

RECEIVED
JUL 26 2018

CLERK. BOARD OF SUPERVISORS

RESOLUTION NO. 2018-01

BEFORE THE BOARD OF DIRECTORS OF THE
MID VALLEY WATER DISTRICT
RESOLUTION TO HOLD ALL SUBSEQUENT DISTRICT ELECTIONS DURING
EVEN-NUMBERED YEARS AFTER NOVEMBER 2017

WHEREAS, the Mid Valley Water District ("District") is a special district formed and operating under California Water Code Sections 34000, *et seq.*; and

WHEREAS, the District is governed by a Board of Directors ("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, with the next scheduled election being November 2019; and

WHEREAS, the State's enactment of Senate Bill 415 (Elections Code Section 14050-14057) requires special districts to adopt a plan by January 1, 2018, 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 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, it is too late to have the District's next scheduled election moved to an even-numbered year, but the District may take action to move future elections to even-numbered years; 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 (after 2017) be moved from November 2019 to November 2020 and the election date scheduled for November 2021 moved to 2022; with Board members whose terms would have expired in 2019 being extended to 2020, and Board members whose terms would have expired in 2021 being extended to 2022, as required by 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.

NOW, THEREFORE, it is hereby resolved by the Board of Directors of the Mid Valley Water District that:

1. The above recitals are true and correct, and this Board so finds and determines.
2. The Board adopts this Resolution under Elections Code Section 10404 to move District Board elections to even-year elections to coincide with the statewide general election in November, beginning with the 2019 election year being consolidated with the 2020 • election year.

3. 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 2020 and each subsequent election of the Board members shall occur in even-numbered years at the same time as the statewide general election.

4. For those Board members whose terms of office would have expired in 2019, their terms of office are extended to 2020. For those Board members whose terms of office would have expired in 2021, their terms of office will be extended to 2022. 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.

5. 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.

6. 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.

7. 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.

PASSED AND ADOPTED this 15th day of February, 2018 by the
following vote

to wit:

AYES: 4

NOES:

ABSENT: 1

ABSTAIN:

EXHIBIT "A"
MID VALLEY WATER DISTRICT
BOARD OF DIRECTORS

Board Member	Current Election Year	Proposed. Election Year
Bakh Sran	2019	2020
Jeevan Singh	2019	2020
Shavinder Sran	2019	2020
Matt Abercrombie	2021	2022
Ariel Namvar	2021	2022

EXHIBIT "B"

Dates and Procedures for the Election of Board Members

(All section references are to the Elections Code.)

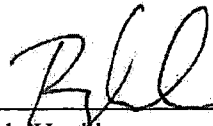
1. No later than 125 days before the date of the general election, the District secretary shall deliver a notice of election to the County elections office listing the elective offices to be filled, specifying *which offices, if any*, are for the balance of an unexpired term and whether the District or the candidate is to pay for the publication of a statement of qualifications under section 13307. 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 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.)
3. If an incumbent member of the Board does not file a declaration of candidacy by 5:00 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 5:00 p.m. on the 83rd day before the date of the general election. (§§ 10407, sub. (b), 10516, sub. (b).)
4. if, by 5:00 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 a person to the position. (§ 10515.)
5. On the 82nd day before the date of the general election, the Secretary of State shall conduct the randomized alphabet at 11:00 a.m. to determine the order in Which the Board candidates will appear on the general election ballot. (§13112.)
6. 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.)
7. Between the 2nd and 30th day after the date of the general election, the official canvass of the returns is to be completed. (§§ 10547- 10549, 15300 et seq.)

If there is any future amendment of the Elections Code provisions identified above, the amended provisions are applicable. Where the dates described above are inconsistent with those provided *in* the Elections Code for the statewide general elections, the dates for statewide general elections are controlling.

CERTIFICATE OF SECRETARY
OF
MID VALLEY WATER DISTRICT,
A California Water District

I, Randy Hopkins, do hereby certify that I am the duly authorized and appointed Secretary of the Mid Valley Water District, a California 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 15th day of February, 2018; 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 15th Day of February.



Randy Hopkins
Secretary of Mid Valley Water District