

## **RESOLUTION NO. 2017- 001**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PINEDALE PUBLIC UTILITY DISTRICT REQUIRING EVEN-NUMBERED YEAR ELECTIONS FOR THE BOARD OF DIRECTORS**

WHEREAS, the Pinedale Public Utility District (District) is a special district operating under the California Public Utility District Act, as codified in Division 7, section 15501 et. seq. of the California Public Utilities Code; and

WHEREAS, the District currently holds its Board of Directors' elections in November of odd numbered years pursuant to section 16151 of the California Public Utilities Code; and

WHEREAS, pursuant to Elections Code Section 10404(b), the District's Board of Directors may, by resolution, order that the elections of its directors be held on the same day as a statewide general election; and

WHEREAS, the current Board has one member whose term will expire in 2017 and two members whose terms will expire in 2019, as described in Exhibit A to this resolution, which is attached; and

WHEREAS, the next statewide general election in November of an even-numbered year at which the members of the Board of Directors could be elected following the expiration of the terms of the current Directors is November 6, 2018; and

WHEREAS, the Board of Directors desires, as permitted by law, to consolidate the election of members of its Board of Directors with the statewide general election held on the first Tuesday after the first Monday in November of each even-numbered year.

NOW, THEREFORE, BE IT RESOLVED THAT PURSUANT TO ITS RIGHTS, POWERS AND AUTHORITY, THE BOARD OF DIRECTORS OF THE PINEDALE PUBLIC UTILITY DISTRICT HEREBY RESOLVES, FINDS, AND ORDERS AS FOLLOWS:

1. The elections of members of the District's Board of Directors to occur regularly on the same date as statewide general elections occurring on the first Tuesday after the first Monday in November of even-numbered years and to be consolidated with those even-numbered year elections.

2. Such elections commence with the statewide general election to be held on November 6, 2018.

3. For the Board member whose term of office would have expired in 2017, the term of office is extended to 2018; for those board members whose terms of office would have expired in 2019, their terms of office will be extended to 2020, as described in Exhibit A to this resolution, in accordance with Section 10404(i) of the California Elections Code.

4. The President of the District's Board, or his designee, will notify the Fresno County Elections Office that the District shall pay the expenses of mailing notice of approval of the change in election dates by the Fresno County Board of Supervisors, as required by section 10404, subdivision (f), of the Elections Code.

5. 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.

6. The District as required by Election Code section 10520, shall reimburse the County for the actual costs incurred by the Fresno County Clerk in conducting the District's elections of Board members during statewide general elections, within 45 days of being presented with an invoice.

7. The specific dates for the filing of nomination papers, notices, canvass of votes, certification of election results, and all other procedural requirements of the Elections Code pertaining to the election of Board members shall be consistent with Elections Code pertaining to statewide general elections.

8. Directs the District Secretary to submit this Resolution to the County of Fresno Board of Supervisors no later than 240 days prior to the next scheduled District election.

9. Requests the County of Fresno Board of Supervisors administer this Resolution as set forth in Section 10404 of the California Elections Code and, within 60 days of the submission of this Resolution, approve this Resolution unless it finds that the ballot style, voting equipment, or computer capacity cannot handle additional elections or materials, in accordance with Section 10404(e) of the California Elections Code.

PASSED AND ADOPTED this 21st day of February 2017, by the following vote of the Board:

AYES: 3  
NOES: 0  
ABSENT: 0



Larry Neyman, President  
Board of Directors

ATTEST:



Elaine Chan  
District Secretary

## EXHIBIT A

### Pinedale Public Utility District Board of Directors

<u>Board Member</u>	<u>Current Election Year</u>	<u>Proposed Election Year</u>
Dwane Strickland	2017	2018
Michael Evans	2019	2020
Larry Neyman	2019	2020

## **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.)
4. 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).)
5. 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.)
6. 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.)
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 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.