

Attachment B

RESOLUTION NO. 19-09

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOS OLIVOS COMMUNITY SERVICES DISTRICT MOVING DISTRICT BOARD MEMBER ELECTIONS FROM ODD-NUMBERED YEARS TO EVEN-NUMBERED YEARS

WHEREAS, the Los Olivos Community Services District ("District") is a special district as defined in Elections Code section 10404; and

WHEREAS, the formation of the District in January of 2018 established the election for its governing Board of Directors ("Board") members in odd-numbered years, as set forth in Elections Code section 10505(b); and

WHEREAS, the Board established the terms of office of elective officers pursuant to Elections Code section 10505(c), and as set forth in Resolution 19-____, with two (2) Directors to stand for election in November of 2021, and every four (4) years thereafter, and three (3) Directors to stand for election in November of 2023, and every four (4) years thereafter; and

WHEREAS, the District has received communication from the County of Santa Barbara that all other existing special districts in the County had already moved their respective governance elections to even-numbered years; accordingly, the District would not be able to take advantage of cost-sharing with other districts holding their elections during odd-numbered years; and

WHEREAS, it is the intent of the Board to exercise good fiscal governance by providing constituents with the lowest possible cost while promoting the increasingly efficient and effective use of government resources; and

WHEREAS, Elections Code section 10505(d) authorizes the District, by resolution, to require that its elections of governing body members be held on the same day as the statewide general election, pursuant to Elections Code section 10404; and

WHEREAS, Elections Code section 10404 authorizes the District to move governance elections from odd-numbered years to even-numbered years via adoption of a resolution which, if approved, must then be submitted to the Santa Barbara County Board of Supervisors no later than 240 days prior to the currently scheduled election; and

WHEREAS, moving the governance election of two (2) Directors from November 2021 to November 2020, and moving the governance election of three (3) Directors from November 2023 to November 2022 will also align the elections with the established terms of office set forth in Resolution 19-____; and

WHEREAS, given the timeline for consideration and submittal of any approved resolution to the Santa Barbara County Board of Supervisors and the estimated cost of continuing with odd-numbered year elections, the Board must take action on this urgent matter.

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

1. The above recitals are true and correct and incorporated herein; and
2. It is in the best interests of good governance and fiscal responsibility to move the District's governance elections from odd-numbered years to even-numbered years; and
3. The Board of Directors hereby petitions the Board of Supervisors of the County of Santa Barbara to move the governing Board member election for two (2) offices of Director, currently scheduled for November 2021, to November 2020, and thereafter to hold the election for said offices on the Statewide elections dates in November of even-numbered years, every four (4) years; and
4. The Board of Directors hereby petitions the Board of Supervisors of the County of Santa Barbara to move the governing Board member election for three (2) offices of Director, currently scheduled for November 2023, to November 2022, and thereafter to hold the election for said offices on the Statewide elections dates in November of even-numbered years, every four (4) years; and
5. Upon acceptance and approval of this Resolution by the Board of Supervisors of the County of Santa Barbara, the initial terms of office for two (2) offices of Director, currently held by _____, and _____, shall be two (2) years, through 2020, and thereafter shall run for regular four-year terms, consistent with the Elections Code; and
6. Upon acceptance and approval of this Resolution by the Board of Supervisors of the County of Santa Barbara, the initial terms of office for three (3) offices of Director, currently held by _____, _____, and _____, shall be four (4) years, through 2022, and thereafter shall run for regular four-year terms, consistent with the Elections Code.

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I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Board of Directors of the Los Olivos Community Services District at a regular meeting held on the 9th day of October 2019, by the following vote:

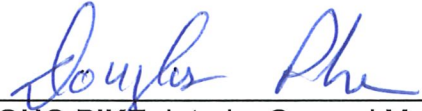
AYES: 5

NOES: 0

ABSENT: 0

ABSTAIN: 0

ATTEST:



DOUG PIKE, Interim General Manager
LOS OLIVOS COMMUNITY SERVICES DISTRICT

By: 
THOMAS FAYRAM, Board President

APPROVED AS TO FORM:

By: 
G. ROSS TRINDLE, III, District Counsel

I, _____, Secretary of the Los Olivos Community Services District, Santa Barbara County, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Resolution passed and adopted by the Board of Directors of the Los Olivos Community Services District on the date and by the vote indicated herein.

RESOLUTION NO. 20-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LOS OLIVOS COMMUNITY SERVICES DISTRICT CALIFORNIA CALLING FOR A DISTRICT ELECTION FOR THE PURPOSE OF ELECTING TWO (2) MEMBERS OF THE BOARD OF DIRECTORS, AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA TO CONSOLIDATE THE DISTRICT ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION HELD ON THE SAME DATE, PURSUANT TO ELECTIONS CODE SECTION 10403

WHEREAS, the Los Olivos Community Services District ("District") was formed with a five-member Board of Directors elected at large, with terms of office set pursuant to Government Code section 61021; and

WHEREAS, Government Code section 61021(c) states that "elections and terms of office shall be determined pursuant to Uniform District Law, Part 4 (commencing with Section 10500) of the Elections Code"; and

WHEREAS, the District is a special district as defined in Elections Code section 10404; and

WHEREAS, on October 9, 2019, the Board of Directors of the District adopted Resolution 19-07 by unanimous rollcall vote to establish the process for staggering the terms of office for the Board of Directors pursuant to Elections Code section 10505(c); and

WHEREAS, at an open and public meeting of the Board of Directors, on October 9, 2019, the Interim General Manager carried out the selection process set forth in Resolution 19-07 for establishing the staggered terms of office for the Board of Directors, wherein the offices currently occupied by Directors Kennedy and Fayram were established as having initial two-year terms, expiring in December of 2020, and the offices currently occupied by Directors Palmer, O'Neill, and Arme were established as having four-year terms, expiring in December of 2022; and

WHEREAS, on October 9, 2019, the Board of Directors of the District adopted Resolution 19-08 by unanimous rollcall vote to validate the selection process carried out by the Interim General Manager to establish two (2) offices of the Board of Directors with initial two-year terms, and three (3) offices to the Board of Directors with four-year terms; and

WHEREAS, on October 9, 2019, the Board of Directors of the District adopted Resolution 19-09 by unanimous rollcall vote to move the election date for the two (2) offices with initial two-year terms from November 2021 to November of 2020, to align the District's voting years with all other special districts and the County of Santa Barbara, and

to coincide with the Statewide General Election, pursuant to Elections Code sections 104040 and 10505(d); and

WHEREAS, Resolution 19-09 was submitted to the Santa Barbara County Board of Supervisors no later than 240 days prior to the scheduled election, pursuant to Elections Code section 10404; and

WHEREAS, pursuant to Elections Code sections 10504 and 10509, the Board of Directors of the District hereby calls a General District Election to be held in the Los Olivos Community Services District, California, on November 3, 2020, for the purpose of (a) electing two (2) members of the Board of Directors for a full term of four (4) years, with the offices to be filled are those currently occupied by Director Kennedy and Director Fayram, and (b) with candidates for said offices to pay for the publication of a statement of qualifications pursuant to Elections Code section 13307; and

WHEREAS, it is desirable that the General District Election be consolidated with the Statewide General Election to be held on the same date and that within the District the precincts, polling places, and election officers of the two (2) elections be the same, and that the Elections Division of the County Clerk, Recorder, and Assessor and Registrar of Voters of the County of Santa Barbara canvass the returns of the General District Election and that the election be held in all respects as if there were only one (1) election.

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

1. The above recitals are true and correct and incorporated herein; and
2. Pursuant to the requirements of Elections Code section 10509, (a) the elective offices of the District to be filled at the next General District Election for full four (4) year terms shall be those offices currently held by Director Kennedy and Director Fayram, and (b) the candidates for said offices shall pay for the publication of a statement of qualifications pursuant to Elections Code Section 13307; and
3. Pursuant to the requirements of Elections Code section 10403, the Board of Supervisors of the County of Santa Barbara is hereby requested to consent and agree to the consolidation of a General District Election with the Statewide General election on Tuesday, November, 3, 2020, for the purpose of electing two (2) members of the Board of Directors for a full term of four (4) years, with the offices to be filled are those currently occupied by Director Kennedy and Director Fayram; and
4. The Elections Division of the County Clerk, Recorder, and Assessor and Registrar of Voters of the County of Santa Barbara is authorized to canvass the returns of the General District Election. The election shall be held in all respects as if there were only one (1) election, and only one (1) form of ballot shall be used. The election shall be held and conducted in accordance with Section 10418 of the Elections Code and in accordance with the applicable provisions of law regulating the election; and

5. The Board of Supervisors of Santa Barbara County is requested to issue instructions to the Elections Division of the County Clerk, Recorder, and Assessor and Registrar of Voters to take any and all steps necessary for the holding of the consolidated election; and

6. The Los Olivos Community Services District recognizes that additional costs will be incurred by the County of Santa Barbara by reason of this consolidation and agrees to reimburse the County of Santa Barbara for the costs of such consolidation; and

7. That the Board Secretary is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Elections Division of the County Clerk, Recorder, and Assessor and Registrar of Voters, of the County of Santa Barbara, per Elections Code section 10504 and 10509.

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I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Board of Directors of the Los Olivos Community Services District at a regular meeting held on the 13th day of May 2020, by the following vote:

AYES: 3

NOES: 0

ABSENT: 2

ABSTAIN: 0

ATTEST:



DOUG PIKE, Interim General Manager
LOS OLIVOS COMMUNITY SERVICES DISTRICT

By: 
THOMAS FAYRAM, Board President

APPROVED AS TO FORM:

By: 
G. ROSS TRINDLE, III, District Counsel

I, _____, Secretary of the Los Olivos Community Services District, Santa Barbara County, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Resolution passed and adopted by the Board of Directors of the Los Olivos Community Services District on the date and by the vote indicated herein.