

**MINUTES OF THE SPECIAL MEETING OF BOARD OF TRUSTEES  
FOR RECLAMATION DISTRICT 1608  
HELD FRIDAY, SEPTEMBER 22, 2017**

The Special Meeting of the Board of Trustees of Reclamation District 1608 was held Friday, September 22, 2017 at the law office of Neumiller & Beardslee, 509 W. Weber Avenue, 5<sup>th</sup> Floor, Stockton, California, at the hour of 1:30 p.m.

**TRUSTEES PRESENT WERE:**

MICHAEL PANZER  
DREW MEYERS

**OTHERS PRESENT WERE:**

DANIEL J. SCHROEDER  
ANDY PINASCO  
JOE BRYSON  
RHONDA OLMO  
DOMINICK GULLI

**ABSENT:**

JEAN KNIGHT  
BRETT THOLBORN  
CHRISTOPHER NEUDECK

**Agenda Items:**

**Item 1. Public Comment.** Under Government Code Section 54954.3, members of the public may address the Board on any item on the agenda as it is taken up.

No comments were heard at this time. President Panzer indicated that during a Special Meeting that comments would be heard as each agenda item is presented below.

**Item 2. Trustee Election.** Discussion, approval and direction regarding the Election of Trustee.

- a) Selection of November 7, 2017, election date and polling place within or near the District pursuant to *Water Code* § 50730 or selection of mail ballot election by adopting Resolution 2017-08 pursuant to *Water Code* § 50707.

Attorney Dan Schroeder said that the election code states in this case that the district's election must fall on November 7, 2017. He said that the board has been advised that if they have a contested election that a couple of things need to be decided:

1. If a polling place is desired, the district is required to have their polling hours between at least 10:00 a.m. and 4:00 p.m. Exact polling hours need to be determined.
2. The water code for reclamation districts gives the Trustees the option of doing a mail ballot election. A mail ballot election would mean that there would be no polling place and everyone would receive their ballots in the mail and would have to mail or deliver them back. Mr. Schroeder said this option does not have to be followed, that it is just an option that is available for consideration.

Attorney Schroeder asked if anyone had questions.

Trustee Meyers confirmed the election date of November 7, 2017. Attorney Schroeder said that if the board decides on a mail ballot election that November 7<sup>th</sup> would not be the date and another date would need to be picked. Attorney Schroeder said he would recommend November 9, 2017 as the mail ballot date. Trustee Meyers stated that when he ran for office that there was a polling place and he felt that was helpful for the public.

Mr. Gulli asked if candidates have a say as to which way the voting is held. President Panzer said Mr. Gulli is welcome to make his comment but that the Trustees vote on this issue.

Mr. Gulli asked if a general election was also being held on November 7<sup>th</sup> this year. President Panzer said no general/primary election will be held this year on that date.

Mr. Gulli also asked if votes could be delivered to the polling location or if voters have to personally show up and fill out their ballot when they arrive. Attorney Schroeder said there is a procedure for a proxy which a person could go through (he indicated he is not prepared to discuss this process at this meeting). Attorney Schroeder said that Mr. Gulli could look under *Water Code* §50730 for answers to this question.

Upon no more comments/questions:

It was moved, seconded (D. Meyers/M. Panzer) and unanimously carried by the Board of Trustees of Reclamation District 1608 that a polling location be used for the November 7, 2017 election.

Attorney Schroeder indicated that his office is currently looking for a polling location and is waiting to get a response back from the person at the school district that is in charge of arranging this. He should have options for polling locations at the next board meeting in two weeks.

b) Selection of hours of poll(s) for the election pursuant to *Water Code* § 50705.

Attorney Schroeder stated that the polling place must be open between the hours of 10:00 a.m. and 4:00 p.m. However, the board has the ability to begin as early as 7:00 a.m. and close the polls as late as 8:00 p.m. Attorney Schroeder said he believes that for the last district election that the hours of 7:00 a.m. to 7:00 p.m. were used. President Panzer indicated he prefers the extra time. Trustee Meyers agreed.

It was moved, seconded (D. Meyers/M. Panzer) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the polling hours for the November 7, 2017 election be from 7:00 a.m. to 7:00 p.m.

- c) Recommendations to San Joaquin County Board of Supervisors for appointment of Election Board pursuant to *Water Code* § 50700 et seq.

Attorney Schroeder indicated that since the district is conducting their own election that they need to have election officials. He had three individuals he recommended to the Trustees. These individuals have prior election experience. He also stated that the election is completely transparent and that the public will have the ability to observe the openings of the ballots.

Election officials recommended by Attorney Schroeder:

Inspector: Andrew J. Pinasco  
Judge: Jean L. Knight  
Judge: Rhonda L. Olmo

Attorney Schroeder presented Resolution 2017-08 (Resolution Nominating Individuals to the Election Board, Authorizing Preparation of the Certified Assessment Roll, and Direct Officials to Prepare Appropriate Notices and Documents for 2017 District Trustee Election) for the board to adopt. He said this resolution will then be forwarded to the Board of Supervisors for them to make the formal appointment.

It was moved, seconded (D. Meyers/M. Panzer) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Board approve the election officials and adopt Resolution 2017-08 - Resolution Nominating Individuals to the Election Board, Authorizing Preparation of the Certified Assessment Roll, and Direct Officials to Prepare Appropriate Notices and Documents for 2017 District Trustee Election.

- d) Preparation and certification of appropriate tax roll pursuant to *Water Code* § 50701.

Attorney Schroeder stated that the Water Code requires that the board prepare and certify an appropriate tax roll. He said this is the basis to use to determine who gets the ballots and who gets the vote. This needs to be done regardless of whether the district holds a polling place or mail ballot election. Attorney Schroeder recommended that the board direct the district's engineer to prepare and certify the tax roll.

It was moved, seconded (D. Meyers/M. Panzer) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the board direct the district's engineer to prepare and certify the tax roll.

- e) Publishing of Election Notices pursuant to *Water Code* §§ 50731.5, 50732.

Attorney Schroeder said that the district is required to publish an Election Notice to notify the public of the election. This needs to be done at least weekly, four weeks before the election. Once a polling location is established that information will be included in the Notice.

It was moved, seconded (D. Meyers/M. Panzer) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the board direct the preparation of the Notice.

f) Direction to district engineer regarding election.

Attorney Schroeder stated that someone needs to prepare the ballots and someone needs to have the equipment in order to do the tallies. He recommended that the district engineer's office do this. Mr. Neudeck's office has done them on numerous elections that Attorney Schroeder has been involved with, and they have the expertise and experience.

It was moved, seconded (D. Meyers/M. Panzer) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the board direct the district engineer to prepare the ballots and assist in the election.

**Item 3. Staff Reports.**

(a) Attorney. The Agenda for this meeting was posted on the window outside the meeting at 509 West Weber Avenue, Stockton, California, at least twenty-four (24) hours preceding the meeting.

**Item 4. Adjournment.**

The meeting was adjourned at 1:43 p.m.

Respectfully submitted,

Rhonda L. Olmo for  
Jean Knight, District Secretary