

RESOLUTION NO. 17R-05

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
BIGHORN-DESERT VIEW WATER AGENCY
CHANGING THE REGULAR ELECTION FOR THE GOVERNING BOARD OF
DIRECTORS FROM NOVEMBER OF ODD-NUMBERED YEARS TO THE
STATEWIDE GENERAL ELECTION IN NOVEMBER OF EVEN-NUMBERED YEARS**

WHEREAS, Bighorn-Desert View Water Agency (“Agency”) Law is set forth in California Water Code-Uncodified Acts; and

WHEREAS, Section 3 of the Bighorn-Desert View Water Agency (BDVWA) Law expressly states that BDVWA’s Board of Directors (“the Board”) “shall consist of five members” and “all successors of the first board shall be elected or chosen at the time and manner provided in the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10 of the Elections Code); and

WHEREAS, by operation of Sections 10505 and 10507 of the Elections Code, special districts such as BDVWA 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; and

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); and

WHEREAS, the California Voter Participation Rights Act (SB 415) becomes effective January 1, 2018 and prohibits a political subdivision (e.g. BDVWA) from holding a regular election on a date other than on a statewide primary or general election date in even-numbered years, if holding a regular 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; and

WHEREAS, the Agency’s regular election date is not a statewide election date and the 2015 Agency regular election resulted in approximately 20 percent of eligible voter participation as shown in Exhibit A; and

WHEREAS, elections held in odd-numbered years have historically resulted in lower participation and higher expenses to the Agency; and

WHEREAS, in order to change its regular election date to comply with SB 415, Elections Code Section 1303(b) authorizes the Agency to adopt a resolution changing

its regular election date from November of odd-numbered years to the statewide general election in November of even-numbered years; and

WHEREAS, the resolution must then be submitted to the County of San Bernardino Board of Supervisors by no later than March 12, 2017, which is at least 240 days before the next Agency regular election date, and the resolution must be approved by the Board of Supervisors in order to change the Agency's election date; and

WHEREAS, it is the intent and desire of the Agency's Board to change its regular election date for Directors from November of odd-numbered years to the statewide general election in November of even-numbered years; and

WHEREAS, state law allows an Agency to extend the terms of current Directors until their successors are elected and qualified in order to match their terms with a changed regular election date (Elections Code Section 10404(i)); and

WHEREAS, it is also the intent and desire of the Agency's Governing Board of Directors to extend the terms of office for current Directors by one year (to November, 2018 and November 2020, respectfully) in order to match their terms with the changed regular election dates.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Bighorn-Desert View Water Agency 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 California state general election in November in even numbered years (Election Code Section 1001) pursuant to Elections Code Section 10404(b).

BE IT FURTHER RESOLVED by the Board of Directors of Bighorn-Desert View Water Agency that the General Manager or designee will notify the San Bernardino County Elections Office that BDVWA 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 10404(g).

BE IT FURTHER RESOLVED by the Board of Directors of Bighorn-Desert View Water Agency that the San Bernardino County Board of Supervisors is hereby requested to consolidate all future elections for the Board of Directors of Bighorn-Desert View Water Agency 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 Bighorn-Desert View Water Agency that if the consolidation 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 as set forth in Exhibit B.

BE IT FURTHER RESOLVED by the Board of Directors of Bighorn-Desert View Water Agency that, upon consolidation with the statewide general election, all such future elections for the Board of Directors of the Bighorn-Desert View Water Agency 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 elections.

BE IT FURTHER RESOLVED by the Board of Directors of Bighorn-Desert View Water Agency that the Agency's General Manager or designee is authorized to take such actions and execute such agreements and documentation necessary to implement the intent of this Resolution.

PASSED, APPROVED AND ADOPTED by the Board of Directors to Bighorn-Desert View Water Agency this 28th day of February 2017, by the following roll call vote:

Ayes: *Coulombe, Staley, Corl-Lorono, McBride, Burkhart*
Noes: *None*
Abstain: *None*
Absent: *None*

By *J. Larry Coulombe*
J. Larry Coulombe, President of the Board

ATTEST:

Judy Corl-Lorono
Judy Corl-Lorono, Secretary of the Board

Exhibit A

November 3, 2015

CONSOLIDATED ELECTION

100018		BIGHORN-DESERT VIEW WATER AGENC									
	Registration	Ballots Cast	Turnout (%)	DAVID RILEY RAY	MICHAEL H. MCBRIDE	J. LARRY COULONBE					
UNI0184 184	142	0	0.00	0	0	0					
UNI0184 - Vote by Mail	142	39	27.46	25	22	12					
UNI0191 191	29	0	0.00	0	0	0					
UNI0191 - Vote by Mail	29	7	24.14	1	6	3					
UNI0192 192	0	0	0.00	0	0	0					
UNI0192 - Vote by Mail	0	0	0.00	0	0	0					
UNI0240 240	0	0	0.00	0	0	0					
UNI0240 - Vote by Mail	0	0	0.00	0	0	0					
UNI0241 241	7	0	0.00	0	0	0					
UNI0241 - Vote by Mail	7	4	57.14								
UNI0244 244	0	0	0.00	0	0	0					
UNI0244 - Vote by Mail	0	0	0.00	0	0	0					
UNI0245 245	491	7	1.43	0	7	6					
UNI0245 - Vote by Mail	491	92	18.74	27	66	65					
UNI0249 249	486	11	2.26	1	11	9					
UNI0249 - Vote by Mail	486	84	17.28	27	60	56					
UNI0251 251	271	3	1.11								
UNI0251 - Vote by Mail	271	44	16.24	16	32	21					
UNI0262 262	6	0	0.00	0	0	0					
UNI0262 - Vote by Mail	6	0	0.00	0	0	0					
UNI0263 263	2	0	0.00	0	0	0					
UNI0263 - Vote by Mail	2	1	50.00								
UNI0264 264	0	0	0.00	0	0	0					
UNI0264 - Vote by Mail	0	0	0.00	0	0	0					
Precinct Totals	1434	21	1.46	1	21	18					
Vote by Mail Totals	1434	271	18.90	97	190	161					
Grand Totals	1434	292	20.36	98	211	179					
California	1434	292	20.36	98	211	179					
San Bernardino County	1434	292	20.36	98	211	179					
State Bd of Equal 1	142	39	27.46	25	22	12					
State Bd of Equal 4	1262	253	19.98	73	189	167					
U. S Representative District 8	1434	292	20.36	98	211	179					
Senatorial District 16	1434	292	20.36	98	211	179					
State Assembly District 33	171	46	26.90	26	28	15					
State Assembly District 42	1263	246	19.49	72	183	164					
Supervisory District 3	1434	292	20.36	98	211	179					
Unincorporated Area	1434	292	20.36	98	211	179					

Exhibit A

November 5, 2013

CONSOLIDATED ELECTION

100006	BIGHORN-DESERT VIEW WA							
	Registration	Ballots Cast	Turnout (%)	J. LARRY COULOMBE	JUDY K. CORN-LORONO	J. DENNIS STALEY	TERRY BURKHART	
UNI0164 164	171	0	0.00	0	0	0	0	
UNI0164 - Vote by Mail	171	51	29.82	25	16	22	13	
UNI0191 191	37	0	0.00	0	0	0	0	
UNI0191 - Vote by Mail	37	11	29.73	2	8	10	11	
UNI0192 192	0	0	0.00	0	0	0	0	
UNI0192 - Vote by Mail	0	0	0.00	0	0	0	0	
UNI0240 240	0	0	0.00	0	0	0	0	
UNI0240 - Vote by Mail	0	0	0.00	0	0	0	0	
UNI0241 241	8	0	0.00	0	0	0	0	
UNI0241 - Vote by Mail	8	4	50.00					***** Insufficient Turnout to Pr
UNI0244 244	0	0	0.00	0	0	0	0	
UNI0244 - Vote by Mail	0	0	0.00	0	0	0	0	
UNI0245 245	632	12	1.90	6	6	8	8	
UNI0245 - Vote by Mail	632	86	13.61	50	42	54	50	
UNI0249 249	596	12	2.01	0	9	9	10	
UNI0249 - Vote by Mail	596	85	14.26	41	46	46	55	
Precinct Totals	1444	24	1.68	6	15	17	18	
Vote by Mail Totals	1444	237	16.41	119	115	136	133	
Grand Totals	1444	261	18.07	125	130	153	151	
CALIFORNIA	1444	261	18.07	125	130	153	151	
San Bernardino County	1444	261	18.07	125	130	153	151	
State Bd of Equal 1	171	51	29.82	25	16	22	13	
State Bd of Equal 4	1273	210	16.50	100	114	131	138	
Congressional District 8	1444	261	18.07	125	130	153	151	
Senatorial District 16	1444	261	18.07	125	130	153	151	
Assembly District 33	208	62	29.81	27	24	32	24	
Assembly District 42	1236	199	16.10	98	106	121	127	
Supervisorial District 3	1444	261	18.07	125	130	153	151	
Unincorporated Area	1444	261	18.07	125	130	153	151	

November 8,2011

CONSOLIDATED ELECTION

100013		DIRECTOR - ST, BIGHORN-DESERT VIEW WATER							
	Registration	Ballots Cast	Turnout (%)	JUDY CORL-LORONO	RICK CURRY	DUANE D. LISIEWSKI	PAUL L. DOSSEY		
FLAMINGO HEIGHTS 1 0141	400	25	6.25	17	10	5	10		
FLAMINGO HEIGHTS 1 - Vote By	400	78	19.50	40	28	23	20		
JOHNSON VALLEY 0295	171	62	36.26	14	4	43	48		
JOHNSON VALLEY - Vote By Ma	171	2	1.17						
LANDERS 1 0297	852	32	3.76	16	11	9	11		
LANDERS 1 - Vote By Mail	852	152	17.84	72	38	60	63		
LANDERS 2 0298	45	16	35.56	9	4	4	4		
LANDERS 2 - Vote By Mail	45	0	0.00	0	0	0	0		
Precinct Totals	1468	135	9.20	56	29	61	73		
Vote By Mail Totals	1468	232	15.80	112	65	83	83		
Grand Totals	1468	367	25.00	168	94	144	156		
San Bernardino County	1468	367	25.00	168	94	144	156		
State Bd of Equal 3	1468	367	25.00	168	94	144	156		
Congressional District 41	1468	367	25.00	168	94	144	156		
Senate District 18	1468	367	25.00	168	94	144	156		
Assembly District 34	1068	264	24.72	111	58	116	126		
Assembly District 65	400	103	25.75	57	36	28	30		
Supervisory District 3	1468	367	25.00	168	94	144	156		
Unincorporated Area	1468	367	25.00	168	94	144	156		

CONSOLIDATED ELECTION

100013	BIGHORN-DESERT VIEW WATER AGENCY									
	Registration	Ballots Cast	Turnout (%)	DIRECTOR - BIGHORN-DESE VIEW WA - FT JUDY CORL-LORONO	J. LARRY COULOMBE	MARTHA E. OSWALT	BARBARA RENTON	TERRY BURKHART	DIRECTOR - BIGHORN-DESE VIEW WA - ST DAVID A. LARSON	WARREN N. STRODEL
FLAMINGO HEIGHTS 1 130	400	23	5.75	13	17	12	11	12	14	8
FLAMINGO HEIGHTS 1 - Vote By	400	66	16.50	32	43	19	19	37	26	34
JOHNSON VALLEY 256	188	81	43.09	14	41	61	54	21	55	17
JOHNSON VALLEY - Vote By Ma	188	0	0.00	0	0	0	0	0	0	0
LANDERS 1 257	642	44	6.85	21	28	18	23	25	27	14
LANDERS 1 - Vote By Mail	642	108	16.82	51	64	51	52	62	67	34
LANDERS 2 258	46	18	39.13	7	11	5	11	11	9	8
LANDERS 2 - Vote By Mail	46	0	0.00	0	0	0	0	0	0	0
LANDERS 8 259	241	15	6.22	5	12	9	8	10	8	7
LANDERS 8 - Vote By Mail	241	36	14.94	19	19	14	9	18	13	18
LANDERS 12 260	0	0	0.00	0	0	0	0	0	0	0
LANDERS 12 - Vote By Mail	0	0	0.00	0	0	0	0	0	0	0
YUCCA MESA 8 795	37	17	45.95	12	11	6	7	13	7	9
YUCCA MESA 8 - Vote By Mail	37	0	0.00	0	0	0	0	0	0	0
Precinct Totals	1554	198	12.74	72	120	111	114	92	120	83
Vote By Mail Totals	1554	210	13.51	102	126	84	80	117	106	86
Grand Totals	1554	408	26.25	174	246	195	194	209	226	149
SAN BERNARDINO COUNTY	1554	408	26.25	174	246	195	194	209	226	149
STATE BOE DISTRICT 3	1554	408	26.25	174	246	195	194	209	226	149
41st CONGRESS	1554	408	26.25	174	246	195	194	209	226	149
18th SENATE	1554	408	26.25	174	246	195	194	209	226	149
34th ASSEMBLY	1117	302	27.04	117	175	158	157	147	179	98
85th ASSEMBLY	437	106	24.26	57	71	37	37	62	47	51
Supervisory District 3	1554	408	26.25	174	246	195	194	209	226	149
Unincorporated Area	1554	408	26.25	174	246	195	194	209	226	149

Exhibit B

Board Member	Current Election Year	New Election Year
Judy Corl-Lorono	2017	2018
Terry Burkhart	2017	2018
J. Dennis Staley	2017	2018
J. Larry Coulombe	2019	2020
Michael McBride	2019	2020