

NOVATO SANITARY DISTRICT

Special Meeting Date: April 1, 2019

The Board of Directors of Novato Sanitary District will hold a **SPECIAL** meeting at 5:30 p.m., Monday, April 1, 2019, at the District Offices, 500 Davidson Street, Novato.

Materials related to items on this agenda that are public records, are available for public inspection in the District Office, 500 Davidson Street, Novato, during normal business hours. They are also available on the District's website: www.novatosan.com. Note: All times and order of consideration for agenda items are for reference only. The Board of Directors may consider item(s) in a different order than set forth herein.

AGENDA

1. **PLEDGE OF ALLEGIANCE:**
2. **AGENDA APPROVAL:**
3. **PUBLIC COMMENT (PLEASE OBSERVE A THREE-MINUTE TIME LIMIT):**

This item is to allow anyone present to comment on any subject listed on the agenda. Individuals will be limited to a three-minute presentation.

4. **ADMINISTRATION:**
 - a. Adopt Resolution No. 3131 – “Resolution Declaring the Intent to Initiate Procedures to Transition From At-Large Elections to District-Based Elections (By Zone) Pursuant to the California Voting Rights Act and Taking Related Actions”.

5. **ADJOURNMENT:**

Next Resolution No. 3132.

Next regular meeting date: Monday, April 8, 2019, 5:30 PM, at the Novato Sanitary District office, 500 Davidson Street, Novato, CA.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District at (415) 892-1694 at least 24 hours prior to the meeting. Notification prior to the meeting will enable the District to make reasonable accommodation to help ensure accessibility to this meeting.

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NOVATO SANITARY DISTRICT

RESOLUTION NO. 3131

RESOLUTION DECLARING THE INTENT TO INITIATE PROCEDURES TO TRANSITION FROM AT-LARGE ELECTIONS TO DISTRICT-BASED ELECTIONS (BY ZONE) PURSUANT TO THE CALIFORNIA VOTING RIGHTS ACT AND TAKING RELATED ACTIONS

WHEREAS, the Novato Sanitary District (“District”) currently uses an at-large system of electing the members of its Board of Directors (“Board”); and

WHEREAS, the Board is aware that under state law an at-large method of election may be deemed to impair the ability of some voters to elect candidates of their choice or to influence the outcome of elections and, therefore, may be subject to challenge under the California Voting Rights Act of 2001, California Elections Code § 14025, *et seq.* (“CVRA”); and

WHEREAS, the Board denies that its election system violates the CVRA or any other provision of law, but nevertheless is committed to diversity and inclusion with respect to its elections; and

WHEREAS, the District has decided to initiate the process of establishing electoral “zones” and changing the method of electing members of the Board, in order to ensure compliance with the CVRA or, at minimum, avoid the potential for costly litigation under the CVRA; and

WHEREAS, California Government Code Section 34886, in certain circumstances, authorizes the legislative body of a special district to adopt an ordinance to change its method of election from an “at-large” to “district-based” (or “zone” based) method, in which each board member is elected only by the voters residing in the district (or zone) in which the candidate resides; and

WHEREAS, the California Legislature, in amendments to Elections Code Section 10010, has provided a method whereby a jurisdiction, including a special district, can expeditiously change to a by-district election system and avoid litigation under the CVRA; and

WHEREAS, the Board intends to initiate a very deliberate, careful, and public process for establishing such “zones”, and for changing the method of electing members of the Board, to take effect commencing with the November 2020 election, and

WHEREAS, prior to the Board’s consideration of an ordinance to establish boundaries for a district-based election system by zone, the Board shall comply with all applicable requirements of Elections Code Section 10010 including, without limitation, the following: prior to drawing a draft map or maps of the proposed boundaries of the zones, holding at least two public hearings over a period of no more than 30 days, at which the public will be invited to provide input regarding the composition of the zones; holding at least two additional public hearings over a period of no more than 45 days, at which the public shall be invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections; and publishing all versions of the draft map or maps and the proposed election sequencing for at least seven days before adoption; and

WHEREAS, the District’s General Counsel shall retain an experienced demographer to

assist the District to develop its proposal for a district-based electoral system by zones; and

WHEREAS, the transition from at-large to zone- based elections is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines, sections 15061(b)(3), 15320, and 15378(b)(3); and

WHEREAS, the adoption of a zone- based electoral system will not affect the term of any sitting Board member, each of whom will serve out his or her current term.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby finds the foregoing recitals to be true and correct; and

BE IT FURTHER RESOLVED that the Board directs the District's General Counsel and the District's General Manager-Chief Engineer or their designees to immediately initiate the legal and regulatory process to establish electoral zones within the District, in sufficient time for such zones to be established for the November 2020 election of members of the Board; and

BE IT FURTHER RESOLVED that the Board directs the District's General Counsel and the District's General Manager-Chief Engineer or their designees to collaborate with the demographer, to prepare draft "by zone " area map scenarios for public review and input at upcoming meetings, prepare a tentative timeline for conducting the transition process, and administer a comprehensive public outreach program.

* * * * *

I hereby certify that the foregoing resolution was duly and regularly passed and adopted by the Board of Directors of the Novato Sanitary District, Marin County, California, at a meeting thereof duly held on the 1st day of April 2019, by the following vote:

AYES, and in favor thereof, Members: _____

NOES, Members: _____

ABSENT, Members: _____

/s/ Carole Dillon-Knutson

Carole Dillon-Knutson, President
Board of Directors
Novato Sanitary District

ATTEST:

/s/ Sandeep Karkal

Sandeep Karkal,
Secretary, Board of Directors
Novato Sanitary District

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