

FREEWATER COUNTY WATER DISTRICT

RESOLUTION NO. 2025-001

**RESOLUTION TO HOLD ALL SUBSEQUENT DISTRICT ELECTIONS
DURING EVEN-NUMBERED YEARS**

WHEREAS, Freewater County Water District (the "District") is a California county water district located in Fresno County and established under Division 12 of the California Water Code; and

WHEREAS, the District is governed by a Board of Directors (the "Board") consisting of five (5) members who are each elected for a term of four (4) years; and

WHEREAS, the District currently has odd-numbered year elections pursuant to the Uniform District Election Law ("UDEL"), with the next scheduled election being November, 2025; and

WHEREAS, the State's enactment of Senate Bill 415 (Elections Code §§ 14050-14057) requires special districts to adopt a plan to move the Board elections to even-numbered years on the same November date as the general statewide elections; and

WHEREAS, many special districts in Fresno County have changed their elections to coincide with statewide general elections (even-numbered year elections); and

WHEREAS, it will be more cost effective to hold the District's elections in even-numbered years, when the County of Fresno is already conducting other elections; and

WHEREAS, generally, voter participation is greater for statewide general elections than for special local elections, including for county water districts; and

WHEREAS, Elections Code Sections 1303, subdivision (b), and 10404, subdivision (b), authorizes the Board to adopt a resolution requiring elections of its Board to occur on the same day as the statewide general elections, and submit that resolution to the Fresno County Board of Supervisors not later than 240 days before the date of the currently scheduled Board election, which resolution becomes operative upon approval by the Fresno County Board of Supervisors; and

WHEREAS, the Board seeks to enhance voter participation and specifically to increase the percentage of voters participating in the District's Board election; and

WHEREAS, the District wishes to change the election date for all future elections to even-numbered years; and

WHEREAS, the Board believes that rescheduling the District's Board election to coincide with the statewide election held in even numbered years, will enhance voter participation and increase the percentage of voters participating in the District's Board election; and

WHEREAS, the current Board of Directors has three members whose term will expire in December 2025 and two members whose terms will expire in December 2027; and

WHEREAS, if the change in election date is approved by the Fresno County Board of Supervisors, the Board requests that the next election date be moved from 2025 to November, 2026, and the election date scheduled for 2027 moved to November, 2028, with Board members whose terms would have expired in 2025 being extended to 2026, and Board members whose terms would have expired in 2027 being extended to 2028, as required by

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Elections Code Section 10404, subdivision (i), and as more particularly described in Exhibit "A" to this Resolution; and

WHEREAS, it is in the District's best interest to change to even-numbered year elections to take advantage of shared election expense cost savings.

WHEREAS, while the Board recognizes the significant cost savings to the District resulting from aligning the District's election with the statewide general election, this factor is not the sole motivation for the Board's decision, but is an additional benefit that furthers the District's policy of fiscal responsibility and voter participation; and

WHEREAS, while the Board recognizes that the terms of its members would be extended as a result of aligning the District's elections with the statewide general elections, this is not the reason for the Board's decision.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Freewater County Water District hereby finds as follows:

The above Recitals are deemed true and correct and are incorporated herein by this reference.

The Board adopts this Resolution pursuant to Elections Code Section 10404 to move the District Board elections to even-year elections to coincide with the statewide general election in November, beginning with the 2025 election year being consolidated with the 2026 election year.

This Resolution shall first become operative and apply to all specific dates necessary for the Board election to be held in concurrence with the statewide general election in November 2026 and each subsequent election of the Board members shall occur in even-numbered years at the same time as the statewide general election.

For those Board members whose terms of office would have expired in 2025, their terms of office are extended to 2026. For those Board members whose terms of office would have expired in 2027, their terms of office will be extended to 2028. A list of the Directors, current election year, and proposed election year dates are identified on the table attached hereto as Exhibit "A" and incorporated herein by this reference.

Attached hereto as Exhibit "B" and incorporated herein by this reference are the dates and procedures for the election of Board members pursuant to the California Elections Code.

The President of the District's Board, or his designee, is authorized to take additional and further actions and execute any instruments and documents as may be required by the Fresno County Board of Supervisors and other County Officials in order to effectuate the change of election dates required by this Resolution.

The District's Secretary shall submit this Resolution to the Fresno County Board of Supervisors for approval under Elections Code Section 10404, subdivision (b)(2), and request formal approval of the change by the Board of Supervisors at a public meeting within 60 days after that submission and after the Resolution has been posted as required by law. The change to even-year elections shall become effective upon approval by the Fresno County Board of Supervisors.

The District's Secretary will notify the Fresno County Elections Office that the District is prepared to pre-pay the estimated expenses of mailing notice of approval of the change in election date by the Fresno County Board of Supervisors as required by Elections Code Section 10404(f).

PASSED, APPROVED, AND ADOPTED this 5 day of March, 2025, by the following vote:

AYES: 5

NAYS: 0

ABSTAIN: _____

ABSENT: _____

_____, President
Freewater County Water District

Attest:

_____, Secretary
□

**CERTIFICATE OF SECRETARY
OF
FREEWATER COUNTY WATER DISTRICT,
A California County Water District.**

I, _____ do hereby certify that I am the duly authorized and appointed Secretary of the Freewater County Water District, a California county water district (the "District"); that the following is a true and correct copy of that certain resolution duly and unanimously adopted and approved by the Board of Directors of the District on the 5 day of March, 2025; and that said resolution has not been modified or rescinded and remains in full force and effect as the date hereof:

IN WITNESS WHEREOF, I have executed this Certificate on this 5 day of March, 2025.

_____, Secretary
Freewater County Water District

□

EXHIBIT "A"
FREEWATER COUNTY WATER DISTRICT
BOARD OF DIRECTORS

Board Member	Current Election Year	Proposed Election Year
James Moglia	2025	2026
Kirk Brown	2025	2026
Val Phillip Viau	2025	2026
Joshua P. Viau	2027	2028
Steven W. Moglia	2027	2028

□

EXHIBIT "B"

Dates and Procedures for the Election of Board Members

(All section reference are to the Elections Code)

1. No later than 125 days before the date of the general election, the District secretary shall deliver a notice of election to the County elections office listing the elective offices to be filled, specifying which offices, if any, are for the balance of an unexpired term and whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Section 13307 who will pay for any candidate's statement of qualifications. A map of the District must accompany the notice. (§10509, 10522.)

2. Between the 120th and 90th day before the date of the general election, the County elections official will publish, one time, a Notice of election in a newspaper of general circulation containing the date of the election, the offices to be filled, qualifications for candidacy required by the principal act, where nomination papers are available, the deadline for filing Declarations for Candidacy, and a notice that appointment will be made in lieu of election in accordance with law. (§12112.)

3. Between the 113th and 88th day before the date of the general election, candidates for the District's Board of Directors may obtain and file their Declarations of Candidacy along with their Candidate's Statement of Qualifications if they choose to submit one. (§ 10510, 10511, 13307, 13311.)

4. If an incumbent member of the Board does not file a declaration of candidacy by 5 p.m. on the 88th day before the date of the general election, any person other than the incumbent may file a declaration of candidacy by 5 p.m. of the 83rd day before the date of the general election. (§ 10407(14), 10516(b).)

5. If, by 5 p.m. on the 83rd day before the date of the general election: (1) only one person has filed a declaration of candidacy for any position to be filled on the Board; or (2) no one has filed a declaration of candidacy for such office; the County Board of Supervisors may appoint such person to the position. (§ 10515.)

6. On the 82nd day before the date of the general election, the Secretary of State shall conduct the randomized alphabet at 11a.m, to determine the order in which the Board candidates will appear on the general election ballot. (§ 13112.)

7. Between the 57th and 14th day before the date of the general election, write-in candidates must file their Statement of Write-in Candidacy and Nomination Papers with the County elections official. (§ 8601.)

8. Between the 2nd and 28th day after the date of the general election, the official canvass of the returns is to be completed. (§10547-10549,15300 et seq.)

9. No later than the Monday before the first Friday in December the county elections official shall declare the elected candidate or candidates, the County elections official shall declare the elected candidates. The elections official shall make out and deliver to each person elected, a certificate of election signed and authenticated by the elections official. Elective officers take office at noon on the first Friday in December next following the general District election. Prior to taking office, each elective officer shall take the official oath and execute any bond required by the principal District. (§ 10551, 10554 & 15401.)

In the event of any future amendment to the foregoing Elections Code provisions, the amended provisions shall be applicable. Where the foregoing dates are inconsistent with those provided for in the Elections Code for the statewide general election, the dates provided for such statewide general elections shall be controlling.