

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

April 13, 2010

**FROM: PAUL BIANE, Second District Supervisor  
Board of Supervisors**

**SUBJECT: CRESTLINE SANITATION DISTRICT- ELECTION FOR REORGANIZATIONAL  
STRUCTURE OF THE COMPOSITION OF THE GOVERNING BODY FROM  
BOARD-GOVERNED TO SELF-GOVERNED BOARD OF DIRECTORS**

**RECOMMENDATION(S)**

1. Note receipt of the Crestline Sanitation District Governance Commission (Commission) Feasibility Report and recommendation regarding reorganizational structure of the composition of the governing body from a Board-governed district to a self-governed district.
2. Adopt **Resolution No. 2010-58** ordering an election regarding the reorganizational structure of the composition of the governing body from a Board-governed to a self-governed Board of Directors for Crestline Sanitation District in accordance with said recommendation.
3. Direct Registrar of Voters to conduct a special wholly by mail ballot election to be held on August 3, 2010.

(Affected Districts: Second, Third)

(Presenter: Paul Biane, Second District Supervisor, 387-4833)

**BACKGROUND INFORMATION**

The Crestline Sanitation District was formed by the County on January 21, 1946 under Health & Safety Code section 4700 to provide sewer services. It currently provides sewer services to the communities of Crestline, Crest Forest, Cedarpines Park, Valley of Enchantment, Lake Gregory, and Twin Peaks. It has been administered by the County Special Districts Department since its creation.

On June 17, 2008, this Board called an advisory election for November 4, 2008, to determine the level of interest of the registered voters of the Crestline Sanitation District in moving from a Board-governed to an independent district, and if that measure passed, to create the Crestline Sanitation District Governance Commission. On November 4, 2008, the measure passed and the Crestline Sanitation District Governance Commission was created and its board members elected. Its charge was to make a recommendation to this Board on whether the district should remain a Board of Supervisors-governed Sanitation district or become district governed by a locally-elected board of directors.

On February 16, 2010, the Crestline Sanitation District Governance Commission issued its Governance Feasibility Report. Section VI of that report is a letter dated February 16, 2010 to Board Chair, Supervisor Gary C. Ovitt, in which the Commission recommends a reorganization of the governing body of Crestline Sanitation District from a Board-governed to self-governed Board of Directors membership.

w/resolution:  
cc: Special Districts-Rigney  
ROV-Verjil & Kouba  
CAO-Amis  
County Counsel-Messer & Haueter  
File - Supervisors-General  
w/resolution  
ml 04/22/10

**ITEM 6**

Record of Action of the Board of Supervisors

**APPROVED (CONSENT CALENDAR)  
COUNTY OF SAN BERNARDINO  
Board of Supervisors**

MOTION	<u>AYE</u>	<u>SECOND</u>	<u>MOVE</u>	<u>AYE</u>	<u>AYE</u>
	1	2	3	4	5

LAURA H. WELCH, CLERK OF THE BOARD

BY 

DATED: April 13, 2010

**BOARD OF SUPERVISORS  
CRESTLINE SANITATION DISTRICT- ELECTION FOR  
REORGANIZATIONAL STRUCTURE OF THE COMPOSITION OF THE  
GOVERNING BODY FROM BOARD-GOVERNED TO SELF-GOVERNED  
BOARD OF DIRECTORS  
APRIL 13, 2010  
PAGE 2 OF 2**

The question to be submitted to the voters shall read as follows: "Shall the composition of the governing body of the Crestline Sanitation District be reorganized from a district governed by the County Board of Supervisors to a self-governed district with a five-member Board of Directors composed of local residents, subject to the terms and conditions as more particularly described in the resolution of the Board of Supervisors?"

The election to be held shall also include a call for election 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. The second measure to be submitted to the voters shall read as follows: "If the reorganizational structure of the governing body of the Crestline Sanitation District is approved by a majority of voters voting on the previous measure, the following candidates shall be elected as the first Board of Directors of said District (Vote for five).

[List of candidates]"

Approval of these recommendations will note receipt of the Crestline Sanitation District Governance Commission Feasibility Report and recommendation regarding reorganization of the composition of the governing body from a Board-governed to self-governed Crestline Sanitation District; will order an election relating to the reorganization of the governing body composition in accordance with said recommendation; and will direct the Registrar of Voters to conduct a special wholly by mail ballot election to be held on August 3, 2010.

**FINANCIAL IMPACT**

The Registrar of Voters estimates the cost of the special wholly-by-mail ballot election to be \$17,000. The County will be reimbursed by the Crestline Sanitation District for all costs associated with the August 3, 2010 wholly-by-mail ballot election. Payment for election services will be budgeted in FY 2010/11 as paid from Crestline Sanitation District EGS-685-685 expenditure code 2445, to Registrar of Voters AAA-ROV-ROV revenue code 9545 GRC 05270000.

Crestline Sanitation District reimburses the costs for a portion of administrative salaries and benefits as well as certain services and supplies to Special Districts Department in an estimated amount of \$712,000 annually. The Department has been anticipating this potential change for the past two years and has been making necessary adjustments to provide that these costs be absorbed through various cost reduction measures. Additionally, the potential annual revenue loss to County departments (such as Purchasing, County Counsel, Real Estate Services, Printing Services, among others) is estimated to be \$131,000. The general fund revenue loss is not expected to present a significant problem for any one department.

**REVIEW BY OTHERS**

This item has been reviewed by Special Districts Department (Jeff Rigney, Director, 387-5967) on March 30, 2010; Registrar of Voters (Kari Verjil, Registrar, 387-2083, and Terry Kouba, Chief Deputy Registrar, 387-2101) on March 30, 2010; County Administrative Office (Monique Amis, Administrative Analyst, 387-3828) on March 30, 2010; and County Counsel (Dawn Messer, Deputy County Counsel, 387-4322 and Daniel B. Haueter, Principal Assistant County Counsel, 387-5467) on March 30, 2010.

**RESOLUTION NO. 2010-58**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, RELATED TO THE CRESTLINE SANITATION DISTRICT ELECTION FOR REORGANIZATIONAL STRUCTURE OF THE COMPOSITION OF THE GOVERNING BODY FROM A BOARD-GOVERNED TO SELF-GOVERNED BOARD OF DIRECTORS**

On Tuesday April 13, 2010, on motion of Supervisor Derry, duly seconded by Supervisor Biane and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, the Crestline Sanitation District currently provides sewer services to the communities of Crestline, Crest Forest, Cedarpines Park, Valley of Enchantment, Lake Gregory, and Twin Peaks, and is currently governed by a board composed of the members of the Board of Supervisors;

WHEREAS, the Crestline Sanitation District Governance Commission has issued a Governance Feasibility Report and letters recommending that the composition of the governing board of the Crestline Sanitation District be changed from a Board-governed to a self-governed Board of Directors, which will 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, Elections Code section 4108 authorizes this Board to call a wholly-by-mail ballot election on August 3, 2010, for the purpose of allowing voters within the jurisdiction to vote on this measure.

The Board of the County of San Bernardino, therefore, hereby resolves and orders:

1. A wholly-by-mail ballot election is hereby ordered within the boundaries of the Crestline Sanitation District to be held on August 3, 2010;
2. The following two measures shall appear on the ballot:

Shall the composition of the governing body of the Crestline Sanitation District be reorganized from a district governed by the County Board of Supervisors to a self-governed district with a five member Board of Directors composed of local residents, subject to the terms and conditions as more particularly described in the resolution of the Board of Supervisors?

Yes \_\_\_\_\_ No \_\_\_\_\_

If the reorganizational structure of the governing body of the Crestline Sanitation District is approved by a majority of voters voting on the previous measure, the following candidates be elected as the first Board of Directors of said District. (Vote for five)

[List of candidates]

3. The candidate filing period shall open on April 14, 2010 at the office of the Registrar Voters;

4. Candidates shall complete a declaration of candidacy and must be a registered voter of the Crestline Sanitation District; which registration and residency will be verified by the Registrar of Voters at the time nomination documents are issued;

5. No nomination signatures are required for this election;

6. Pursuant to Elections Code section 13307, each candidate for elective office to be voted for at the election to be held on August 3, 2010, may, at his or her option, prepare and submit a candidate's statement, along with a check in an amount estimated to be \$250, on the appropriate form provided by the Registrar of Voters;

7. Said candidate's statement may include the name, age and occupation of the candidate and a brief description, of not more than 200 words, of the candidate's education and qualifications expressed by the candidate himself or herself; said statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations;

8. The last day to file nomination documents with the Registrar of Voters shall be 5:00 p.m. on May 7, 2010;

9. The last day for new voters to register to vote in the jurisdiction of the Crestline Sanitation District in order to participate in this election shall be July 19, 2010:

10. A mail ballot along with a sample ballot shall be mailed to each registered voter in the Crestline Sanitation District between July 6 and July 24, 2010;

11. The Registrar of Voters is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies and equipment that may be necessary in order to properly and lawfully conduct said wholly-by-mail ballot election;

12. All mail ballots must actually be received in the office of the Registrar of Voters by no later than 5:00 p.m. on August 3, 2010;

13. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law;

14. The Registrar of Voters is authorized to canvass the returns of the election, certify the election results, and should the measure pass, prepare candidate certificates of election and submit the results to this Board for approval;

15. The terms of the officers elected at this election will commence upon certification of the election results; said directors so elected shall meet as soon as practicable after taking office and classify themselves by lot into two classes of three and two; and the class of two shall run for four year terms in November of 2013, said terms to commence on the first Friday in December of 2013 and terminate on the first Friday in December of 2017; and the class of three shall run for four year terms in November of 2015, said terms to commence on the first Friday in December of 2015, and terminate on the first Friday in December of 2019; and all elections thereafter shall be conducted by mail in August of odd numbered years for four year terms.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: SUPERVISORS: Mitzelfelt, Biane, Derry, Ovitt, Gonzales

NOES: SUPERVISORS: None


ABSENT: SUPERVISORS: None

\* \* \* \* \*

STATE OF CALIFORNIA                    )  
  ) ss.  
COUNTY OF SAN BERNARDINO        )

I, **LAURA H. WELCH**, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of April 13, 2010. item 6, ml.

LAURA H. WELCH  
Clerk of the Board of Supervisors

By  Deputy

