

RESOLUTION NO: 122014-01

CALWA RECREATION AND PARK DISTRICT

ELECTION OF DIRECTORS

WHEREAS, the Calwa Recreation and Park District (the 'District') is a special district operating pursuant to the Public Resources Code, Recreation and Parks Districts §§ 5780 *et seq.*, and;

WHEREAS, the District is governed by a Board of Directors consisting of five (5) members who are elected for a term of four (4) years; and

WHEREAS, the District currently holds its Board of Directors' elections pursuant to the UDEL (Uniform District Elections) election in November of odd numbered years; and

WHEREAS, such elections are conducted by the Fresno County Clerk pursuant to Elections Code section 10517; and

WHEREAS, the costs of the UDEL election conducted by the Fresno County Clerk in odd numbered years is reimbursed to the County by those special districts that have their Board of Directors elected during said odd numbered years; and

WHEREAS, historically all special districts held their elections in odd numbered years; and

WHEREAS, the costs incurred by the Fresno County Clerk to conduct the odd numbered year elections were shared by all the special districts that had their elections in odd numbered years; and

WHEREAS, over the past several years most special districts in Fresno County have migrated their election cycle to the November of even numbered years thereby leaving fewer special districts to share the cost of reimbursing the Fresno County Clerk's office for its election costs in odd numbered years thereby causing a significant increase in the amount each special district has had to reimburse the County for its odd numbered year election; and

WHEREAS, the cost of said odd numbered year election is paid for by and creates a significant financial hardship for the District; and

WHEREAS, moving the District's elections to coincide with the statewide general elections, will result in a significant cost savings to the District; and

WHEREAS, generally, voter participation is greater for statewide general elections than for special local elections including special district Recreation and Parks Districts; and

WHEREAS, the Board seeks to enhance voter participation and specifically to increase the percentage of voters participating in the District's Board election; and

WHEREAS, the Board believes that rescheduling to ‘even-year elections’ will enhance voter participating and further increase the percentage of voters participating in the District’s Board election;

WHEREAS, it is the view of the Board that starting with the 2015 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; and

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

WHEREAS, the District desires to conserve its financial resources and to advance the financial and logistical interests of the District and the citizens therein, and

WHEREAS, the District’s Board of Directors desires their election to coincide, and be held in conjunction with, the statewide general election, which is held on the first Tuesday after the first Monday in November of each even numbered year; and

WHEREAS, California Elections Code section 10404, subdivision (b), authorizes the Board to adopt and submit such resolution to the board of supervisors not later than 240 days prior to the date of the currently schedule election for Board members; and

WHEREAS, Elections Code section 1303 authorizes the board of a special district to require that its elections of governing board members be held on the same day as the statewide general election, by submitting a resolution to the Fresno County Board of Supervisors; and

WHEREAS, the resolution becomes operative upon the approval of the Board of Supervisors pursuant to Elections Code Section 10404; and

WHEREAS, the current Board of Directors has two members whose term will expire in November 2015 and three members whose terms will expire in November of 2017 as is more particularly described in Exhibit A, attached hereto; and

WHEREAS, while the Board recognizes the significant cost savings to the District resulting from aligning the District’s election with the statewide general elections, this factor is not the sole motivation for the Board’s decision; but is an additional benefit that furthers the District’s policy of fiscal responsibility; and

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

WHEREAS, if the change in election date is approved by the Fresno County Board of Supervisors, the Board requests that the new election date be moved from November 2015 to November 2016, with Board members whose terms would have expired in November 2017 being extended to November 2018, as required by Elections Code Section 10404(i), and as more particularly set forth in Exhibit A attached hereto which is incorporated by this reference; and

WHEREAS, if the change in election date is approved by the Fresno County Board of Supervisors, the specific dates for the tiling of nomination papers, notices, canvass of votes, certification of election results, and all other procedural requirements of the Elections Code pertaining to the general election of Board members are as set forth in Exhibit B, attached hereto and incorporated by this reference.

Now, Therefore, Be It Resolved:

1. That the above recitals are true and correct; and the Board adopts this resolution to consolidate the election date for members of the Board with the California statewide general election in November in even years at the same time and place as the statewide general election as conducted by Fresno County Clerk/Registrar of Voters pursuant to Elections Code Section 10404.
2. This resolution consolidating the District election with the statewide general election, shall first become operative with the general statewide elections held on November 8, 2016 and each subsequent Board member election shall be held two years thereafter in November of even years.
3. For those District Board members whose terms of office would have expired in November 2015, their terms of office will be extended to November 2016 and for those Board members whose term would have expired in 2017, their terms of office will be extended to November 2018 as is more particularly set forth in Exhibit A, attached hereto.
4. The District's Chair or her designee will forward this resolution to the Fresno County Board of Supervisors explaining the rationale for the resolution and requesting formal approval of the change by the Board of Supervisors at a public meeting within 60 days after submission and after the resolution has been posted in accordance the law.
5. The District's Chair or her designee will notify the Fresno County Elections Office that the District is prepared to pre-pay the estimated expenses of mailing notice of approval of the change in election date by the Fresno County Board of Supervisors as required by Elections Code Section 10404(f).
6. The District's Chair or her designee is authorized to take such additional and further actions and execute any instruments and documentation as may be required by the Fresno County Board of Supervisors or other County officials in order to effectuate the change of dates for the election of District members as required by this Resolution.
7. This resolution shall be submitted to the Fresno County Board of Supervisors for approval pursuant to Elections Code Section 10404 subdivision (b)(2) and shall become effective upon such approval.
8. The District, in accordance with Election Code Section 10520, shall reimburse the County for the actual costs incurred by the Fresno County Clerk/Registrar of Voters in conducting the District's election of Board members during the general election, within 45 days of being presented with an invoice.

9. The specific dates for the filing of nomination papers, notices, canvass of votes, certification of election results, and all other procedural requirements of the Elections Code pertaining to the general election of Board members are as set forth in Exhibit B, attached hereto and incorporated by this reference.

This resolution is approved and adopted this 18th day of December, 2014, at the regular meeting of the Calwa Recreation and Park District, by the following roll call vote, to wit:

Director: Raul Guerra	<input checked="" type="radio"/> Aye	<input type="radio"/> No	<input type="radio"/> Absent	<input type="radio"/> Abstain
Director: Mary Rosales	<input checked="" type="radio"/> Aye	<input type="radio"/> No	<input type="radio"/> Absent	<input type="radio"/> Abstain
Director: Paul Garcia	<input checked="" type="radio"/> Aye	<input type="radio"/> No	<input type="radio"/> Absent	<input type="radio"/> Abstain
Director: Felicia Salcido	<input type="radio"/> Aye	<input type="radio"/> No	<input checked="" type="radio"/> Absent	<input type="radio"/> Abstain
Director: Sandra Celedon	<input checked="" type="radio"/> Aye	<input type="radio"/> No	<input type="radio"/> Absent	<input type="radio"/> Abstain

Date: 12/19/14



Mary Rosales, Chairperson of the Board of Directors

I, the undersigned, hereby CERTIFY that the foregoing Resolution Number 122014-01 was duly passed and adopted by the Calwa Recreation and Park District on 12/18/14 at its regular meeting on said date.

DISTRICT ADMINISTRATOR
FOR CALWA RECREATION
AND PARK DISTRICT:

Attest: Luis Mendoza
Luis Mendoza, District
Administrator

EXHIBIT A

**Calwa Recreation And Parks District
Board of Directors**

Board Member	Current Election Year	Proposed Election Year
Mary Rosales	2015	2016
Raul Guerra	2017	2018
Sandra Celedon	2017	2018
Paul Garcia	2015	2016
Felicia Salcido	2017	2018

EXHIBIT B

DATES AND PROCEDURES FOR THE ELECTION OF BOARD MEMBERS (All section reference are to the Elections Code)

1. No later than 125 days before the date of the general election, the District secretary shall deliver a notice of election to the County elections office listing the elective offices to be filled, specifying which offices, if any, are for the balance of an unexpired term and whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Section 13307 who will pay for any candidate's statement of qualifications. A map of the District must accompany the notice. (§ 10509, 10522)
2. Between the 120th and 90th day before the date of the general election, the County elections official will publish, on time, a Notice of election in a newspaper of general circulation containing the date of the election, the offices to be filled, qualifications for candidacy required by the principal act, where nomination papers are available, the deadline for filing Declarations for Candidacy, and a notice that appointment will be made in lieu of election in accordance with law. (§ 12112)
3. Between the 113th and 88th day before the date of the general election, candidates for the District's Board of Directors may obtain and file their Declarations of Candidacy along with their Candidate's Statement of Qualifications if they choose to submit one. (§ 10510, 10511, 13307, 13311)
4. If an incumbent member of the Board does not file a declaration of candidacy by 5 p.m. on the 88th day before the date of the general election, any person other than the incumbent may file a declaration of candidacy by 5 p.m. of the 83rd day before the date of the general election. (§ 10407(b), 10516(b))
5. If, by 5 p.m. on the 83rd day before the date of the general election: (1) only one person has filed a declaration of candidacy for any position to be filled on the Board; or (2) no one has filed a declaration of candidacy for such office; the County Board of Supervisors may appoint such person to the position. (§ 10515)
6. On the 82nd day before the date of the general election, the Secretary of State shall conduct the randomized alphabet at 11 a.m. to determine the order in which the Board candidates will appear on the general election ballot. (§ 13112)
7. Between the 57th and 14th day before the date of the general election, write-in candidates must file their Statement of Write-in Candidacy and Nomination Papers with the County elections official. (§ 8601)
8. Between the 2nd and 28th day after the date of the general election, the official canvass of

the returns is to be completed. (§ 10547 - 10549, 15300 et seq.)

9. No later than the Monday before the first Friday in December the county elections official shall declare the elected candidate or candidates, the County elections official shall declare the elected candidates. The elections official shall make out and deliver to each person elected, a certificate of election signed and authenticated by the elections official. Elective officers take office at noon on the first Friday in December next following the general District election. Prior to taking office, each elective officer shall take the official oath and execute any bond required by the principal District. (§ 10551, 10554, 15401)

In the event of any future amendment to the foregoing Elections Code provisions, the amended provisions shall be applicable. Where the foregoing dates are inconsistent with those provided for in the Elections Code for the statewide general election, the dates provided for such statewide general elections shall be controlling.