

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 2.9
(ID # 19748)

MEETING DATE:
Tuesday, August 02, 2022

FROM : REGISTRAR OF VOTERS:

SUBJECT: REGISTRAR OF VOTERS: Request for Change in Election Date, West Valley Water District; District 1; [\$200].

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve West Valley Water District's request for election date change.

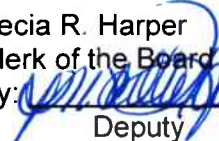
ACTION:Consent


Rebecca Spencer 8/1/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: August 2, 2022
xc: ROV

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 200	\$ 0	\$ 200	\$ 0
NET COUNTY COST	\$ 200	\$ 0	\$ 200	\$ 0
SOURCE OF FUNDS: West Valley Water District			Budget Adjustment: No	
			For Fiscal Year: 22/23	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The West Valley Water District has submitted the attached resolution requesting the Board of Supervisors' approval to change the District's odd-year Governing Board election date to occur on the same date as the even-year General Elections. California Elections Code § 10404 allows special districts to consolidate their election with Elections held in November of even numbered years with the Board of Supervisors' approval. The code further stipulates that the Board shall approve such request unless the ballot style, voting equipment, or computer capability is such that additional elections or materials cannot be handled. The Registrar of Voters can accommodate this change of election date.

State law also requires that within 30 days after approval of the resolution, a notice is to be mailed to all registered voters of the District informing them of the change in election date and the terms of officeholders which will be changed. The cost of this mailing will be reimbursed by the District.

Impact on Residents and Businesses

The change in election date to occur on the same date as the even-year General Election would encourage greater voter participation at no additional cost. Registered voters will save a trip to the vote center by voting for both this district election and the even-year General Election.

ATTACHMENTS:

ATTACHMENT A. WEST VALLEY WATER DISTRICT RESOLUTION NO. 2022-19



Juan C. Perez, Chief Operating Officer

8/1/2022

RESOLUTION NO. 2022-19
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE WEST VALLEY WATER DISTRICT
CHANGING THE DISTRICT ELECTION DATE
FROM JUNE OF 2022 TO THE STATEWIDE
GENERAL ELECTION IN NOVEMBER 2022
IN ORDER TO COMPLY WITH SB 415

WHEREAS, the California Voter Participation Rights Act (SB 415 – California Elections Code Sections 14050-14057) became effective January 1, 2018 and prohibits a political subdivision (including a special district) from holding an election on a date other than on a statewide election date in even-numbered years, if holding an election on a non-statewide election date has previously resulted in a “significant decrease in voter turnout,” which is defined by SB 415 as at least 25% less voter turnout than the average voter turnout within the District for the previous four statewide general elections (November, 2010, 2012, 2014, 2016, & 2018). According to County voting records, the average eligible voter turnout within the District for the previous four statewide general elections would point to the conclusion that the District is required to change to statewide general election dates in even-numbered years; and

WHEREAS, in order to change its West Valley Water District Board of Directors (“Board of Directors”) election date to comply with SB 415, Elections Code Section 1301(b) authorizes the District to adopt a resolution changing its district election date from odd number years to the statewide general election in November of even-numbered years. The resolution must then be submitted to the San Bernardino County Board of Supervisors and Riverside County Board of Supervisors for approval for approval; and

WHEREAS, in order to comply with SB 415, it is the intent of the Board of Directors to change the district election date for Board members from odd number years of to the statewide general election in 2022, commencing with the November 2022 general election. Elections Code Section 10404 provides that if the election date is changed to the statewide election date in odd numbered years, those Board members whose terms of office would have, prior to the adoption of the resolution, expired prior to the elections shall, instead, continue in their offices until their successors are elected and qualified; and

WHEREAS, it is also the intent of the Board of Directors to extend terms of office in order to implement SB 415 as follows: Directors in Divisions 1, 2 and 3, which were elected to office on November 5, 2017, will have approximately one(1) year added to their terms so that their terms will expire in 2022 ($2017 + 4 = 2021$) in order to comply with SB 415 which requires even-year elections no later than November 2022. Directors in Divisions 1, 2 and 3 currently have terms which will expire November 2021. This Resolution will extend those current terms to November 2022; and

WHEREAS, this election schedule will serve the purpose of avoiding an election in the odd year of 2021 which would have resulted in significant cost being charged to the District by the County Registrar of Voters since the District would be one of few agencies, and perhaps the only agency, still on an odd-year cycle.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors as follows:

Section 1 Incorporation of Recitals. All of the foregoing Recitals are true and correct, and the Board so finds and determines. The Recitals set forth above are incorporated herein and made an operative part of this Resolution

Section 2 Previous Resolutions Are Hereby Superseded. As of the effective date of this Resolution, Resolution 2021-1 shall be deemed to be superseded and shall be of no further force or effect. As a result, the Board of Directors elections for the District shall hereby occur on the general statewide election date of even-numbered years going forward, beginning with November 2022.

Section 3 Even-Numbered Year General District Elections. Pursuant to California Elections Code Sections 1301(b) and 14050-14057, and commencing with the November 2022 primary election, the date of the District election shall be deemed to the same date as the statewide general election of each even-numbered year.

Section 4 Effective Date. Pursuant to Elections Code Section 1301(b), this Resolution shall not become effective until it is approved by the San Bernardino County Board of Supervisors and the Riverside County Board of Supervisors. The Secretary of the Board of Directors shall transmit copies of this Resolution to the Clerk of the Board of Supervisors and to the Office of the Registrar of Voters for San Bernardino County and Riverside County.

Section 5 Severability. If any section, subsection, clause or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

ADOPTED, SIGNED, AND APPROVED THIS 21st DAY OF JULY 2022.

Channing Hawkins
President of the Board of Directors
West Valley Water District

ATTEST:

Jon Stevenson
Acting Board Secretary