RESOLUTION NO: 2019-01

RESOLUTION OF THE BOARD OF DIRECTORS SUTTER COMMUNITY SERVICES DISTRICT, COUNTY OF SUTTER APPROVING THE RESCHEDULING OF GOVERNING BODY MEMBER ELECTIONS FROM ODD-NUMBERED YEARS TO EVEN-NUMBERED YEARS, IN ACCORDANCE WITH ELECTIONS CODE § 1303(B) AND SENATE BILL 415 (2015-2016 REGULAR SESSION), AND REQUESTING THE APPROVAL OF THE COUNTY OF SUTTER TO CONSOLIDATE THE SAME WITH THE STATEWIDE GENERAL ELECTION PURSUANT TO ELECTIONS CODE § 10404.

WHEREAS, on September 1, 2015, Governor Brown signed Senate Bill 415 (Reg.Sess.), codified at Stats. 2015, ch. 235, enacting Elections Code §§ 14050-14057, which prohibits the holding of an election other than on a statewide election date if holding an election on a nonconcurrent date resulted in a significant decrease in voter turnout, as defined, and further authorizes voters to enforce this prohibition by filing an action in superior court; and

WHEREAS, the Sutter Community Services District currently conducts its elections for members of the District in November of odd-numbered years pursuant to Elections Code § 1303 subdivision (a); and

WHEREAS, voter participation in Sutter County is greater for statewide general elections than for odd-year local elections, including special district governing body member elections; and

WHEREAS, the District believes that rescheduling to even-numbered year elections may enhance voter participation and further increase the percentage of voters participating in the Special District elections; and

WHEREAS, it is considered the view of the District that starting with the 2020 Special District elections, the public interest will be better served by election of its governing body members in even-numbered year elections, held in conjunction with the statewide general elections; and

WHEREAS, the District further recognizes that there may also be a cost savings to the District resulting from aligning the District’s elections with the statewide general elections; and

WHEREAS, as a result of these facts, the District desires to change the date of future governing body member elections to be consolidated with the California statewide general election in order to increase and enhance voter participation; 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 Board of Supervisors of the affected county, see Elec. Code § 10404; and
WHEREAS, if the change in election date is approved by the Sutter County Board of Supervisors, it is requested that the new election date be moved from November of odd-numbered years to November of even-numbered years commencing in 2020 with governing body members whose terms would have expired in 2019 being extended to 2020 and governing body members whose terms would have expired in 2021 being extended to 2022, as required by Elections Code § 10404(i) (refer to Exhibit A),

NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are true and correct.

2. The undersigned, constituting at least a majority of the members of the Sutter Community Services District Governing Body, 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 2020 pursuant to Elections Code § 1303(b).

3. The District shall forward the original copy of this resolution to the Sutter 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 Sutter County Board of Supervisors at a public meeting within 60 days after submission and after the resolutions have been posted in accordance with law.

4. The District shall pay the expenses of mailing notice of approval of the change in election date by the Sutter County Board of Supervisors as required by Elections Code § 10404 subdivision (f).

5. If the consolidation of election is approved by the Board of Supervisors, the date of the District’s next election will be moved to November 3, 2020, and each subsequent governing body member election will be held two years thereafter in November of even-numbered years.

6. If the consolidation of election is approved, the terms of office of current governing body members expiring in November 2019 will be extended to November 2020 and the terms of members expiring in November 2021 will be extended to November 2022 (see Exhibit A).

7. In the event that the Sutter County Board of Supervisors declines to authorize consolidation in 2020 on the grounds specified in Elections Code § 10404(e), the Sutter Community Services District Governing Body requests that the Sutter County Board of Supervisors authorize such consolidation at the soonest feasible date.

8. The Sutter Community Services District hereby agrees to reimburse Sutter County for the cost of the election.
9. The District and/or her designee is authorized to take such actions and execute such agreements and documentation as are necessary to effect the intent of this Resolution.

The foregoing RESOLUTION was adopted this 4th day of March, 2019, at a regular meeting of the Governing Body of the Sutter Community Services District, by the following vote:

AYES: 4
NOES: 8
ABSTAIN:
ABSENT: 1

Dated: 3/4/2019

Signature of the Chair of the Board

Signature Secretary of the Board

ATTEST:

Clerk of the Board