

RESOLUTION NO. 22-2016/2017

**BY THE GOVERNING BOARD OF THE
NOVATO UNIFIED SCHOOL DISTRICT
NOVATO, CALIFORNIA**

**ESTABLISHING GOVERNING BOARD MEMBER ELECTIONS
TO OCCUR ON THE SAME DAY AS STATEWIDE GENERAL ELECTIONS**

WHEREAS, the current date for election of members of the Board of Trustees (Board) of the Novato School District (District) is every two (2) years on the first Tuesday after the first Monday in November of odd-numbered years, pursuant to Elections Code section 1302, subdivision (a) and Education Code section 5000; and

WHEREAS, statewide general elections are held in California in June and November of even-numbered years, pursuant to Elections Code section 1001; and

WHEREAS, some neighboring school districts and community college districts hold elections for governing board members on the same day as statewide general elections; and

WHEREAS, effective January 1, 2018, Elections Code section 14050 et seq. will prohibit any political subdivision from holding elections for governing board members in odd years where such elections have previously resulted in a significant decrease in voter turnout unless the political subdivision has adopted a plan to transition to even-year elections no later than November, 2022; and

WHEREAS, Elections Code section 14051, subdivision (b) defines a “significant decrease in voter turnout” to exist where “the voter turnout for a regularly scheduled election in a unified school district is at least 25 percent less than the average voter turnout within that political subdivision for the previous four statewide general elections;” and

WHEREAS, voter turnout in the District for the last three elections for Board members averaged just under 35% and the average turnout in the District for the last four statewide general elections was closer to 68%; and

WHEREAS, Elections Code section 1302, subdivision (b) establishes a procedure whereby the Board may change the date of Board member elections by adopting a resolution subject to the approval of the County Board of Supervisors, pursuant to Elections Code section 10404.5; and,

WHEREAS, Elections Code section 10404.5, subdivision (a) provides that the scheduled Board member election may be rescheduled if the Board adopts the requisite resolution and submits it to the County Board of Supervisors no later than 240 days prior to the scheduled Board member election; and

WHEREAS, within 60 days from the date the District submits such a resolution to the Board of Supervisors, the Board of Supervisors must approve the resolution unless it finds that the ballot style, voting equipment, or computer capacity is such that the additional elections or materials cannot be handled (Elec. Code, § 10404.5, subd. (d)(1)); and

WHEREAS, public notices of the proceeding in which the resolution is to be considered for adoption by the Board of Supervisors are made by the Board of Supervisors pursuant to Government Code section 25151; and

WHEREAS, if the change in the date of the Board member elections is approved, the terms of office of those Board members currently set to expire in 2019 will be extended to 2020, and those Board members who are elected in 2017 set to expire in 2021 will be extended to 2022 pursuant to Elections Code section 10404.5, subdivision (g).

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Novato Unified School District that the above recitals are true and correct.

BE IT FURTHER RESOLVED, that Board member elections shall be scheduled to be held on the same day as statewide general elections in November of even-numbered years pursuant to Elections Code section 1302, subdivision (b), and shall be consolidated with all other elections held throughout the District on that day.

BE IT FURTHER RESOLVED, that the Superintendent and/or his designee shall forward this resolution to the Marin County Board of Supervisors before January 1, 2018, explain the rationale for the resolution, and request formal approval of the change by the Board of Supervisors at a public meeting within 60 days after submission and after the resolution has been posted in public places.

BE IT FURTHER RESOLVED, that the Superintendent and/or his designee will notify the Marin County Registrar of Voters that the District is prepared to pay the expense of mailing a notice of approval of the change of the date of the Board member elections by the Marin County Board of Supervisors as required by Elections Code section 10404.5, subdivision (e).

BE IT FURTHER RESOLVED, that if the change in election dates is approved by the Marin County Board of Supervisors, the date of the next Board member election, currently scheduled for November 2019, will be moved to the same day as the statewide general election in November 2020, and each subsequent Board member election will be held two years thereafter in November of even-numbered years on the same day as the statewide general election.

BE IT FURTHER RESOLVED, that if the change in election dates is approved, the terms of office of those Board members currently set to expire in 2019 will be extended to 2020, and those Board members who are elected in 2017 set to expire in 2021 will be extended to 2022.

BE IT FURTHER RESOLVED, that the District Superintendent and/or his designee is authorized pursuant to this Resolution to take any action and/or execute any documents which are necessary to carry out, give effect to, and comply with the terms and intent of this Resolution.

REGULARLY PASSED AND ADOPTED this 14th day of February, 2017.

AYES: 6

NOES: 0

ABSTENTIONS: 1

Attest:



Vice President/Clerk
Board of Trustees



Superintendent
Novato Unified School District

Exhibit A

Board Member	Current Term Expires	Transition Term Expires
Debbie Butler	2019	2020
Tom Cooper	2019	2020
Greg Mack	2019	2020
Ross Millerick	2019	2020