action.

**ATTACHMENTS:**

- 1: Declaration of Election
- 2: Draft Resolution