

RESOLUTION NO. 2017-7

**A RESOLUTION OF THE SCOTIA COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
OPTING OUT OF EVEN YEAR ELECTIONS**

WHEREAS, the Scotia Community Services District ("Scotia CSD") is organized and operates within Humboldt County pursuant to the California Government Code Section 61000, *et seq.*; and

WHEREAS, California Senate Bill 415, an act (which may be cited to as the California Voter Participation Rights Act (herein "the Act")) to add Chapter 1.7 (commencing with Section 14050) to Division 14 of the Elections Code, was approved by the California Governor and filed with the Secretary of State on September 1, 2015; and

WHEREAS, commencing January 1, 2018, the Act prohibits a political subdivision from holding an election other than on a statewide election date (i.e. "off-cycle") if holding an election on a non-concurrent date has previously resulted in voter turnout for a regularly scheduled election in the political subdivision being at least 25% less than the average voter turnout within the political subdivision for the four-previous statewide general elections; and

WHEREAS, the Act authorizes attorney's fees to a prevailing plaintiff who has appropriately filed an action in superior court to enforce the Act's prohibition; and

WHEREAS, a political subdivision may, however, hold an off-cycle election if, by January 1, 2018, the political subdivision has adopted a plan to consolidate a future election with a statewide election not later than the November 8, 2022, statewide general election; and

WHEREAS, statewide general elections are held in California only in June and November of even-numbered years (e.g. next election June and November 2018) (Elections Code section 1001); and

WHEREAS, generally voter turnout is greater for statewide general elections than for local elections held in November of odd-numbered years; and

WHEREAS, the District may achieve a savings in the cost of its elections, if the District's elections are consolidated with the statewide general elections; and

WHEREAS, the elections and terms of office for board members are determined pursuant to the Uniform District Elections Law (Elections Code section 10500 *et seq.*); and

WHEREAS, Elections Code 1302(b) establishes a procedure whereby the Governing Board may change the election date for its board members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county (Elections Code Section 10404.5); and

WHEREAS, the current date for election of members of the Board of Directors of the District is every two (2) years on the first Tuesday after the first Monday in November of odd-numbered years (e.g. November 2017 and 2019); and

WHEREAS, the District has not held an election in the general election for its Directors in previous years, as applicants have run unopposed, or been appointed to their elected positions, and therefore have no record of voter turn-out according to the Humboldt County Office of Elections (See Attachment A).

WHEREAS, as a result of these facts, the Board elects not to change the date of future board member elections to be consolidated with the California statewide general election at this time; and

WHEREAS, it is requested that the election date remain at the first Tuesday after the first Monday in November 2017.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Scotia Community Services District as follows:

Section 1: Each of the foregoing is true and correct.

Section 2: The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

Section 3: The Board of Commissioners declares its intent to adopt this resolution to opt out of consolidating the election date for members of the Board with the date for the California general election in November in even-numbered years (Elections Code section 1001) pursuant to Elections Code section 10404(b).

Section 4: The Board Secretary will forward this resolution to the Humboldt County Board of Supervisors explaining the rationale for the resolution after the resolution has been posted in accordance with the law.

Section 5: This resolution shall be effective upon adoption.


Dated: June 15, 2017

APPROVED:



Rick Walsh, Board President, Scotia CSD

ATTEST:



Ann Marshall, Board Clerk, Scotia CSD

Attachment A: Humboldt County Office of Elections Voter Turnout Analysis Aggregate List

CLERK'S CERTIFICATE

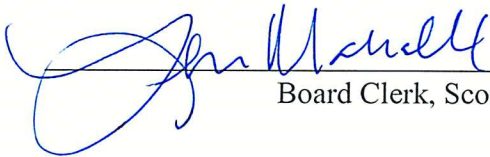
I hereby certify that the foregoing is a true and correct copy of Resolution No. 2017-7, passed and adopted at a regular meeting of the Board of Directors of the Scotia Community Service District, County of Humboldt, State of California, held on the 15th day of June, 2017, by the following vote:

AYES: Bristol, Mcknight, Newmaker, Pryor, Walsh

NOES: ∅

ABSENT: ∅

ABSTENTIONS: ∅


Board Clerk, Scotia CSD

