

PURSUANT TO A.R.S. SECTION 38-431.01, THE GILA COUNTY BOARD OF SUPERVISORS WILL HOLD AN OPEN MEETING IN THE SUPERVISORS' AUDITORIUM, 1400 EAST ASH STREET, GLOBE, ARIZONA. ONE OR MORE BOARD MEMBERS MAY PARTICIPATE IN THE MEETING BY TELEPHONE CONFERENCE CALL OR BY INTERACTIVE TELEVISION VIDEO (ITV). **ANY MEMBER OF THE PUBLIC IS WELCOME TO ATTEND THE MEETING VIA ITV WHICH IS HELD AT 610 E. HIGHWAY 260, BOARD OF SUPERVISORS' CONFERENCE ROOM, PAYSON, ARIZONA.** THE AGENDA IS AS FOLLOWS:

SPECIAL MEETING - FRIDAY, JANUARY 17, 2014 - 4:00 P.M.

1. **CALL TO ORDER - PLEDGE OF ALLEGIANCE**
2. **REGULAR AGENDA ITEMS:**
 - A. Information/Discussion/Action to consider an Order to call a Special Election of the Pine-Strawberry Water Improvement District Board of Directors for May 20, 2014; or, to place the election of the Pine-Strawberry Water Improvement District Board of Directors on the November 4, 2014 consolidated ballot. **(Eric Mariscal)**
3. **CALL TO THE PUBLIC:** Call to the Public is held for public benefit to allow individuals to address the Board of Supervisors on any issue within the jurisdiction of the Board of Supervisors. Board members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona Revised Statute §38-431.01(H), at the conclusion of an open call to the public, individual members of the Board of Supervisors may respond to criticism made by those who have addressed the Board, may ask staff to review a matter or may ask that a matter be put on a future agenda for further discussion and decision at a future date.

IF SPECIAL ACCOMMODATIONS ARE NEEDED, PLEASE CONTACT THE RECEPTIONIST AT (928) 425-3231 AS EARLY AS POSSIBLE TO ARRANGE THE ACCOMMODATIONS. FOR TTY, PLEASE DIAL 7-1-1 TO REACH THE ARIZONA RELAY SERVICE AND ASK THE OPERATOR TO CONNECT YOU TO (928) 425-3231.

THE BOARD MAY VOTE TO HOLD AN EXECUTIVE SESSION FOR THE PURPOSE OF OBTAINING LEGAL ADVICE FROM THE BOARD'S ATTORNEY ON ANY MATTER LISTED ON THE AGENDA PURSUANT TO A.R.S. SECTION 38-431.03(A)((3).

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING.

ARF-2320

Regular Agenda Item 2. A.

Special Meeting

Meeting Date: 01/17/2014

Submitted For: Eric Mariscal, **Submitted By:** Cate Gore, Administrative Clerk,
Elections Director Elections Department

Department: Elections Department

Information

Request/Subject

Consideration of Orders to call for Elections on May 20th or November 4th 2014

Background Information

On November 26, 2013, the Gila County Board of Supervisors accepted the resignations of Ray Pugel, Gary Lovetro, Richard Dickinson, Ron Calderon and Micheal Claxton of the PSWID Board. Pursuant to A.R.S 48-1016, the Gila County Board of Supervisors revoked the authority of the PSWID Board. The Board of Supervisors pursuant to A.R.S. 48-1016 shall have the option of calling for new elections for the governing board of directors of the PSWID.

Evaluation

Based upon A.R.S. 48-1016 and A.R.S. 16-204 the Board of Supervisors can call for a special election to elect governing board members to the Pine Strawberry Water Improvement District on May 20, 2014, or at the next consolidated election date on November 4, 2014.

Conclusion

The Department of Elections feels it prudent to inform the Gila County Board of Supervisors that the PSWID board members elected at a May 20, 2014 Special Election will have to run again in the November 4, 2014 General Election as advised by the Gila County Attorney's Office. The PSWID would thus be holding two elections for the same positions in a six month period. The cost and repetition of this is not something the Election Department recommends.

Recommendation

Staff recommends that the Board of Supervisors seriously consider the added cost to the District, the added preparation and work filing requirements for the candidates and the added County staff time to conduct two elections for the same purpose.

If the Board determines that calling for an election on May 20, 2014 is in the best interest of the PSWID, the attached Order is provided for your approval. Also attached, is an Order to place the election of the PSWID Board of Directors on the November 14, 2014 consolidated ballot.

Suggested Motion

Information/Discussion/Action to consider an Order to call a Special Election of the Pine-Strawberry Water Improvement District Board of Directors for May 20, 2014; or, to place the election of the Pine-Strawberry Water Improvement District Board of Directors on the November 4, 2014 consolidated ballot. **(Eric Mariscal)**

Attachments

Special Election Order May 20, 2014

General Election Order November 4, 2014

Order to Call a Special Election
Pine Strawberry Water Improvement District

AN ORDER OF THE BOARD OF SUPERVISORS OF GILA COUNTY, ARIZONA, PURSUANT TO ARIZONA REVISED STATUTES §48-1016 CALLING FOR A SPECIAL ELECTION WITHIN THE BOUNDARIES OF THE PINE STRAWBERRY WATER IMPROVEMENT DISTRICT; DESIGNATING THE DATE FOR THE ELECTION; DESIGNATING THE FILING PERIOD FOR RECEIPT OF THE CANDIDATE NOMINATION PETITIONS; DESIGNATING THE LAST DAY FOR VOTER REGISTRATION; AND INVITING NOMINATION PETITIONS.

WHEREAS, on November 26, 2013, the Gila County Board of Supervisors accepted the resignations of Ray Pugel, Gary Lovetro, Richard Dickinson, Ron Calderon and Michael Claxton; and

WHEREAS, on November 26, 2013 the Gila County Board of Supervisors revoked the authority of the Pine Strawberry Water Improvement District in accordance with ARS 48-1016; and

NOW, THEREFORE IT IS HEREBY ORDERED:

1. A special election is called to elect governing board members for the Pine Strawberry Water Improvement District.
2. The election shall be held on May 20, 2014.
3. The deadline for voter registration shall be April 21, 2014
4. The election shall be conducted by a vote-by-mail ballot.
5. The ballot replacement site shall be located at the First Baptist Church of Pine.

IT IS FURTHER ORDERED that notice is hereby given as follows:

Qualified electors within the Pine Strawberry Water Improvement District are hereby invited to submit a candidate nomination petition for the position of district governing board member.

Order to Call a Special Election
Pine Strawberry Water Improvement District
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Nomination packets shall be available in the Gila County Department of Elections Office or the Gila County Complex in Payson 610 E. HWY 260 Payson, Arizona 85541. The filing period for candidate nomination petitions shall begin on January 21, 2014, and ending at 5:00 p.m. on February 19, 2014

APPROVED this 17th day of January 2014.

GILA COUNTY BOARD OF SUPERVISORS

Michael A. Pastor, Chairman

Attest:

Marian Sheppard, Clerk of the Board

Arizona State Legislature

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16-204. Declaration of statewide concern; consolidated election dates; definition

A. The legislature finds and determines that for the purposes of increasing voter participation and for decreasing the costs to the taxpayers it is a matter of statewide concern that all elections in this state be conducted on a limited number of days and, therefore, the legislature finds and declares that the holding of all elections on certain specific consolidated days is a matter of statewide concern. This section preempts all local laws, ordinances and charter provisions to the contrary.

B. For elections held before 2014 and notwithstanding any other law or any charter or ordinance of any county, city or town to the contrary, an election held for or on behalf of a county, city or town, a school district, a community college district or special districts organized pursuant to title 48, chapters 5, 6, 8, 10, 13 through 16 and 33 may only be held on the following dates:

1. Except for regular elections for candidates in a city or town with a population of one hundred seventy-five thousand or more persons, all elections, including recall elections and special elections to fill vacancies, shall be held on:

(a) The second Tuesday in March.

(b) The third Tuesday in May.

(c) The tenth Tuesday before the first Tuesday after the first Monday in November.

(d) The first Tuesday after the first Monday in November. Notwithstanding any other law, an election must be held on this date for the approval of an obligation or other authorization requiring or authorizing the assessment of secondary property taxes by a county, city, town, school district, community college district or special taxing district, except as provided by title 48.

2. For regular elections that are only for candidates in a city or town with a population of one hundred seventy-five thousand or more persons and not including recall elections and special elections to fill vacancies in those cities or towns, elections shall be held on:

(a) The tenth Tuesday before the first Tuesday after the first Monday in November.

(b) The first Tuesday after the first Monday in November.

C. For elections held before 2014, for any city or town, including a charter city, that holds its regularly scheduled candidate elections in even-numbered years pursuant to subsection B, paragraph 2, the term of office for a member of the city council or for the office of mayor begins on or after the second Tuesday in January in the year following the election.

D. Subsections B and C of this section do not apply to an election regarding a county or city charter committee or county or city charter proposal that is conducted pursuant to article XIII, section 2 or 3 or article XII, section 5, Constitution of Arizona.

E. Beginning with elections held in 2014 and later and notwithstanding any other law or any charter or ordinance to the contrary, a candidate election held for or on behalf of any political subdivision of this state other than a special election to fill a vacancy or a recall election may only be held on the following dates and only in even-numbered years:

1. The tenth Tuesday before the first Tuesday after the first Monday in November. If the political subdivision holds a primary or first election and a general or runoff election is either required or optional for that political subdivision, the first election shall be held on this date, without regard to whether the political subdivision designates the election a primary election, a first election, a preliminary election or any other descriptive term.

2. The first Tuesday after the first Monday in November. If the political subdivision holds a general election or a runoff election, the second election held shall be held on this date. If the political subdivision holds only a single election and no preliminary or primary or other election is ever held for the purpose of reducing the number of candidates, or receiving a partisan nomination or designation or for any other purpose for that political subdivision, the single election shall be held on this date.

F. Beginning with elections held in 2014 and later that are not candidate elections, an election held for or on behalf of any political subdivision of this state, and including a special election to fill a vacancy or a recall election, may only be held on the following dates:

1. The second Tuesday in March.
2. The third Tuesday in May.
3. The tenth Tuesday before the first Tuesday after the first Monday in November.
4. The first Tuesday after the first Monday in November. Notwithstanding any other law, an election must be held on this date for the approval of an obligation or other authorization requiring or authorizing the assessment of secondary property taxes by a county, city, town, school district, community college district or special taxing district, except as provided by title 48.

G. Notwithstanding any other law, for an election administered by a county recorder or other officer in charge of elections on behalf of a city, town or school district and that is an all mail ballot election for that city, town or school district, the county recorder or other officer in charge of elections may use a unified ballot format that combines all of the issues applicable to the voters in the city, town or school district requesting the all mail ballot election.

H. For the purposes of this section, "political subdivision" means any governmental entity operating under the authority of this state and governed by an elected body, including a city, town, county, school district, community college district or any other district organized under state law but not including a special taxing district.

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48-1016. Revocation of authority of elected board of directors

The board of supervisors of the county in which a domestic water improvement district or domestic wastewater improvement district is located may at any time revoke the authority of an elected board of directors in order to protect the residents of the district. Any district in which the authority of an elected board of directors is revoked pursuant to this section shall be governed by the board of supervisors as provided by section 48-908 and the board of supervisors shall have the option of calling for new elections for the district board of directors.

Order to Call a General Election
Pine Strawberry Water Improvement District

AN ORDER OF THE BOARD OF SUPERVISORS OF GILA COUNTY, ARIZONA, PURSUANT TO ARIZONA REVISED STATUTES §16-204 and 48-1016 CALLING FOR A GENERAL ELECTION WITHIN THE BOUNDARIES OF THE PINE STRAWBERRY WATER IMPROVEMENT DISTRICT; DESIGNATING THE DATE FOR THE ELECTION; DESIGNATING THE FILING PERIOD FOR RECEIPT OF THE CANDIDATE NOMINATION PETITIONS; DESIGNATING THE LAST DAY FOR VOTER REGISTRATION; AND INVITING NOMINATION PETITIONS.

WHEREAS, on November 26, 2013, the Gila County Board of Supervisors accepted the resignations of Ray Pugel, Gary Lovetro, Richard Dickinson, Ron Calderon and Michael Claxton; and

WHEREAS, on November 26, 2013 the Gila County Board of Supervisors revoked the authority of the Pine Strawberry Water Improvement District in accordance with ARS 48-1016; and

NOW, THEREFORE IT IS HEREBY ORDERED:

1. A general election is called to elect governing board members for the Pine Strawberry Water Improvement District.
2. The election shall be held on November 4, 2014.
3. The deadline for voter registration shall be October 6, 2014

IT IS FURTHER ORDERED that notice is hereby given as follows:

Qualified electors within the Pine Strawberry Water Improvement District are hereby invited to submit a candidate nomination petition for the position of district governing board member.

Order to Call a General Election
Pine Strawberry Water Improvement District
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Nomination packets shall be available in the Gila County Department of Elections Office or the Gila County Complex in Payson 610 E. HWY 260 Payson, Arizona 85541. The filing period for candidate nomination petitions shall begin on July 7, 2014, and ending at 5:00 p.m. on August 6, 2014

APPROVED this 17th day of January 2014.

GILA COUNTY BOARD OF SUPERVISORS

Michael A. Pastor, Chairman

Attest:

Marian Sheppard, Clerk of the Board

Arizona State Legislature

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A. The legislature finds and determines that for the purposes of increasing voter participation and for decreasing the costs to the taxpayers it is a matter of statewide concern that all elections in this state be conducted on a limited number of days and, therefore, the legislature finds and declares that the holding of all elections on certain specific consolidated days is a matter of statewide concern. This section preempts all local laws, ordinances and charter provisions to the contrary.

B. For elections held before 2014 and notwithstanding any other law or any charter or ordinance of any county, city or town to the contrary, an election held for or on behalf of a county, city or town, a school district, a community college district or special districts organized pursuant to title 48, chapters 5, 6, 8, 10, 13 through 16 and 33 may only be held on the following dates:

1. Except for regular elections for candidates in a city or town with a population of one hundred seventy-five thousand or more persons, all elections, including recall elections and special elections to fill vacancies, shall be held on:

- (a) The second Tuesday in March.
- (b) The third Tuesday in May.
- (c) The tenth Tuesday before the first Tuesday after the first Monday in November.
- (d) The first Tuesday after the first Monday in November. Notwithstanding any other law, an election must be held on this date for the approval of an obligation or other authorization requiring or authorizing the assessment of secondary property taxes by a county, city, town, school district, community college district or special taxing district, except as provided by title 48.

2. For regular elections that are only for candidates in a city or town with a population of one hundred seventy-five thousand or more persons and not including recall elections and special elections to fill vacancies in those cities or towns, elections shall be held on:

- (a) The tenth Tuesday before the first Tuesday after the first Monday in November.
- (b) The first Tuesday after the first Monday in November.

C. For elections held before 2014, for any city or town, including a charter city, that holds its regularly scheduled candidate elections in even-numbered years pursuant to subsection B, paragraph 2, the term of office for a member of the city council or for the office of mayor begins on or after the second Tuesday in January in the year following the election.

D. Subsections B and C of this section do not apply to an election regarding a county or city charter committee or county or city charter proposal that is conducted pursuant to article XIII, section 2 or 3 or article XII, section 5, Constitution of Arizona.

E. Beginning with elections held in 2014 and later and notwithstanding any other law or any charter or ordinance to the contrary, a candidate election held for or on behalf of any political subdivision of this state other than a special election to fill a vacancy or a recall election may only be held on the following dates and only in even-numbered years:

1. The tenth Tuesday before the first Tuesday after the first Monday in November. If the political subdivision holds a primary or first election and a general or runoff election is either required or optional for that political subdivision, the first election shall be held on this date, without regard to whether the political subdivision designates the election a primary election, a first election, a preliminary election or any other descriptive term.

2. The first Tuesday after the first Monday in November. If the political subdivision holds a general election or a runoff election, the second election held shall be held on this date. If the political subdivision holds only a single election and no preliminary or primary or other election is ever held for the purpose of reducing the number of candidates, or receiving a partisan nomination or designation or for any other purpose for that political subdivision, the single election shall be held on this date.

F. Beginning with elections held in 2014 and later that are not candidate elections, an election held for or on behalf of any political subdivision of this state, and including a special election to fill a vacancy or a recall election, may only be held on the following dates:

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G. Notwithstanding any other law, for an election administered by a county recorder or other officer in charge of elections on behalf of a city, town or school district and that is an all mail ballot election for that city, town or school district, the county recorder or other officer in charge of elections may use a unified ballot format that combines all of the issues applicable to the voters in the city, town or school district requesting the all mail ballot election.

H. For the purposes of this section, "political subdivision" means any governmental entity operating under the authority of this state and governed by an elected body, including a city, town, county, school district, community college district or any other district organized under state law but not including a special taxing district.



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48-1016. Revocation of authority of elected board of directors

The board of supervisors of the county in which a domestic water improvement district or domestic wastewater improvement district is located may at any time revoke the authority of an elected board of directors in order to protect the residents of the district. Any district in which the authority of an elected board of directors is revoked pursuant to this section shall be governed by the board of supervisors as provided by section 48-908 and the board of supervisors shall have the option of calling for new elections for the district board of directors.