

RESOLUTION NO. 1224

RESOLUTION OF THE EAST PALO ALTO
SANITARY DISTRICT CHANGING THE
GENERAL DISTRICT ELECTION DATE FROM
NOVEMBER OF ODD-NUMBERED YEARS TO
THE STATEWIDE PRIMARY ELECTION IN
JUNE OF EVEN-NUMBERED YEARS,
COMMENCING WITH THE JUNE 2020
ELECTION, IN ORDER TO COMPLY WITH SB
415

EAST PALO ALTO SANITARY DISTRICT

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WHEREAS, pursuant to Elections Code Section 1303, East Palo Alto Sanitary District ("District") holds its regular election on the first Tuesday after the first Monday in November of each odd-numbered year; and

WHEREAS, SB 415, effective January 1, 2018, provides that a public agency, including the District, cannot hold its regular election on any date other than a statewide election date if holding an election on a non-statewide election date results in a "significant decrease in voter turnout," which is defined by SB 415 as at least 25 percent less than the average voter turnout within the public agency for the previous 4 statewide general elections; and

WHEREAS, the District's regular election date is not a statewide election date and during the 2017 District election, the District had approximately 9.1 percent of eligible voters vote in the District election, which is at least 25 percent less than the average voter turnout within the District for the previous 4 statewide general elections; and

WHEREAS, in order to change its regular election date, SB 415 and Elections Code Section 1303(b) require the District to adopt a resolution changing its regular election date to the same day as the statewide general election, which is held in November of even-numbered years, or the statewide primary election, which is held in June of even-numbered years; and

WHEREAS, the resolution must then be submitted to the Board of Supervisors of the County of San Mateo at least 240 days before the next District regular election, and the resolution must be approved by the Board of Supervisors in order to change the District's election date; and

WHEREAS, commencing with the June 2020 election, it is the intent and desire of the Governing Board of the District to change its regular election to the statewide primary election, held in June of even-numbered years, to ensure compliance with SB 415; and

WHEREAS, it is also the intent of the Board of Directors to extend the terms of office for current Board members to match their terms with the changed general District election dates. For Board members elected in November, 2017, the term will be extended from November 2021 to June, 2022. For Board members elected in November, 2015, the term will be extended from November, 2019 to June, 2020.

NOW, THEREFORE, BE IT RESOLVED by the District Board of East Palo Alto Sanitary District as follows:

Section 1 Incorporation of Recitals All of the foregoing Recitals are true and correct and the Board so finds and determines. The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

Section 2 Even-Numbered Year General District Elections Pursuant to California Elections Code Sections 1303(b) and 14050-14057, and commencing with the June, 2020 election, the date of the general District election shall be deemed to be the same date as the statewide general election each even-numbered year. As a result, upon the effective date of this Resolution, the November 11, 2019 election will be cancelled.

Section 3 Extended Terms of Office In accordance with the change of election date, the terms of office of those members of the Board shall be extended for a period of approximately 7 months. Pursuant to Elections Code Section 10404, Board members elected in November, 2017, will have their terms extended from November 2021 to June, 2022. Board members elected in November, 2015 will have their terms extended from November, 2019 to June, 2020. Board members elected to new terms in June, 2020, June, 2022 and in all future elections shall serve four-year terms.

Section 4 Effective Date Pursuant to Elections Code Section 1303(b), this Resolution shall not become effective until it is approved by the San Mateo County Board of Supervisors. The Secretary of the Board of Directors shall transmit copies of this Resolution to the Clerk of the Board of Supervisors and to the Office of the Registrar of Voters for San Mateo County.

Section 5 Severability If any section, subsection, clause or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

Passed and adopted by the District Board of the East Palo Alto Sanitary District at a Regular Board Meeting thereof held on the 3rd day of May, 2018 by the following vote:

Ayes: Members:
Noes: Members:
Abstain: Members:
Absent: Members:



President of the District Board of the
East Palo Alto Sanitary District of
San Mateo County, State of California

Attest:



Secretary of the District Board of the
East Palo Alto Sanitary District of
San Mateo County, State of California

(SEAL)