RESOLUTION NO. 2017-518

BOARD OF SUPERVISORS

Resolution Approving the Rescheduling of Board of Director Elections from Odd-Numbered Years to Even-Numbered Years, and Requesting the Approval of the County of Stanislaus to Consolidate the Same with the Statewide General Election

2017 JUN -8 A 10: 29

WHEREAS, the Board of Directors ("Board") of the Keyes Community Services District ("District") consists of five members, Johnathon Parker, Mike Bernal, William Alexander, Eddie Jones, and Davie Landers; and

WHEREAS, the Uniform District Election Law (Election Code §§ 10500 *et seq.*) sets forth the rule that District Board members serve staggered terms and are elected in odd numbered years; and

WHEREAS, the District currently conducts its elections every two years in November of odd-numbered years (*e.g.*, November 2017) pursuant to Elections Code § 1303 subdivision (a); and

WHEREAS, the next election of the District Board for the seats currently held by Johnathon Parker, Eddie Jones, and William Alexander is scheduled for November 2017, and the next District Board elections for the seats currently held by Mike Bernal and Davie Landers is currently scheduled for November 2019; and

WHEREAS, statewide general elections are held in California only in June and November of even-numbered years pursuant to Elections Code § 1001; and

WHEREAS, generally, voter participation is greater for statewide general elections than for special local elections, including community services district board member elections; and

WHEREAS, effective January 1, 2018, Senate Bill 415 adds Elections Code §§ 14050-14057, which prohibits holding an election other than on a statewide election date if holding an election on a non-statewide election date has previously resulted in a significant decrease in voter turnout; and

WHEREAS, a significant decrease in voter turnout is defined as 25% less than the average voter turnout within that political subdivision for the previous four statewide general elections; and

WHEREAS, based on the history of voter participation (see Exhibit A), the District must adopt a plan to transition to even-numbered year statewide general elections by January 1, 2018; and

WHEREAS, the District desires to consolidate future elections with statewide general elections on even numbered years, beginning with the 2022 statewide general election, to occur when the largest number of voters generally participate in the election; and

WHEREAS. Elections Code § 1303(b) establishes a procedure whereby the District may change the election date for its governing body members by adopting a resolution seeking approval of the change by the County of Stanislaus Board of Supervisors. *see* Elec. Code § 10404; and

WHEREAS. the District Board's resolution to establish Board member elections on the same day as the statewide general election, must be submitted to the County Board of Supervisors no later than 240 days prior to the next regularly scheduled election; and

WHEREAS. the District desires to establish Board member elections on the same day as the 2022 statewide general election far in excess of 240 days prior to the November 8. 2022 election: and

WHEREAS. within 60 days from the date that the District submits such a resolution to the County Board of Supervisors, the County Board of Supervisors must approve the resolution unless it finds that the ballot style. voting equipment. or computer capacity is such that additional elections or materials cannot be handled (Elections Code § 10404(e)); and

WHEREAS. public notices of the proceeding in which the resolution is to be considered for adoption by the County Board of Supervisors must be made by County Board of Supervisors pursuant to section 25151 of the Government Code; and

WHEREAS. if the County Board of Supervisors approves the District Board's resolution to establish Board member elections on the same day as the statewide general election, the terms of all Board members elected November 2017 and November 2019 are extended by one year pursuant to Elections Code section 10404(i); and

WHEREAS. the result would be staggered Board elections in even numbered years commencing in November 2022. Board members elected in the November 2017 and the November 2019 elections serving five-year terms. expiring in November 2022 and November 2024 respectively.

NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are true and correct.

2. Board member elections shall be consolidated with the statewide general election held on the first Tuesday after the first Monday in November of each even numbered year commencing November 2022.

3. The undersigned. constituting at least a majority of the members of the Keyes Community Services District Board of Directors. do hereby adopt this resolution to consolidate the election date for members of the District with the state general election in November of even-numbered years. beginning in 2022 pursuant to Elections Code § 1303(b).

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4. The District shall forward the original copy of this resolution to the Stanislaus County Elections, who will compile the district resolutions, and will explain the rationale for the resolutions and request formal approval of the change by the Stanislaus County Board of Supervisors at a public meeting within 60 days after submission and after the resolutions have been posted in accordance with law.

5. The District shall pay to mail notice of approval of the changed election date by the Stanislaus County Board of Supervisors as required by Elections Code § 10404 (f).

6. If the consolidation of election is approved by the Board of Supervisors, the date of the District's first consolidated election will be November 2022, and each subsequent election will be held two years thereafter in November of even-numbered years.

7. If the consolidation of election is approved, the terms of office for the District Directors elected in November 2017 and November 2019 would serve five-year terms, expiring in November 2022 and November 2024 respectively.

8. In the event that the Stanislaus County Board of Supervisors declines to authorize consolidation in 2022 on the grounds specified in Elections Code § 10404(e), the Keyes Community Services District Governing Body requests that the Stanislaus County Board of Supervisors authorize such consolidation at the soonest feasible date.

9. The District and/or its designee is authorized to take such actions and execute such agreements and documentation as are necessary to effect the intent of this Resolution.

PASSED AND ADOPTED by the Board of Directors of Keyes Community Services District at a meeting thereof held on this 23 day of May, 2017, by the following vote, TO WIT:

AYES: Vice President Bennett, Director Alexander, Director Juus Director Landers

NOES: _____

ABSTENTION: _____

ABSENT: President Parker

KEYES COMMUNITY SERVICES
DISTRICT

BY _____
JOHNATHON PARKER,
BOARD CHAIR

1107560-1

ATTEST:

_____

MICHELLE HARRIS, SECRETARY

CERTIFICATION

I, MICHELLE HARRIS, Secretary of Keyes Community Services District, do hereby certify that the foregoing is a full, true and correct copy of a resolution of the Keyes Community Services District duly passed and adopted at a meeting of the Board of Directors thereof held on the 23 day of May, 2017.

Dated: May 23 , 2017.

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MICHELLE HARRIS, SECRETARY
KEYES COMMUNITY SERVICES DISTRICT

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