

RESOLUTION NO. 2016-15

RESOLUTION OF THE BOARD OF DIRECTORS OF THE PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT, SAN BERNARDINO COUNTY, RECOMMENDING CONSOLIDATED ELECTION FOR GOVERNING BOARD MEMBERS WITH STATEWIDE GENERAL ELECTIONS AND APPROVING THE RESCHEDULING OF SUCH ELECTIONS FROM ODD-YEAR TO EVEN-YEAR ELECTIONS COMMENCING WITH THE 2017 ELECTION

WHEREAS, Phelan Pinon Hills Community Services District ("PPHCSD") is a Community Services District organized and operating within the County of San Bernardino pursuant to California Government Code Section 61000 et seq.;

WHEREAS, PPHCSD was formed on or about March 18, 2008, pursuant to Resolution No. 2994 of the Local Agency Formation Commission of the County of San Bernardino ("LAFCO");

WHEREAS, Condition No. 5 of LAFCO Resolution No. 2994 expressly states that PPHCSD's Board of Directors ("the Board") "shall consist of five members, elected at-large, pursuant to the provisions of Government Code Section 61020;"

WHEREAS, under Sections 61020 and 61021(c) of the Government Code, the elections and terms of office for members of the Board shall be determined pursuant to the Uniform District Election Law (Elections Code Section 10500 et seq.);

WHEREAS, by operation of Sections 10505 and 10507 of the Elections Code, districts such as PPHCSD that are formed in an even-numbered year are required to hold their Board elections on the first Tuesday after the first Monday in November in each odd-numbered year;

WHEREAS, the current date for election of the Board is every two (2) years on the first Tuesday after the first Monday in November of odd years (e.g. the next election is scheduled for November 7, 2017);

WHEREAS, statewide general elections are held in California only in June and November of even years (e.g. the next statewide general election is scheduled for November 8, 2016) (Elections Code Section 1001);

WHEREAS, PPHCSD is located entirely within San Bernardino County;

WHEREAS, the California Voter Participation Rights Act (Senate Bill 415), approved by the Governor in September 2015 and effective January 1, 2016, prohibits a political subdivision from holding an election other than on a statewide election date commencing January 2018 (Elections Code Sections 14050-14057);

WHEREAS, elections that are held in odd-numbered years have historically had lower levels of voter participation than statewide elections conducted in even-numbered years [refer to Exhibit A];

WHEREAS, since PPHCSD's Board-member elections are not held in conjunction with most state elections, PPHCSD is forced to bear disproportionately higher election costs than if the elections were consolidated with statewide general elections in even-numbered years;

WHEREAS, PPHCSD wishes to increase voter participation in elections for Board members and to reduce expenses whenever possible;

WHEREAS, it is considered the view of the Board that starting with the 2017 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;

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

WHEREAS, while the Board recognizes there is a cost savings to PPHCSD resulting from aligning its election with the statewide general elections, this factor is not the primary motivation for the Board's decision, however, this incidental benefit furthers PPHCSD's policy of fiscal responsibility;

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

WHEREAS, pursuant to Elections Code Section 10505(d), PPHCSD is authorized by Section 10404 of the Elections Code to adopt a resolution requiring that its Board-member elections be held on the same day as the statewide general election; and

WHEREAS, if the change in election date is approved, it is being requested the new election date be moved from November 2017 to November 2018 with Board members whose terms would have expired in 2017 being extended to 2018 and Board members whose terms would have expired in 2019 being extended to 2020, as required by Elections Code Section 10404(i) [refer to Exhibit B].

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Phelan Pinon Hills Community Services District that the above recitals are true and correct and that the Board hereby adopts this Resolution to consolidate the election date for members of the Board with the California state general election in November in even years (Elections Code Section 1001) pursuant to Elections Code Section 10404(b).

BE IT FURTHER RESOLVED by the Board of Directors of the Phelan Pinon Hills Community Services District that the Board Secretary will notify the San Bernardino County Elections Office that the District is prepared to pay the expenses of mailing notice of approval of the change in election date by the San Bernardino County Board of Supervisors as required by Elections Code 10405.7(f).

BE IT FURTHER RESOLVED by the Board of Directors of the Phelan Pinon Hills Community Services District that the San Bernardino County Board of Supervisors is hereby requested to consolidate all future elections for the Board of Directors of the Phelan Pinon Hills Community Services District with the statewide general elections to be held in even-numbered years, beginning on November 6, 2018.

BE IT FURTHER RESOLVED by the Board of Directors of the Phelan Pinon Hills Community Services District that if the consolidation of election is approved, the term of office of current Board members expiring in November 2017 will be extended to November 2018 and the term of Board members expiring in November 2019 will be extended to November 2020, as set forth in Exhibit B.

BE IT FURTHER RESOLVED by the Board of Directors of the Phelan Pinon Hills Community Services District that, upon consolidation with the statewide general election, all such future elections for the Board of Directors of the Phelan Pinon Hills Community Services District shall be conducted in accordance with, including dates that are consistent with, the primary or general election with respect to nominations, notices, canvass of votes, certification of election, and all other procedural requirements of the California Elections Code pertaining to the primary or general election.

BE IT FURTHER RESOLVED by the Board of Directors of the Phelan Pinon Hills Community Services District that the District's Board Secretary or designee is authorized to take such actions and execute such agreements and documentation necessary to implement the intent of this Resolution.

PASSED AND ADOPTED by the Board of Directors of the Phelan Pinon Hills Community Services District on December 21, 2016, by the following vote:

AYES: Brandon, Morrissette, Pace, Roberts, Whalen
NOES:
ABSTAIN:
ABSENT:



President, Board of Directors

ATTEST: 

EXHIBIT A

Phelan & Pinon Hills Election Participation Rates

Precinct**	General Presidential Election November 8, 2016			Consolidated Election November 10, 2015			General Statewide Election November 4, 2014			Consolidated Election November 5, 2013			General Presidential Election November 6, 2012		
	Total Registered	Total Turnout	Total Participation	Total Registered	Total Turnout	Total Participation	Total Registered	Total Turnout	Total Participation	Total Registered	Total Turnout	Total Participation	Total Registered	Total Turnout	Total Participation
UNI0408	350	251	71.71%	279	40	14.34%	352	86	24.43%	359	40	11.14%	354	185	52.26%
UNI0478	1263	968	76.64%	1052	152	14.45%	1204	416	34.55%	1232	136	11.04%	1241	476	38.36%
UNI0479	2	2	100.00%	3	1	33.33%	3	1	33.33%	3	1	33.33%	4	11	275.00%
UNI0480	1978	1604	81.09%	1689	241	14.27%	1990	818	41.11%	2052	197	9.60%	1997	1502	75.21%
UNI0648	1528	1287	84.23%	1265	223	17.63%	1468	635	43.26%	1535	190	12.38%	1522	1176	77.27%
UNI0649	1639	1335	81.45%	1429	205	14.35%	1711	677	39.57%	1782	180	10.10%	1737	1252	72.08%
UNI0650	1866	1564	83.82%	1700	383	22.53%	1960	900	45.92%	2004	339	16.92%	2003	1466	73.19%
UNI0651	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
UNI0652	1557	1302	83.62%	1352	243	17.97%	1594	687	43.10%	1645	237	14.41%	1610	1130	70.19%
TOTAL	10183	8813	81.64%	8769	1488	16.97%	10282	4220	41.04%	10612	1320	12.44%	10468	7198	68.76%

Precinct**	Consolidated Election November 8, 2011			General Statewide Election November 2, 2010			Presidential Primary* February 5, 2008		
	Total Registered	Total Turnout	Total Participation	Total Registered	Total Turnout	Total Participation	Total Registered	Total Turnout	Total Participation
TOTAL	9968	1562	15.67%	10116	6263	61.91%	8998	4999	55.56%

NOTES:

*The District was formed on February 5, 2008; the formation election took place during a Presidential Primary.

**In 2012, redistricting occurred which did not allow for a comparable detailed precinct breakdown back to the year of District formation.

EXHIBIT B

**PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT'S
BOARD OF DIRECTORS**

Board Member	Current Election Year	New Election Year
Alex Brandon	2019	2020
Al Morrissette	2017	2018
Cathy Pace	2017	2018
Mark Roberts	2019	2020
Dan Whalen	2017	2018