



GARBERVILLE SANITARY DISTRICT

P.O. BOX 211 • GARBERVILLE, CA 95542 • (707) 923-9566

RESOLUTION NO. 17-005

A RESOLUTION OF THE GARBERVILLE SANITARY DISTRICT BOARD OF DIRECTORS TO RESCHEDULE ELECTION OF GOVERNING BOARD MEMBERS

- A. **WHEREAS**, the Garberville Sanitary District ("District") is a Sanitary District organized pursuant to the Sanitary District Act of 1923, codified at Health and Safety Code section 6400 et seq and operating entirely within the County of Humboldt; and
- B. **WHEREAS**, California Senate Bill 415, an act (which may be cited to as the California Voter Participation Rights Act (herein "the Act")) to add Chapter 1.7 (commencing with Section 14050) to Division 14 of the Elections Code, was approved by the California Governor and filed with the Secretary of State on September 1, 2015; and
- C. **WHEREAS**, commencing January 1, 2018, the Act prohibits a political subdivision from holding an election other than on a statewide election date (i.e. "off-cycle") if holding an election on a non-concurrent date has previously resulted in voter turnout for a regularly scheduled election in the political subdivision being at least 25% less than the average voter turnout within the political subdivision for the previous four statewide general elections; and
- D. **WHEREAS**, the current date for election of members of the Board of Directors of the District is every two (2) years on the first Tuesday after the first Monday in November of odd-numbered years (e.g. November 2017 and 2019); and
- E. **WHEREAS**, statewide general elections are held in California only in June and November of even-numbered years (e.g. next election June and November 2018) (Elections Code section 1001); and
- F. **WHEREAS**, generally voter turnout is greater for statewide general elections than for local elections, including special district board member elections held in November of odd-numbered years; and
- G. **WHEREAS**, the Board wishes to increase voter participation in elections for Board members; and
- H. **WHEREAS**, the District may achieve a savings in the cost of its elections, if the District's elections are consolidated with the statewide general elections; and
- I. **WHEREAS**, as a result of these facts, the Board desires to change the date of future board member elections to be consolidated with the California statewide general election

in order to save public funds and provide greater voter input into school board elections;
and

- J. **WHEREAS**, under section 6482 of the Health and Safety Code, the term of office for board members is four years; and
- K. **WHEREAS**, under section 6560 of the Health and Safety Code, election of board members is determined pursuant to the Uniform District Elections Law (Elections Code section 10500 et seq.); and
- L. **WHEREAS**, the District is authorized by section 10404 of the Elections Code to adopt a resolution requiring that its Board-member elections be held on the same day as the statewide general elections; and
- M. **WHEREAS**, the Act is mandatory where applicable to ensure voter participation; and
- N. **WHEREAS**, if the change in election date is approved, it is requested that the new election date be moved from the first Tuesday after the first Monday in November 2017 to the first Tuesday after the first Monday in November 2018 with board members whose terms would have expired in 2017 being extended to 2018 and board members whose terms would have expired in 2019 being extended to 2020, as required by Elections Code section 10404(i).

THEREFORE BE IT RESOLVED that the Board of Directors of the Garberville Sanitary District does hereby find, determine and/or declare, as follows:

1. Each of the foregoing is true and correct.
2. The Board of Directors declares its intent to adopt this resolution to consolidate the election date for members of the Board with the date for the California general election in November in even-numbered years (Elections Code section 1001) pursuant to Elections Code section 10404(b).
3. The Board Secretary will forward this resolution to the Humboldt County Board of Supervisors explaining the rationale for the resolution and requesting formal approval of the change by the Board of Supervisors at a public meeting held within 60 days after submission and after the resolution has been posted in accordance with the law.
4. The Board Secretary will notify the Humboldt County Elections Office that the District is prepared to pay the expense of mailing notice of approval of the change in election date by the Humboldt County Board of Supervisors as required by Elections Code 10404(f).
5. If the consolidation of election is approved by the Board of Supervisors, the date of that election will be moved to the first Tuesday after the first Monday in November 2018 and each subsequent board member election will be held two years thereafter in November of even years.

Passed and adopted by Garberville Sanitary District's Board of Directors on February 28, 2017,
by the following vote:

AYES: Directors Anderson, Wellborn, Brodersen, Anderson

NOES: Directors Ø

EXCUSED: Directors Thompson

Linda Brodersen, Chairperson
Linda Brodersen

ATTEST:

Ralph Emerson
Ralph Emerson, General Manager