



**Clerk of the Board
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: September 17, 2019

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Melinda Benton PHONE: 636-5000

SUBJECT: Lewis Creek Water District to change from odd- to even-numbered year election

REQUEST(S):

That the Board of Supervisors:

Approve the request by the Lewis Creek Water District to switch from odd- to even-numbered year elections, effective immediately.

SUMMARY:

Lewis Creek Water District, a California water district (Wat. Code, § 34000 et seq.), is landowner-elected, and thus runs its own elections. This means that the request by the district to change its elections from odd- to even-numbered years is not subject to the procedures in Elections Code section 10404 (which is for special districts wishing to consolidate their elections with others run by the County).

As a result, although the attached resolution from the district refers to Elections Code section 10404 and one of its requirements (notice by the County to other special districts in the County), Board staff have not followed the provision of that statute.

FISCAL IMPACT/FINANCING:

There is no County cost associated with this request.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

Continuously improve organizational effectiveness and fiscal stability. Provide the public with accessible high quality services that are timely and responsive.

SUBJECT: Lewis Creek Water District to change from odd- to even-numbered year election

DATE: September 17, 2019

ADMINISTRATIVE SIGN-OFF:



Melinda Benton, Chief Clerk
Clerk of the Board

cc: County Administrative Office

Attachment(s) Lewis Creek Water District Request and Resolution

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF LEWIS CREEK)
WATER DISTRICT TO CHANGE FROM)
ODD TO EVEN NUMBERED YEAR)
ELECTION)

Resolution No. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

That the Board of Supervisors:

Approved the request by the Lewis Creek Water District to switch from odd- to even-numbered year elections, effective immediately.

Lewis Creek Water District

209 SOUTH LOCUST STREET ■ POST OFFICE BOX 911
VISALIA, CALIFORNIA 93279-0911
PHONE 559/732-7938 ■ FAX 559/732-7937

August 26, 2019

County of Tulare
Hilary Robello, Deputy Clerk
Tulare County Board of Supervisors
2800 West Burrel Avenue
Visalia, CA 93291



RE: SB 415 ELECTION CODE CHANGE

Dear Mrs. Robello:

The Lewis Creek Water District currently conducts Board of Directors elections on an odd-year cycle. In order to comply with State Law SB 415, modifying the Elections Code, the District has adopted Resolution No. 2019-2, requesting changing District elections to be conducted in even-numbered years. Exhibit A is also attached which lists the current term ending year, along with the proposed term ending year, for each Board member. Approval of the Board of Supervisors is requested as to this change.

On behalf of the District, please accept our appreciation for your assistance in this regard.

Very truly yours,

Dennis R. Keller
Secretary

DRK:cj

Enclosures

EXHIBIT A

Board of Directors

Lewis Creek Water District

Board Member	Current Term Ending Year	Proposed Term Ending Year
Leslie Kennard	2019	2020
Clarence Hill	2019	2020
Paul Adams	2021	2022
Guy Wollenman	2021	2022
Doug Rayner	2021	2022



BEFORE THE BOARD OF DIRECTORS
OF THE
LEWIS CREEK WATER DISTRICT
COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF CHANGING FROM ODD)
TO EVEN YEAR ELECTIONS: RESOLUTION)
TO CHANGE FROM ODD TO EVEN YEAR)
ELECTIONS, POSTPONING THE 2015) RESOLUTION NO. 2019-2
ELECTION, AND EXTENDING THE TERMS OF)
EXISTING DIRECTORS BY ONE YEAR)
_____)

WHEREAS, the Directors of the Lewis Creek Water District currently are elected at-large in odd-numbered years; and

WHEREAS, Elections Code section 10404 provides that a special district may, by resolution, require that its election of governing body members be held in the same election cycle as the Statewide General Election; and

WHEREAS, said Board of Directors has determined that the consolidation with the Statewide General Election would result in significant cost savings to the District; and

WHEREAS, said Governing board has requested the Board of Supervisors of Tulare County to consent to and order said election of Directors to occur in the same election cycle as statewide general elections; and

WHEREAS, such consolidation could save the District money; and

WHEREAS, the Board of Supervisors has caused notice of the receipt of the resolution to request that the District's election of Directors be allowed to occur in the same cycle as statewide general elections be transmitted to all districts located in the County requesting input from each district on the effect of consolidation pursuant to Elections Code section 1004(c)

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE LEWIS CREEK WATER DISTRICT HEREBY FINDS AND RESOLVES AS FOLLOWS:

1. The Board finds that changing from odd to even year elections could reduce election costs, could increase voter participation and is in the best interest of the District;
2. The Board requests the Tulare County Board of Supervisors approve changing from odd to even year elections; and
3. If approved by the Tulare County Board of Supervisors, the Board of Directors acknowledges that, by operation of law, the terms of all existing members of the Board of Directors shall be extended by one year.


This Resolution was adopted by the Board of Directors of the Lewis Creek Water District on August 21, 2019, by the following vote:

AYES: Adams, Hill, Rayner and Wollenman

NOES: None

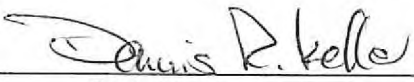
ABSTAIN: None

ABSENT: Kennard


Secretary

CERTIFICATE OF SECRETARY

I, Dennis R. Keller, Secretary of the Lewis Creek Water District, do hereby certify that the above is a true and correct copy of a Resolution made, passed and adopted by the Board of Directors of said District, at a Regular Meeting of said Board duly called and held on the 21st day of August, 2019.


Secretary