

RESOLUTION No. 1 - 09

GROVELAND COMMUNITY SERVICES DISTRICT
ADOPTING RESOLUTION CHANGING DISTRICT ELECTION
DATE TO BE HELD ON SAME DAY AS THE
STATEWIDE GENERAL ELECTION

WHEREAS, pursuant to Elections Code § 1304 and 10505, special districts are required to hold their district elections on the first Tuesday after the first Monday in November in each odd-numbered year; and

WHEREAS, pursuant to Elections Code § 10517, the Tuolumne County elections official is required to conduct the elections for the special districts, and pursuant to Elections Code § 10520, the districts are required to reimburse the county for the actual costs incurred by the county elections official in conducting the districts' elections; and

WHEREAS, the Board of Directors (the "Board") of Groveland Community Services District, (the "District") has determined that the cost of having the County Elections Official conduct the District's elections could be substantially reduced if the District's elections were to be changed to coincide with the statewide general election; and

WHEREAS, Elections Code § 1001 and 1200 provide that the statewide general election shall be held on the first Tuesday after the first Monday in November of each even-numbered year; and

WHEREAS, Elections Code § 1303(b) and 10404 authorize the governing body of a special district, by resolution, to require, subject to approval of the County Board of Supervisors, that elections of governing body members of the District be held on the same day as the statewide general election.

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

Section 1:

1. For the purpose of reducing the costs the District expends on District elections during odd-numbered years, the District hereby changes the District election date to that of the statewide general election.
2. The Board requests the Tuolumne County Board of Supervisors order such a change under Elections Code § 10404.
3. The Board further requests the Tuolumne County Board of Supervisors to direct the Tuolumne County Elections department to provide any and all services for conducting the future District elections.

Section 2:

Pursuant to Elections Code § 10404(b)(1) the dates shown and attached as Exhibit A are incorporated by reference and shall be complied with for all future District elections.

Section 3:

1. Pursuant to Elections Code § 10404(h)(i), and to preserve the staggered election style for local District elections pursuant to Elections Code § 10505(c), all those members of the Board whose term of office expires in December 2009 shall continue in their offices until the

statewide general election is held in November 2010 and their successor are elected and qualified; likewise, all those Board members whose term of office expires in November 2011, shall continue in their offices until the statewide general election is held in November 2012 and their successors are elected and qualified.

2. This change to the District election date shall, subject to the approval of this Resolution by the County Board of supervisors, be permanent and apply to all future District elections pursuant to Elections Code § 10404(j) and (k).
3. The Secretary is directed to forward this Resolution to the County Board of Supervisors for its approval pursuant to Elections Code § 10404.

PASSED AND ADOPTED BY THE Board of Directors of Groveland Community Services District on January 6, 2009, by the following vote:

AYES: Allegri, Graham, Johnson, and Lennen

NOES: Perreira

ABSENT: None

ABSTAIN: None



Wesley E. Johnson, President

ATTEST:



Lena Spilman, Board Secretary

EXHIBIT "A"

- 1) Elections Code Section 10404(b)(1) provides that when a special District changes the date for its general District election from November of odd-numbered years to November of even-numbered years (which is the date that the statewide general election is held), the District must set forth the dates that are consistent with the statewide general election with respect to nominations of District directors, notices, canvass of votes, certification of election results and other procedural requirements of the Elections Code. Accordingly, the following shall be the dates and elections schedule to be adhered to in future District elections (all references are to the Elections Code, unless otherwise noted):
 - a. No later than 125 days before the date of the general election, the District secretary shall deliver a notice of election to the county elections office listing the elective offices to be filled, who will pay for any candidate's statement of qualifications, and any measure to be voted on in November. A map of the District must accompany the notice. (§§ 10509, 10522, 13307)
 - b. Between the 120th and 90th day before the date of the general election, the county elections official will publish, on time, a Notice of Election in a newspaper of general circulation containing the date of the election, the offices to be filled, qualifications for candidacy required by the principal act, where nomination papers are available, the deadline for filing Declarations for Candidacy, and a notice that appointment will be made in lieu of election in accordance with law. (§12112)
 - c. Between the 113th and 88th day before the date of the general election, candidates for the District's Board of Directors may obtain and file their Declarations of Candidacy along with their Candidate's Statement of Qualifications if they choose to submit one. (§§ 10510, 10511, 13307, 13311)
 - d. Not later than 105 days before the date of the general election, any measure the District wishes to submit to the voters during the statewide general election must be accompanied with a resolution from the Board requesting that the measure be consolidated with the statewide general election. (§§ 10403, 13247)
 - e. Not later than the 88th day before the date of the general election, candidates for the District's Board of Directors must file statements of economic interests. (Govt. Code §§ 87200 et seq.)
 - f. If an incumbent member of the Board does not file a declaration of candidacy by 5 p.m. on the 88th day before the date of the general election, any person other than the incumbent may file a declaration of candidacy by 5 p.m. of the 83rd day before the date of the general election. (§§ 10407, 10516(b))
 - g. If, by 5 p.m. on the 83rd day before the date of the general election: (1) only one person has filed a declaration of candidacy for any position to be filled on the Board; or (2) no one has filed a declaration of candidacy for such office; the County Board of Supervisors may appoint such person to the position. (§ 10515)
 - h. On the 82nd day before the date of the general election, the Secretary of State shall conduct the randomized alphabet drawing at 11 a.m. to determine the order in which the Board candidates will appear on the general election ballot. (§ 13112)
 - i. The 81st day before the date of the general election shall be the last day to file arguments for or against any District measure. (§§ 9315, 9316)
 - j. The 74th day before the date of the general election shall be the last day to file rebuttal arguments. (§ 9317)
 - k. Between the 57th and 14th day before the date of the general election, write-in candidates must file their Statement of Write-in Candidacy and Nomination Papers with the county elections official. (§ 8601)
 - l. Between the 2nd and 28th day after the date of the general election, the official canvass of the returns shall be completed. (§§ 10547-10549, 15300 et seq.)
 - m. No later than the 28th day after the date of the general election, the county elections official shall declare the elected candidates. The elections official shall make out and deliver to each person elected, a certificate of election signed and authenticated by the

elections official. Elective officers take office at noon on the first Friday in December next following the general District election. Prior to taking office, each elective officer shall take the official oath and execute any bond required by the principal District. (§ 10551, 10541, 10554)

- n. Within 30 days of assuming office all newly elected board members must complete and file a Statement of Economic Interests, unless the candidate filed within 60 days prior to assuming office a statement for the same jurisdiction. (Govt. Code §§ 87200, 87203)

In the event of any future amendment to the foregoing Elections Code provisions, the amended provisions shall be applicable. Where the foregoing dates are inconsistent with those provided for in the Elections Code for the statewide general election, the dates provided for such statewide general elections shall be controlling.