

RESOLUTION #197-2017

RESOLUTION OF THE BOARD OF DIRECTORS OF
APPLE VALLEY HEIGHTS COUNTY WATER DISTRICT
CHANGING THE REGULAR ELECTION DATE FOR ELECTION
OF ITS BOARD OF DIRECTORS FROM NOVEMBER OF
ODD-NUMBERED YEARS TO THE STATEWIDE PRIMARY
ELECTION DATE IN NOVEMBER OF EVEN-NUMBERED YEARS

Whereas, currently the regular election date for election of the Board of Directors of Apple Valley Heights County Water District is in November of each odd-numbered year; and

Whereas, the California Voter Participation Rights Act (SB 415) becomes effective on January 1, 2018 and prohibits local governmental entities, including special districts from holding a regular election on a date other than on a statewide primary or general election date of even-numbered years, if holding a regular election on a non-statewide election date has previously resulted in a "significant decrease in voter turnout," which is defined by SB 415 to mean at least 25% less voter turnout than the average voter turnout within the governmental entity for the previous four statewide general elections (November of 2010, 2012, 2014 and 2016); and

Whereas, elections conducted in odd-numbered years historically have resulted in lower voter participation and higher expenses to this Agency; and

Whereas, in order to change this Agency's regular election date to comply with SB 415, Elections Code Section 1303(b) authorizes the Board of Directors at this time to adopt a resolution changing the Agency's regular election date from November of odd-numbered years to the statewide general election date in November of even-numbered years; and

Whereas, the resolution must then be submitted to the San Bernardino County Board of Supervisors no later than March 12, 2017, which is at least 240 days before the next Agency regular election date, and the resolution must be approved by the Board of Supervisors in order to change the Agency's regular election date; and

Whereas, it is the intent and desire of this Board of Directors to change the Agency's regular election date for election of its Board of Directors from November of odd-numbered years to the statewide general election date in November of even-numbered years; and

Whereas, Elections Code Section 10404(i) provides that upon approval by the Board of Supervisors, changing the regular election date to November of even-numbered years, current Directors continue to serve until their positions are filled by election in the even-numbered year, so as to match their terms with a changed regular election date; and

Now, Therefore, Be It Resolved by the Board of Directors of Apple Valley Heights County Water District as follows:

1. Pursuant to Elections Code Sections 13039b) and 10404(b), the Agency hereby chooses to change the Agency's regular election date for election of the Board of Directors from the first Tuesday after the first Monday in November of odd-numbered years to the statewide general election date on the first Tuesday after the first Monday in November of even-numbered years.
2. Special elections called for the purposes of filling Board vacancies, submitting measures to the Agency's electors for consideration, or other such matters, shall not be affected by this resolution and may be conducted on any date authorized by applicable law.
3. The San Bernardino County Board of Supervisors is hereby requested to consolidate all future Agency regular elections with the statewide general elections to be conducted in November of even-numbered years. The President of this Board of Directors shall be authorized to take any and all actions, and to execute any documents necessary, to assist the Agency's General Manager in presenting this resolution to the San Bernardino County Board of Supervisors for its approval.
4. The Secretary of the Board of Directors of Apple Valley Heights County Water District shall transmit certified copies of this resolution to the Clerk of The Board of Supervisors and to the Office of the Registrar of Voters for the County of San Bernardino.

ADOPTED this 8th day of March, 2017.

Patricia L. Duwel, President
Board of Directors
Apple Valley Heights County Water District

ATTEST:

Gail A. Hunter, Secretary-Treasurer
Board of Directors
Apple Valley Heights County Water District