

San Gorgonio Pass Water Agency

DATE: June 17, 2024

TO: Board of Directors

FROM: Lance Eckhart, General Manager

BY: Maricela Cabral, Exec. Asst./Clerk of the Board

SUBJECT: **Approve Resolutions calling for an election for up to four (4) seats of the San Gorgonio Pass Water Agency (SGPWA) Board of Directors, requesting consolidation with the counties of Riverside and San Bernardino, and notifying the County Clerk that candidates will be responsible to pay costs associated with Publication of the Statement of Qualifications**

RECOMMENDATION

It is recommended that the Board of Directors approve the following actions related to the upcoming election of four seats of the SGPWA Board of Directors:

- Adopt Resolution No. 2024-04, calling for an election for up to four seats of the Board of Directors on November 5, 2024, with the County of Riverside;
- Adopt Resolution No. 2024-05, calling for an election for up to two seats of the Board of Directors on November 5, 2024, with the County of San Bernardino;
- Approve necessary expenditures associated with the Elections up to the amount budgeted in the General Fund for FY 2024-25 of \$150,000.

BACKGROUND

The November 5, 2024, election will be held for the purpose of electing up to four (4) directors to the SGPWA Board. It is the intent of SGPWA to consolidate its election with the Statewide General Election of November 5, 2024. Pursuant to provisions of the California Elections Code, the County Elections Department(s) conduct the general elections for Special Districts, however the Board of Directors must officially call the election, and determine whether the cost of candidate statements will be paid for by the candidate or the District. Further, although the Counties conduct the election on behalf of the District, the Elections Code requires the District pay for the cost of the election. Election costs include polling place cost, direct costs such as printing, mailing, publications, translations, transporting, security, processing ballots, election supplies, staffing, temporary staff and election payroll. Election costs are distributed among all jurisdictions that are on the ballot. Each estimate is based on the current number of registered voters in the county and the precise number of voters in the District.

FISCAL IMPACT

The General Fund FY 2024-25 budget includes \$150,000 for election costs. The cost of elections seems to increase each year, so the budget is based on the Agency's best estimate, based on past experience. The total expense varies depending on the number of seats that are challenged (more than one candidate per seat). If there are no challengers, the Agency will still incur minimal expenses, but if all the seats are

challenged, it is possible that the expense will exceed the budgeted amount. Invoices for election expenses usually do not arrive until the end of the fiscal year.

ACTION

Approve the following actions related to the upcoming election of up to four seats of the SGPWA Board of Directors:

- Adopt Resolution No. 2024-04, calling for an election for four seats of the Board of Directors on November 5, 2024, within the County of Riverside;
- Adopt Resolution No. 2024-05, calling for an election for two seats of the Board of Directors on November 5, 2024, within the County of San Bernardino;
- Approve necessary expenditures associated with the Elections up to the budgeted fiscal year 2024-25 amount of \$150,000.

ATTACHMENTS

Att 1 – Res. No. 2024-04, Calling for Election – Riverside County

Att 2 – Res. No. 2024-05, Calling for Election – San Bernardino County

RESOLUTION NO. 2024-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF SAN GORGONIO PASS WATER AGENCY, CALLING A GENERAL DISTRICT ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, FOR THE ELECTION OF MEMBERS OF THE BOARD OF DIRECTORS FOR AT-LARGE SEAT 1, AND DIVISIONS 1, 2, AND 5 AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA AND REQUESTING ELECTION SERVICES FROM THE COUNTY OF RIVERSIDE FOR DIVISIONS 1, 2 AND 5 AND AT-LARGE SEAT 1.

WHEREAS, pursuant to Elections Code Section 10517 , the county elections official of each affected county shall conduct the general district election for the portion of the district located within the county. Where a district is located in two or more counties, the county elections officials of these counties may contract among themselves to have one of their number conduct the election for the district; and and

WHEREAS, under the provisions of the laws relating to the State of California, Elections shall be held on November 5, 2024, for the election of Officers for Division 1, Division 2, and Division 5 and At-Large Seat 1, for the purpose of electing the following members of the Board of Directors:

1. A member of the Board of Directors for the full term of four (4) years for Division 1 which lies within the counties of Riverside and San Bernardino.
2. A member of the Board of Directors for the full term of four (4) years, for Division 2 which lies within the county of Riverside.
3. A member of the Board of Directors for the full term of four (4) years, for Division 5 which lies within the county of Riverside.
4. A member of the Board of Directors for the full term of four (4) years, elected at-large from the entire District boundaries, located within the counties of Riverside and San Bernardino.

NOW, THEREFORE, BE IT RESOLVED

A. That the Governing Board of Directors of the San Gorgonio Pass Water Agency hereby orders an election be called and consolidated with any and all elections also called to be held on November 5, 2024 insofar as said elections are to be held in the same territory or in

territory that is in part the same as the territory of the San Gorgonio Pass Water Agency requests the Board of Supervisors of the **County of Riverside** to order such consolidation under Elections Code Section 10400.

B. that said governing body hereby requests the Board of Supervisors to permit the **County of Riverside** Elections Departments to provide any and all services necessary for conducting the election and agrees to pay for said services; and

C. Pursuant to the provisions of Sections 10002, and 10403, and 10517 of the Elections Code of the State of California, this Board of Directors hereby requests the Registrar of Voters of the **County of Riverside** ("Registrar of Voters") to conduct the general district election for the San Gorgonio Pass Water Agency described in Section "I" of this Resolution ("District Election").

D. It is desirable that the District Election be conducted by the Riverside County Registrar of Voters on November 5, 2024 with the Registrar of Voters establishing the precincts, polling places and election officers, and that the Registrar of Voters canvass the returns of the District Election.

E. Except for those services routinely conducted by the Board Secretary, delegation is hereby made to the Registrar of Voters and the County Elections Department of the powers and duties of the elections officer of the District to conduct the District Election in accordance with all applicable laws and procedures.

F. The District recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for such additional costs.

G. The Registrar of Voters is hereby authorized, instructed and directed to give such further or additional notice of the District Election in the time, form and manner as required by law.

H. The candidate is to pay for the publication of a statement of qualifications pursuant to Section 13307.

I. The **County of Riverside** Elections Department will conduct the election for the following offices on the November 5, 2024, ballot:

<u>SEATS OPEN</u>	<u>OFFICE</u>	<u>TERM</u>	<u>DIVISION</u>
1	Director	4 years	1
1	Director	4 years	2
1	Director	4 years	5
1	Director	4 years	At-Large 1

No election will be held if there are an insufficient number of nominees.

J. Pursuant to Elections Code section 10517, the Riverside and San Bernardino County Elections Departments may contract among themselves to have one of their number conduct the election for the District as it relates to Division 1 and At-Large Seat 1.

PASSED AND ADOPTED by the Board of Directors of the San Gorgonio Pass Water Agency, County of Riverside, State of California, this 17th day of June 2024, by the following vote:

AYES:

NOES:

ABSENT:

Mickey Valdivia, President
San Gorgonio Pass Water Agency

Attest:

Kevin Walton, Secretary
San Gorgonio Pass Water Agency

RESOLUTION NO. 2024-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF SAN GORGONIO PASS WATER AGENCY, CALLING A GENERAL DISTRICT ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, FOR THE ELECTION OF MEMBERS OF THE BOARD OF DIRECTORS FOR AT-LARGE SEAT 1, AND DIVISION 1 AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA AND REQUESTING ELECTION SERVICES FROM THE COUNTY OF SAN BERNARDINO FOR DIVISION 1 AND AT-LARGE SEAT 1.

WHEREAS, pursuant to Elections Code Section 10517, the county elections official of each affected county shall conduct the general district election for the portion of the district located within the county. Where a district is located in two or more counties, the county elections officials of these counties may contract among themselves to have one of their number conduct the election for the district; and

WHEREAS, under the provisions of the laws relating to the State of California, Elections shall be held on November 5, 2024, for the election of Officers for Division 1 and At-Large Seat 1, for the purpose of electing the following members of the Board of Directors:

1. A member of the Board of Directors for the full term of four (4) years for Division 1 which lies within the counties of Riverside and San Bernardino.
2. A member of the Board of Directors for the full term of four (4) years, elected at-large from the entire District boundaries, located within the counties of Riverside and San Bernardino.

NOW, THEREFORE, BE IT RESOLVED

A. That the Governing Board of Directors of the San Gorgonio Pass Water Agency hereby orders an election be called and consolidated with any and all elections also called to be held on November 5, 2024 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the San Gorgonio Pass Water Agency requests the Board of Supervisors of the **County of San Bernardino** to order such consolidation under Elections Code Section 10400.;

B. That said governing body hereby requests the Board of Supervisors to permit the **County of San Bernardino** Elections Department to provide any and all services necessary for

conducting the election and agrees to pay for said services.

C. Pursuant to the provisions of Sections 10002, and 10403, and 10517 of the Elections Code of the State of California, this Board of Directors hereby requests the Registrar of Voters of the **County of San Bernardino** ("Registrar of Voters") to conduct the general district election for the San Gorgonio Pass Water Agency described in Section "I" of this Resolution ("District Election").

D. It is desirable that the District Election be conducted by the **San Bernardino County** Registrar of Voters on November 5, 2024 with the Registrar of Voters establishing the precincts, polling places and election officers, and that the Registrar of Voters canvass the returns of the District Election.

E. Except for those services routinely conducted by the Board Secretary, delegation is hereby made to the Registrar of Voters and the County Elections Department of the powers and duties of the elections officer of the District to conduct the District Election in accordance with all applicable laws and procedures.

F. The District recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for such additional costs.

G. The Registrar of Voters is hereby authorized, instructed and directed to give such further or additional notice of the District Election in the time, form and manner as required by law.

H. The candidate is to pay for the publication of a statement of qualifications pursuant to Section 13307.

I. The **County of San Bernardino** Elections Department will conduct the election for the following offices on the November 5, 2024, ballot:

<u>SEATS OPEN</u>	<u>OFFICE</u>	<u>TERM</u>	<u>DIVISION</u>
1	Director	4 years	1
1	Director	4 years	At-Large 1

No election will be held if there are an insufficient number of nominees.

J. Pursuant to Elections Code section 10517, the **Riverside** and **San Bernardino County** Elections Departments may contract among themselves to have one of their number

conduct the election for the District as it relates to Division 1 and At-Large Seat 1.

PASSED AND ADOPTED by the Board of Directors of the San Gorgonio Pass Water Agency, County of Riverside, State of California, this 17th day of June 2024, by the following vote:

AYES:

NOES:

ABSENT:

Mickey Valdivia, President
San Gorgonio Pass Water Agency

Attest:

Kevin Walton, Secretary
San Gorgonio Pass Water Agency