



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 10.1f

Meeting Date: May 5, 2022

Subject: Resolution No. 3271: Adopting Specifications of the Election Order and for Consolidation with Statement General Election of November 8, 2022

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division: Superintendent's Office

Recommendation: Approval of Resolution No. 3271: Adopting Specifications of the Election Order and for Consolidation with Statewide General Election.

Background/Rationale: The Board of Education must call for an election on November 8, 2022 for the purpose of electing 3 board members to represent trustee areas 1, 2, and 6. This resolution calls for consolidation with other elections in Sacramento County which results in a cost savings to the District. The District, nevertheless, is required to pay its proportionate share of election costs. Candidates prepay the District for their candidate statements printed in the voter pamphlet and any related costs pursuant to Elections Code 13307.

Financial Considerations: By law, the District must reimburse the Registrar of Voters for actual costs incurred by the trustee area elections. The cost is calculated by a prorated method set forth in the County's current Election Cost Allocation Procedures.

LCAP Goal(s): Operational Excellence

Documents Attached:

1. Resolution No. 3271
2. Notice of District Election – to be provided prior to the Board meeting
3. Publication of Notice of Election – to be provided prior to the Board meeting

Estimated Time of Presentation: N/A

Submitted by: Alexis Rincon, Legal Analyst

Approved by: Jorge A. Aguilar, Superintendent

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

RESOLUTION NO. 3271

**RESOLUTION ADOPTING SPECIFICATIONS OF THE ELECTION ORDER AND FOR
CONSOLIDATION WITH STATEWIDE GENERAL ELECTION**

WHEREAS, pursuant to Elections Code section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election; and

WHEREAS, the resolution of the governing body of the city or district shall specify the services requested; and

WHEREAS, Education Code section 5000 calls for a regular biennial election for the purpose of electing members of the Sacramento City Unified School District's ("District") Governing Board ("Board"); and

WHEREAS, Education Code section 5340, *et seq.*, and Elections Code section 10400, *et seq.*, allow for consolidation of elections scheduled to be held on the same day in the same territory; and

WHEREAS, Board members are elected in even-numbered years and serve staggered, four-year terms; and

WHEREAS, when ordering an election, Education Code section 5322 requires the Board to provide for specifications of the election order, which shall be delivered to the officer conducting the election not less than 123 days prior to the date set for the election; and

WHEREAS, the specification order must include the authority for ordering the election, the date of the election, the purpose of the election, the authority for the specifications of the election order, and the signature of the duly authorized officer;

WHEREAS, Election Code sections 1302 and 10400 *et seq.* authorize the Board to establish the election day for Board members to occur on the same day as the statewide direct primary election, the statewide general election, or the general municipal election is held;

WHEREAS, Elections Code Section 13307 requires that before the nominating period opens the governing body must determine whether a charge shall be levied against each candidate submitting a candidate's statement to be sent to the voters; may establish the cost; and determine whether the cost be paid in advance; and

WHEREAS, the Board intends to order an election to be held on November 8, 2022, for the purpose of electing 3 members to the Board of Education for trustee areas 1, 2, and 6 for terms as prescribed by law; and

WHEREAS, a Statewide General Election will be held within the County of Sacramento on the same day; and

WHEREAS, Education Code section 5016 requires the Board to establish whether a tie vote of two or more candidates for a term of office shall be determined by lot or by calling a run-off election; and

WHEREAS, Elections Code section 12112 and Education Code section 5363 require the publication of a notice of the election once in a newspaper of general circulation in the District; and

WHEREAS, new boundaries for all trustee areas were appropriately and timely adopted on February 17, 2022 pursuant to the requirements of Education Code section 5019.5 and shared with the Sacramento County Elections Office and the Sacramento County Office of Education.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education requests the Board of Supervisors of Sacramento County to consolidate the District's regularly scheduled general district election for Trustee areas 1, 2, and 6 with the Statewide General Election to be held on November 8, 2022 for the purpose described herein; and

BE IT FURTHER RESOLVED that all candidates are to pay in advance their pro rata share of the costs for candidate statements that are printed in the voter pamphlet and related costs as described in Elections Code section 13307, specifically 13307(d), subject to any additional expenses, or refunds, depending on the final actual cost as determined by the Sacramento County Registrar of Voters; and

BE IT FURTHER RESOLVED, that the limitation on the number of words that a candidate may use in his or her candidate's statement shall be 200 words; and

BE IT FURTHER RESOLVED that the District agrees to reimburse the Registrar of Voters for actual election costs incurred, such costs to be calculated by the method set forth in the County's current Election Cost Allocation Procedures; and

BE IT FURTHER RESOLVED that if a tie vote to the Board of Education makes it impossible to determine which of two or more candidates, for the involved trustee area, has been elected to the Board of Education, the winner shall be determined by lot; and

BE IT FURTHER RESOLVED that this resolution, together with the Notice of District Election and Publication of Notice of Election attached herewith, shall be filed with the Sacramento County Board of Supervisors, with a copy to the Sacramento County Registrar of Voters, by the District's Superintendent on or before July 6, 2022; and

BE IT FURTHER RESOLVED, pursuant to Elections Code section 12112, and Education Code section 5363, the Registrar of Voters is requested to publish the District's notice of election as a combined election notice with other districts; and

BE IT FURTHER RESOLVED that the notice of District election shall be in the form attached to this resolution and may serve in lieu of the notices and related provisions designating the

Sacramento County Superintendent of Schools pursuant to Education Code sections 5324 and 5361; and

BE IT FURTHER RESOLVED that the map and boundary descriptions of all of the trustee areas, including trustee areas 1, 2, and 6 as recently approved and provided to the Sacramento County Elections Office and Sacramento County Office of Education are hereby certified, and verified, as being current and effective and that there have been no subsequent or additional boundary changes in the trustee areas; and

BE IT FURTHER RESOLVED that the Superintendent of the District, or his designee, shall be authorized to take all steps necessary to carry out the provisions of this resolution.

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this 5th day of May, 2022 by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

Christina Pritchett

President of the Board of Education

ATTESTED TO:

Jorge A. Aguilar Superintendent

Secretary of the Board of Education

NOTICE OF DISTRICT ELECTION
Sacramento City Unified School District

NOTICE IS HEREBY GIVEN that a general election of the Board of Trustees for the Sacramento City Unified School District will be held on November 8, 2022. The offices for which candidates may declare their candidacy are:

*Sacramento City Unified School District Board of Trustees - **Trustee Area 1,***

*Sacramento City Unified School District Board of Trustees - **Trustee Area 2,***

and

*Sacramento City Unified School District Board of Trustees - **Trustee Area 6***

Qualifications: Each candidate must meet the following qualifications for office:

Any person, regardless of sex, who is 18 years of age or older, a citizen of the state, a resident of the trustee area in the Natomas Unified School District for which the candidate is running to become a Board member of the trustee area, a registered voter, and who is not disqualified by the Constitution or laws of the state from holding a civil office as described in Board Bylaw 9220, is eligible to be elected or appointed a member of a governing board of a school district without further qualifications.

Code Reference: Education Code section 35107(a)/Board Bylaw 9220

Official declarations of candidacy for eligible candidates desiring to file for any of the elective offices may be obtained from the office of the Registrar of Voters at 7000 65th Street, Suite A, Sacramento, CA 95823-2315, on and after July 8, 2022, and must be filed not later than 5:00 p.m. on August 12, 2022. However, if a declaration of candidacy for an incumbent is not filed by the latter date and hour, any person other than the incumbent shall have until 5:00 p.m. on August 17, 2022 to file a declaration of candidacy for such office.

Dated this ____ day of May, 2022.

Jorge A. Aguilar, Superintendent

PUBLICATION OF NOTICE OF ELECTION

Elections Code §12112 requires the publication of a "Notice of Election." The notice shall contain the date of the general district election, name the offices for which candidates may file, and state the qualifications required by the principal act for each office, as well as other pertinent information.

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

Recommends that the Registrar of Voters publish (check one only):

A combined election notice with other districts scheduled for election on November 8, 2022

or

A separate/individual district notice.

If a separate/individual district notice is requested, District will be responsible for printing of such notice.

Dated: May __, 2022

Jorge A. Aguilar,
Superintendent