

RESOLUTION NO. 042

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CRESTLINE SANITATION DISTRICT, SAN BERNARDINO COUNTY, RECOMMENDING CONSOLIDATED ELECTION FOR GOVERNING BOARD MEMBERS WITH STATEWIDE GENERAL ELECTIONS AND APPROVING THE RESCHEDULING OF SUCH ELECTIONS FROM ODD-YEAR TO EVEN-YEAR ELECTIONS COMMENCING WITH THE 2017 ELECTION

WHEREAS, Crestline Sanitation District (“CSD”) is a County Sanitation District organized and operating within the County of San Bernardino pursuant to California Health and Safety Code Section 4700 et seq.;

WHEREAS, CSD was formed as an independent local public agency in 2010 following an election that was ordered by the Board of Supervisors of the County of San Bernardino pursuant to Resolution No. 2010-58 adopted on April 13, 2010;

WHEREAS, said Resolution No. 2010-58 expressly states that CSD’s Board of Directors (“the Board”) shall “consist of a five-member board of directors to be elected at-large pursuant to the provisions of the Uniform District Election Law, Part 4 (commencing with Section 10500) of the Elections Code;”

WHEREAS, Condition 15 of said Resolution 2010-58 also expressly states that the terms of office of the Board shall be subject to staggered odd-numbered year elections beginning in November of 2013;

WHEREAS, by operation of Sections 10505 and 10507 of the Elections Code, districts such as CSD that are formed in an even-numbered year are required to hold their Board elections on the first Tuesday after the first Monday in November in each odd-numbered year;

WHEREAS, the current date for election of the Board is every two (2) years on the first Tuesday after the first Monday in November of odd years (e.g. the next election is scheduled for November 7, 2017);

WHEREAS, statewide general elections are held in California only in June and November of even years (e.g. the next statewide general election is scheduled for November 8, 2016) (Elections Code Section 1001);

WHEREAS, CSD is located entirely within San Bernardino County;

WHEREAS, the California Voter Participation Rights Act (Senate Bill 415), approved by the Governor in September 2015 and effective January 1, 2016, prohibits a political subdivision from holding an election other than on a statewide election date commencing January 2018 (Elections Code Sections 14050-14057);

WHEREAS, elections that are held in odd-numbered years have historically had lower levels of voter participation than statewide elections conducted in even-numbered years;

WHEREAS, since CSD's Board-member elections are not held in conjunction with most state elections, CSD is forced to bear disproportionately higher election costs than if the elections were consolidated with statewide general elections in even-numbered years;

WHEREAS, CSD wishes to increase voter participation in elections for Board members and to reduce expenses whenever possible;

WHEREAS, it is considered the view of the Board that starting with the 2017 Board elections, the public interest will be better served by election of its Board members pursuant to "even-year elections" in conjunction with the statewide general elections;

WHEREAS, as a result of these facts, the Board desires to change the date of future Board member elections to be consolidated with the California statewide general election in order to increase and enhance voter participation;

WHEREAS, while the Board recognizes there is a cost savings to CSD resulting from aligning its election with the statewide general elections, this factor is not the primary motivation for the Board's decision, however, this incidental benefit furthers CSD's policy of fiscal responsibility;

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

WHEREAS, pursuant to Elections Code Section 10505(d), CSD is authorized by Section 10404 of the Elections Code to adopt a resolution requiring that its Board-member elections be held on the same day as the statewide general election; and

WHEREAS, if the change in election date is approved, it is being requested the new election date be moved from November 2017 to November 2018 with Board members whose terms would have expired in 2017 being extended to 2018 and Board members whose terms would have expired in 2019 being extended to 2020, as required by Elections Code Section 10404(i) [refer to Exhibit A].

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Crestline Sanitation District that the above recitals are true and correct and that the Board hereby adopts this Resolution to consolidate the election date for members of the Board with the California state general election in November in even years (Elections Code Section 1001) pursuant to Elections Code Section 10404(b).

BE IT FURTHER RESOLVED by the Board of Directors of the Crestline Sanitation District that the Board Secretary will notify the San Bernardino County Elections Office that CSD is prepared to pay the expenses of mailing notice of approval of the change in election date by the San Bernardino County Board of Supervisors as required by Elections Code 10405.7(f).

BE IT FURTHER RESOLVED by the Board of Directors of the Crestline Sanitation District that the San Bernardino County Board of Supervisors is hereby requested to consolidate all future elections for the Board of Directors of the Crestline Sanitation District with the statewide general elections to be held in even-numbered years, beginning on November 6, 2018.

BE IT FURTHER RESOLVED by the Board of Directors of the Crestline Sanitation District that if the consolidation of election is approved, the term of office of current Board members expiring in November 2017 will be extended to November 2018 and the term of Board members expiring in November 2019 will be extended to November 2020 as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

BE IT FURTHER RESOLVED by the Board of Directors of the Crestline Sanitation District that, upon consolidation with the statewide general election, all such future elections for the Board of Directors of the Crestline Sanitation District shall be conducted in accordance with, including dates that are consistent with, the primary or general election with respect to nominations, notices, canvass of votes, certification of election, and all other procedural requirements of the California Elections Code pertaining to the primary or general election.

BE IT FURTHER RESOLVED by the Board of Directors of the Crestline Sanitation District that CSD's General Manager or designee is authorized to take such actions and execute such agreements and documentation necessary to implement the intent of this Resolution.

PASSED AND ADOPTED by the Board of Directors of the Crestline Sanitation District on January 12, 2017, by the following vote:

AYES: Matthew Philippe, Penny Shubnell, Sherri Fairbanks, Jack Winsten
NOES: None
ABSTAIN: None
ABSENT: Kenneth Nelsen


President, Board of Directors

ATTEST: 
Vice Chairman

EXHIBIT A

**CRESTLINE SANITATION
DISTRICT
BOARD OF DIRECTORS**

Board Member	Current Election Year	New Election Year
Ken Nelsen	2017	2018
Jack P. Winsten	2017	2018
Matthew Lynn Philippe	2019	2020
Penny J. Shubnell	2019	2020
Sherri L. Fairbanks	2019	2020