



## COUNTY OF HUMBOLDT

AGENDA ITEM NO.

**C-1**

For the meeting of: January 3, 2017

Date: December 19, 2016  
To: Board of Supervisors  
From: Supervisor Virginia Bass  
Subject: Resolution to Reschedule Election of Governing Board Members of the Cuddeback Union School District

RECOMMENDATION(S): That the Board of Supervisors approve the request and forward to the Elections Department for processing.

SOURCE OF FUNDING:

DISCUSSION: The Cuddeback Union School District Board passed Resolution # No. 2016-2017-03 on December 15, 2016, requesting approval from the Board of Supervisors to consolidate the election of the Cuddeback Union School District Board with the date for the California general election in November in even-numbered years. Currently, school board member elections are held in November in odd-numbered years. The Cuddeback Union School District Board is requesting the Board approve 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.

FINANCIAL IMPACT: N/A

OTHER AGENCY INVOLVEMENT: Cuddeback Union School District.

ALTERNATIVES TO STAFF RECOMMENDATIONS: Board discretion.

ATTACHMENTS: Resolution # No. 2016-2017-03

Prepared by \_\_\_\_\_ Kathy Hayes

Signature Eugene Bass

REVIEW:

Auditor \_\_\_\_\_ County Counsel \_\_\_\_\_ Personnel \_\_\_\_\_ Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

TYPE OF ITEM:

☒ Consent  
☐ Departmental  
☐ Public Hearing  
☐ Other \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT  
Upon motion of Supervisor Sundberg  
Seconded by Supervisor Fennell  
And unanimously carried by those members present,  
The Board hereby adopts the recommended action  
contained in this report.

PREVIOUS ACTION/REFERRAL:

Board Order No. \_\_\_\_\_

Meeting of: \_\_\_\_\_

Dated: Jan. 3, 2017  
Nikki Turner, Deputy Clerk of the Board

By: Jim Hunt

**GOVERNING BOARD  
OF THE  
CUDDEBACK UNION SCHOOL DISTRICT**

**Resolution to Reschedule Election of Governing Board Members**

**Resolution No. 2016-2017-03**

**WHEREAS**, the current date for election of members of the Governing Board of Cuddeback Union School District ("District") is every two (2) years on the first Tuesday after the first Monday in November of odd-numbered years (e.g. November 2017) (Education Code section 5000 and Elections Code section 1302 (a)); and

**WHEREAS**, statewide general elections are held in California only in June and November of even-numbered years (e.g., November 2016) (Elections Code section 1001); and

**WHEREAS**, the District is located within Humboldt County; and

**WHEREAS**, generally voter turnout is greater for statewide general elections than for local elections, including school board member elections held in November of odd-numbered years; and

**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

**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

**WHEREAS**, A political subdivision may, however, hold an off-cycle election if, by January 1, 2018, the political subdivision has adopted a plan to consolidate a future election with a statewide election not later than the November 8, 2022, statewide general election; and

**WHEREAS**, The Act authorizes attorney's fees to a prevailing plaintiff who has appropriately filed an action in superior court to enforce the Act's prohibition; and

**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

**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

**WHEREAS**, Elections Code 1302(b) establishes a procedure whereby the Governing Board may change the election date for its board members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county (Elections Code section 10404.5); and

**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 [refer to Appendix A].

NOW, THEREFORE, BE IT RESOLVED that the Governing Board hereby finds, determines and/or declares, as follows:

1. Each of the foregoing is true and correct.
2. The Governing Board 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 1302(b).
3. The Superintendent 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 Superintendent 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 10404.5(e).


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 the Governing Board of Cuddeback Union School District on 12/15/16, by the following vote:

AYES: 3  
NOES: 0  
ABSENT: 2  
ABSTAIN:

  
\_\_\_\_\_  
Board President

Attest:

  
\_\_\_\_\_  
Secretary