

MILLBRAE SCHOOL DISTRICT

BOARD OF TRUSTEES

RESOLUTION NO. 15-16-15 Extending Board Member Terms

WHEREAS, Section 1001 of the California Elections Code ("Elections Code") establishes that elections held in June and November of even-numbered years are statewide general elections; and

WHEREAS, Section 1302(a) of the Elections Code and Section 5000 of the California Education Code establish the regular election cycle for school board members in any school district, with elections being held every two (2) years on the first Tuesday after the first Monday in November of odd-numbered years; and

WHEREAS, Section 14050 of the Elections Code (the "California Voter Participation Rights Act") prohibits any political subdivision of the State, after January 1, 2018, to hold elections on dates other than a statewide election date if the subdivision's previous elections falling on odd-numbered years have resulted in a significant decrease in voter turnout compared to the average voter turnout within that political subdivision for the previous four statewide general elections; and

WHEREAS, the District has undertaken an analysis of the voter turnout rates and has determined that there exists a significant decrease in voter turnout in odd-numbered years as compared to statewide general election dates;

WHEREAS, Section 14050 of the Elections Code permits a political subdivision to continue to have regular elections on odd-numbered for a limited time so long as the subdivision adopts a plan not later than January 1, 2018, to consolidate its future elections with a statewide election not later than the November 8, 2022, statewide general election; and

WHEREAS, Section 1302(b)(1) of the Elections Code authorizes a school board to voluntarily change the regular election cycle for its members to occur on the same day as the statewide primary election, the statewide general election, or the general municipal election by adopting an appropriate resolution, subject to approval by the county board of supervisors ("Board of Supervisors"); and

WHEREAS, as of May 16, 2016 the Millbrae School District ("District") holds its board elections on the first Tuesday after the first Monday in November of odd-numbered years; and

WHEREAS, the District's Board Bylaw 9220 states "[w]henever possible, the Board shall consolidate Board elections with the local municipal or statewide primary or general election"; and]

WHEREAS, changing the election date for school Board elections to even-numbered years and consolidating Board elections with local municipal and statewide general elections will promote increased voter participation in school board elections as voter turnout is ordinarily higher in statewide elections, and will also minimize or avoid increased election costs to the District; and

WHEREAS, Section 10404.5(g) of the Elections Code requires that upon approval of the change in Board elections to even-numbered years pursuant to Section 1302(b) of the Elections Code, all incumbent Board members' terms shall be extended by one year.

NOW, THEREFORE, BE IT RESOLVED, that the District adopts this Resolution to consolidate the election date for members of the Governing Board with the date of the statewide elections in November of even-numbered years pursuant to Section 1302(b) of the Elections Code; and

BE IT FURTHER RESOLVED, that the Superintendent is directed to submit this Resolution to the San Mateo County Board of Supervisors no later than 240 days before the date of the currently scheduled November 2017 Board election; and

BE IT FURTHER RESOLVED, that the Superintendent is directed to submit this Resolution to all school districts and the County Board of Education providing notice of this Resolution and request input from each school district within San Mateo County on the effect of consolidation, with a 30-day response deadline; and

BE IT FURTHER RESOLVED, that within 60 days from the date the District submits this Resolution to the Board of Supervisors, the Board of Supervisors is requested, by this Resolution, to approve the Resolution; and

BE IT FURTHER RESOLVED, that the District requests the Board of Supervisors post the required public notices of the proceeding in which this Resolution is to be considered for adoption by the Board of Supervisors, as provided by Section 25151 of the Government Code including providing notice of all affected voters; and

BE IT FURTHER RESOLVED, that pursuant to Section 10404.5(g) of the Elections Code, if the consolidation of election is approved by the Board of Supervisors, all incumbent Board member terms shall be extended by one (1) year; and

BE IT FURTHER RESOLVED, that staff shall prepare and present to the Board for consideration the adoption of any necessary changes to the District Board Policies and/or Administrative Regulations as a result of this adoption; and

BE IT FURTHER RESOLVED that the Superintendent and/or his designee are hereby authorized to take such other action or steps necessary to carry out the intent of this Resolution.

ADOPTED, SIGNED and APPROVED this 21 day of June of 2016.

AYES: Frank Barbaro, Denis Fama, Lynne Ferrario, Maggie Musa, D. Don Revelo

NOES: 0

ABSTAIN: 0

ABSENT: 0

Signature Redacted

By: _____

President, Board of Trustees, Millbrae School District