

RESOLUTION NO. NS-29,573

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ CALLING AN ELECTION TO BE HELD ON MARCH 3, 2020 AT THE STATEWIDE GENERAL ELECTION IN THE CITY OF SANTA CRUZ FOR A BALLOT MEASURE SUBMISSION OF A PROPOSED CHARTER AMENDMENT TO ARTICLE XVI (SCHOOL DEPARTMENT)

WHEREAS, pursuant to authority provided by the California Constitution, Article XI and the Government Code, Title 4, Division 2, Chapter 2 (commencing at § 34450) and the Election Code Division 9, Chapter 3, Article 3 (commencing at § 9255) of the State of California, the City Council of the City of Santa Cruz desires to submit to the voters a proposed charter amendment relating to Article XVI (School Department); and

WHEREAS, the City Council is authorized and directed by statute to submit the proposed charter amendment to the voters;

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

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

WHEREAS, pursuant to Elections Code Section 10002, the city shall reimburse the county in full for the services performed upon presentation of a bill to the city; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10400, such election for cities and special districts may be either completely or partially consolidated; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation; and

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WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on March 3, 2020.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Santa Cruz that it hereby orders an election be called and consolidated with any and all elections also called to be held on March 3, 2020 insofar as said elections are to be held in the same territory or in a territory that is in part the same as the territory of the City of Santa Cruz, and hereby requests the Board of Supervisors of the County of Santa Cruz to order such consolidation under Elections Code Section 10401 and 10403.

BE IT FURTHER RESOLVED AND ORDERED that the City Council of the City of Santa Cruz hereby requests the Board of Supervisors to permit the Santa Cruz County Elections Department to provide any and all services necessary for conducting the election and agrees to pay for said services, and

BE IT FURTHER RESOLVED AND ORDERED that the Santa Cruz County Elections Department shall conduct the election for the following CHARTER AMENDMENT MEASURE to be voted on at the March 3, 2020 election:

NOW, THEREFORE, the City Council of the City of Santa Cruz, California, does resolve, declare, determine and order as follows:

SECTION I: That pursuant to the California Constitution, Article XI and the Government Code, Title 4, Division 2, Chapter 2 (commencing at § 34450) and the Election Code Division 9, Chapter 3, Article 3 (commencing at § 9255) of the State of California there is called and ordered to be held in the City of Santa Cruz, California, on Tuesday, March 3, 2020 the Statewide General Election for the purposes of submitting the following proposed charter amendment:

Ballot Question:

In order to allow Santa Cruz City Schools District to conduct elections by trustee areas adopted by the District, rather than specifying the makeup of the School District Board of Trustees in the City Charter, shall the City of Santa Cruz Charter be amended to rescind Article XVI?

Yes _____

No _____

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SECTION 2: That the text of the charter amendment submitted to the voters is attached as Exhibit A.

SECTION 3: That the City of Santa Cruz City Council hereby directs staff to place the measure on the ballot for the March 3, 2020 Statewide General Election; and

SECTION 4: The City Clerk Administrator shall certify the passage and adoption of the resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this 27th day of August 2019, by the following vote:

AYES: Councilmembers Krohn, Glover, Meyers, Brown, Mathews; Vice Mayor Cummings; Mayor Watkins.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: 
Martine Watkins, Mayor

ATTEST: 
Bonnie Bush, City Clerk Administrator

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EXHIBIT "A"
OF THE CITY OF SANTA CRUZ

Article XVI shall be repealed in its entirety.

~~Article XVI. SCHOOL DEPARTMENT~~

~~1601 SCHOOLS AND DISTRICTS.~~

~~The school department shall comprise all of the territory and public schools of the Santa Cruz High School District and the territory and public schools of the Santa Cruz School District as such districts now or may hereafter exist. For the purpose of fixing the governing board thereof and the number of members of such board, their qualifications, manner of election and other matters relative thereto, said school department shall be divided into what shall be known as the Santa Cruz City High School District, hereinafter designated as High School District, and the Santa Cruz City Elementary School District, hereinafter designated as Elementary School District.~~

~~1602 TERRITORY OF DISTRICTS.~~

~~All of the territory that is now, or that may hereafter be embraced within said High School District or Elementary School District shall be deemed a part of said districts for the purpose of holding elections, and shall comprise such number of election precincts as shall from time to time be designated and defined by the proper authority. All qualified electors within said school districts shall be qualified to vote for members of the Board of Education and on all questions pertaining to school matters submitted to the vote of the people of such districts. All of the territory within said school districts, not within the City of Santa Cruz, shall be deemed to be a part of said City for all matters and things relating to public education authorized for such City school districts by law.~~

~~1603 BOARD OF EDUCATION. MEMBERSHIP. QUALIFICATIONS.~~

~~The Santa Cruz City High School District and the Santa Cruz Elementary School District, as such districts now or may hereafter exist, shall be governed by a Board of Education, which shall be known as the Santa Cruz City Board of Education.~~

~~Only persons who are qualified electors residing within the territory governed by said Board of Education and who are otherwise eligible under State law and this Charter to be nominated or elected shall be eligible to be nominated for, or elected to said Board of Education.~~

~~Said governing Board shall consist of seven members to be elected as follows:~~

~~(a) Three members of said Board of Education shall, at the time of their nomination and election, and during the time they hold office, be qualified electors and residents of the City of Santa Cruz;~~

~~(b) Three members of said Board of Education shall, at the time of their nomination and election, and during the time they hold office, be qualified electors and residents of that portion of the~~

~~territory governed by said Board of Education lying outside the boundaries of the City of Santa Cruz;~~

~~(e) One member of said Board of Education may reside anyplace within the territory governed by said Board of Education. No candidate for this office may at the same time be a candidate for any other office on said Board of Education. The declaration of candidacy or nomination papers shall specify that the candidate seeks election to this office. (Amended 11-3-81)~~

~~1604 BOARD OF EDUCATION. ELECTION. TERM.~~

~~Members of the Santa Cruz City Board of Education shall, in all respects not herein otherwise provided for, be elected at the time, for the terms and in the manner now or as may hereafter be provided by the Education Code of the State of California for the election or appointment of governing Board members.~~

~~1605 BOARD OF EDUCATION. ELECTION. VOTER QUALIFICATION.~~

~~All registered voters residing within the territory governed by the Santa Cruz City Board of Education are eligible to vote at all elections held for the election of members of said Board of Education, and each member of said Board of Education shall be elected by the registered voters of the entire territory governed by said Board of Education.~~

~~1607 MEETINGS.~~

~~The Santa Cruz City Board of Education shall hold regular meetings at least once each month at such time and place as such Board may determine; provided, that such meeting shall be held at the office of the City Superintendent of Schools unless published notice is given to the contrary. At the first regular meeting in December of each year, the Santa Cruz City Board of Education shall meet to organize and choose one member for President and another for Vice-President, each of whom shall serve for one year. (Amended 11-4-80)~~

~~1608 BOARD. POWERS AND DUTIES.~~

~~The Santa Cruz City Board of Education is hereby vested with all the powers and charged with all the duties provided by this Charter and those now or hereafter provided for by the laws of the State of California applicable to such Board of Education.~~

~~1609 CITY SUPERINTENDENT OF SCHOOLS AND SECRETARY OF BOARD.~~

~~As authorized in the Education Code of the State of California, the Santa Cruz City Board of Education shall appoint a properly qualified person to serve as City Superintendent of Schools and Secretary of the Santa Cruz City Board of Education, and shall delegate to him or her such duties and responsibilities as are provided for in the Education Code of the State of California, and in the rules and regulations of said Santa Cruz City Board of Education.~~

~~1610 GENERAL PROVISIONS.~~

~~All other matters pertaining to the school department, not specifically provided for in this Charter, shall be governed by the Education Code and general laws of this State.~~

~~1611 REPEALED. (11-4-80)~~