

OLIVEHURST PUBLIC UTILITY DISTRICT

RESOLUTION 2288

**RESOLUTION OF THE OF THE BOARD OF DIRECTORS OF THE
OLIVEHURST PUBLIC UTILITY DISTRICT, APPROVING TRANSITION FROM AT-
LARGE METHOD OF ELECTING DIRECTORS TO WARD BASED ELECTIONS.**

WHEREAS, the Olivehurst Public Utility District (“OPUD”) currently uses an at-large system of electing its governing board members; and

WHEREAS, OPUD has not received any demand that it change its method of election; and

WHEREAS, at-large voting systems like that utilized by OPUD may be subject to challenge under the California Voting Rights Act (“CVRA”) (Elections Code § 14025, et seq.); and

WHEREAS, in ward based elections, candidates for the Board of Directors must reside within a specific geographic sub-area of the district called “Wards” and candidates are elected only by the voters of that sub-area/ward; and

WHEREAS, ward based elections are generally not vulnerable to claims under the CVRA and substantially reduce the risk of minority vote dilution; and

WHEREAS, in the opinion of the Board, the public interest will be well-served by transitioning from an at-large voting system to ward based elections in that ward based voting will allow for a greater number of candidates to run for seats on the Board by eliminating the costs associated with running for election on a district-wide basis and will also allow for Board members and their constituents to get to know each other better; and

WHEREAS, OPUD staff shall prepare proposed sub-areas/wards that contain substantially equal population sizes using available 2010 Federal Census data for consideration by the Board;

WHEREAS, the Board shall conduct a public hearing and include a public display at the OPUD office, to receive public input and comment on the proposed plan; and

WHEREAS, the Board intends that this change in the method of election be implemented over the course of two election cycles; first, in November, 2016, and second, in November 2018; and

WHEREAS, there will be three (3) wards from which governing board members will be elected in November, 2016; and

WHEREAS, there will be two (2) wards from which governing board members will be elected in November, 2018; and

WHEREAS, the Board desires to implement this change in the manner of electing Board members in the most cost effective and efficient manner; and

NOW THEREFORE, The Board of Directors of the Olivehurst Public Utility District hereby resolves and orders as follows:

1. The Board finds and declares that the above recitals are true and correct.
2. The Board finds and declares that OPUD shall transition from an at-large method of electing Board members to ward based elections over the course of two separate election cycles (November, 2016 and November, 2018).
3. The Board hereby adopts a ward based election system in which candidates for the OPUD's Board of Directors must reside within specific sub-areas of the ward and are elected only by the voters of that sub-area/ward.
4. That staff and Legal Counsel take all actions necessary to effectuate the timely transition from at-large voting to ward based elections, as described herein.
5. Before submitting a specific proposal of sub-areas/wards for approval by the Board, one or more public hearings shall be scheduled to obtain public input on such proposals.
6. The Clerk of the Board is directed to forward a certified copy of this Resolution to the Yuba County Board of Supervisors and to the Yuba County Elections Official.


PASSED AND ADOPTED THIS 20TH DAY OF November 2014.

OLIVEHURST PUBLIC UTILITY DISTRICT



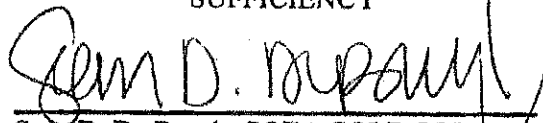
President, Board of Directors

ATTEST:



District Clerk & ex-officio Secretary

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY



Sean D. De Burgh, COTA COLE, LLP
Attorneys for Olivehurst Public Utility District

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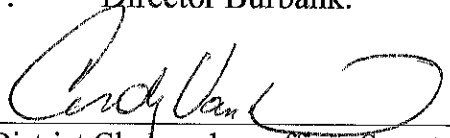
I hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly adopted and passed by the Board of Directors of the Olivehurst Public Utility District, Yuba County, California, at a meeting thereof held on the 20th day of November 2014, by the following vote:

AYES, AND IN FAVOR THEREOF : Director Carpenter, Floe,
Dougherty, and Bradford.

NOES : None.

ABSTAIN : None.

ABSENT : Director Burbank.


District Clerk and ex-officio Secretary