

# **RESOLUTION 2017-05**

## **RESOLUTION OF THE BOARD OF TRUSTEES RECLAMATION DISTRICT NO. 1606**

### **TO CHANGE DISTRICT ELECTIONS TO BE HELD ON THE SAME DATE AS THE STATEWIDE GENERAL ELECTION**

WHEREAS, the Reclamation District No. 1606 ("District") is a special district formed and operating under the California Water Code Division 15; and

WHEREAS, the District is governed by a Board of Trustees ("Board") consisting of three members who are elected for a term of four years; and

WHEREAS, the District currently holds elections for its Board under the Election Code and other applicable law on the first Tuesday after the first Monday in November in each odd-numbered year for expiring terms; and

WHEREAS, the State's enactment of Senate Bill 415 (Elections Code sections 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, generally, voter participation is greater for statewide general elections than for special local elections, including for Reclamation Districts; and

WHEREAS, the Board seeks to enhance voter participation and specifically to increase the percentage of voters participating in the District's Board elections and the Board believes that rescheduling to elections in even-numbered years will have that effect; and

WHEREAS, Elections Code section 1303, subdivision (b), and 10404, subdivision (b), authorizes the Board to adopt a resolution requiring elections of its members to occur on the same day as 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 next scheduled general Board election is November 5, 2019; 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 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**, if the change in election date is approved by the Fresno County Board of Supervisors, 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 general election of Board members are as set forth in Exhibit B to this resolution, which is attached;


**NOW, THEREFORE, THE BOARD HEREBY RESOLVES, FINDS, AND ORDERS AS FOLLOWS:**

1. All of the recitals above are true and correct.
2. The Board adopts this resolution under Elections Code section 10404 to change the election dates for members of the Board so that they occur at the same time as statewide general elections in November in even-numbered years;
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 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, as more particularly described in Exhibit A to this resolution.
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 President of the District's Board 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. This resolution shall become effective upon approval by the Fresno County Board of Supervisors.

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 are as provided in Exhibit B to this resolution.

The foregoing Resolution was introduced and adopted at a Regular Meeting of the Board of Trustees of the RECLAMATION DISTRICT NO. 1606 conducted December 14, 2017, on motion of Trustee Wm. Carvalho, and seconded by Trustee Gerald Kinnunen, was hereby authorized by the following vote, to wit:

AYES:	2	(W.Carvalho, G.Kinnunen)
NOES:	0	
ABSTAIN:	0	
EXCUSED:	0	
ABSENT:	0	



Gerald W. Kinnunen, President

BOARD OF TRUSTEES

RECLAMATION DISTRICT NO. 1606

ATTEST:



Donna Y. Hanneman, Secretary

BOARD OF TRUSTEES

RECLAMATION DISTRICT NO. 1606

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**CERTIFICATION OF SECRETARY**

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The undersigned certifies that she is the Secretary of RECLAMATION DISTRICT NO. 1606 and that the foregoing Resolution was adopted by the Board of Trustees of said District at a meeting thereof, duly and regularly held on December 14, 2017, at which meeting a quorum of the Board of Trustees was at all times present and acting.

IN WITNESS WHEREOF, I have set my hand and seal of the Board of Trustees this 14<sup>th</sup> day of December, 2017.

{ SEAL }



Donna Y. Hanneman, Secretary

BOARD OF TRUSTEES

RECLAMATION DISTRICT NO. 1606

## Exhibit A

# RECLAMATION DISTRICT NO. 1606 Board of Trustees

<u>Board Member</u>	<u>Current Election Year</u>	<u>Proposed Election Year</u>
Wm. Cory Carvalho	2019	2020
Gerald W. Kinnunen	2021	2022
Vacant	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 District Elections Official/County Elections Official 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 120<sup>th</sup> and 90<sup>th</sup> day before the date of the general election, the District Elections Official/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 113<sup>th</sup> and 88<sup>th</sup> 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 88<sup>th</sup> 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 83<sup>rd</sup> day before the date of the general election [§§10407, sub. (b), 10516, sub. (b)].
5. If, by 5:00 p.m. on the 83<sup>rd</sup> 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 82<sup>nd</sup> 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 57<sup>th</sup> and 14<sup>th</sup> day before the date of the general election, write-in candidates must file their Statement of Write-in Candidacy and nomination papers with the District Elections Official/County Elections Official (§8601).
8. Between the 2<sup>nd</sup> and 30<sup>th</sup> 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 District Elections Official/County Elections Official shall declare the elected candidate or candidates. The District Elections Official/County Elections Official shall make out and deliver to each person elected a Certificate of Election that is 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 act (§§10551, 10554, 15401).

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.