

NOVATO SANITARY DISTRICT

Special Meeting Date: June 4, 2026

The Board of Directors of the Novato Sanitary District will hold a **Special** in-person meeting at 1:00 p.m., Thursday, June 4, 2026, at the District office, 500 Davidson Street, Novato.

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

REGULAR MEETING AGENDA

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

This item is to allow anyone wishing to address the Board of Directors on matters within the District's jurisdiction but *not* on the posted agenda*. Each individual will be limited to a three-minute presentation. The Board President may refer any matter to staff for follow-up, or elect to have the matter placed on a future agenda. No action will be taken by the Board at this time as a result of any public comments made.
*Note: Raise your hand and the Board President will recognize and notify you when it is your turn to speak.

4. **BOARD OF DIRECTORS:**
 - a. Consider procedures for filling the current vacancy in Electoral Division 1 of the Board of Directors, and provide direction.
5. **BOARD MEMBER REPORTS AND REQUESTS:**
6. **GENERAL MANAGER'S REPORT AND ANNOUNCEMENTS:**
 - a. Receive verbal report and announcements.
7. **ADJOURN:**

Next Resolution No. 3214.

Next regular meeting: Monday, June 8, 2026, 5:30 p.m.

Meeting location: 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.

NOVATO SANITARY DISTRICT BOARD AGENDA ITEM SUMMARY

TITLE: Board of Directors: Consider procedure for filling the vacancy in Electoral Division 1 of the Board of Directors	MEETING DATE: June 4, 2026 AGENDA ITEM NO.: 4.a.
RECOMMENDED ACTION: Consider procedures for filling the current vacancy in Electoral Division 1 of the Board of Directors, and provide direction.	
SUMMARY AND DISCUSSION: <p>There is a need for the Board to fill a Board vacancy due to the recent resignation of Electoral Division 1 Board member Jean Mariani on May 26, 2026.</p> <p>Filling of vacant Board seats for Special Districts such as the Novato Sanitary District is governed by California Government Code Section 1780. Briefly, there are three options available to the Board to do so. These options are presented in the attached memo, along with back-up information, and draft noticing and application materials for the vacancy.</p> <p>It is requested that the Board review the presented materials and provide direction.</p>	
ATTACHMENTS: <ol style="list-style-type: none"> 1. Memorandum - Filling of Board Vacancy (including attachments). 	
STRATEGIC PLAN INFORMATION: This item addresses Goal 5 (Effective Governance and Administration) of the latest Strategic Plan Update.	
Prepared by: ssk	Reviewed by General Manager: SSK

MEMORANDUM

To: Novato Sanitary District Board of Directors
From: Sandeep Karkal, General Manager-Chief Engineer
Rachel Hundley, General Counsel
Date of Board Meeting: June 4, 2026
Subject: Filling Board Vacancy Due to Resignation of Director Jean Mariani

Background

The District has received written notice from Director Jean Mariani that she has resigned from the District Board of Directors. The notice was received on May 26, 2026, and further clarification was provided that it was effective that same day. The options available to the Board for filling the vacancy are determined by the date it arose. Director Mariani's resignation took effect 161 days before the next general District election on November 3, 2026, and in the first half of her term. Director Mariani represented Electoral Division 1 of the District, and only registered voters residing in Electoral Division 1 are eligible for the vacant seat.

This memo outlines the process for filling a Board vacancy, which is governed by California Government Code Section 1780 (GC §1780) and the Elections Code. A copy of GC §1780 is attached.

District actions required by State law are:

- Notify the Marin County Elections Official of the vacancy by June 10, 2026 (completed).
- Select one of the following options for filling the vacancy:
 - A. Appointment, or
 - B. Calling a Special Election, or
 - C. Referral to the Board of Supervisors for Appointment.

Procedures for each option are described below.

A. Appointment

Under this option, the process would be as follows:

- a. The District is required to post a notice of the vacancy in at least three conspicuous places in the District.
- b. At least 15 days after posting the notice, the Board may make the appointment.
- c. The Board must make the appointment within 60 days of the effective date of the vacancy.
- d. The District must notify the County Elections Officer within 15 days after the Board makes its appointment.

The timing of the vacancy determines the length of the term served by an appointee. Here, because the vacancy occurred in the first half of the term and at least 130 days before the next "general District election," an appointed Board Member will serve until a Board Member is elected in the November 3, 2026 election. The elected Board Member will serve the remainder of the term, which expires in 2028.

If this option is selected, District staff will prepare and publish a Notice of Vacancy in the Marin Independent Journal. The Notice will also be posted at the following locations: District Office, Novato Library, South Novato Library, City Hall, District website, District social media accounts, Novato Patch.

The Board can decide whether to solicit applications from interested individuals or to make the appointment directly. If the Board decides to solicit applications for the seat, the Notice of Vacancy can include a request for interested applicants to submit a letter of interest and an application. A copy of a proposed Notice of Vacancy and an Application is attached.

A sample schedule for this option is presented below.

Sample Schedule for Appointing a Replacement

Date	Action
June 4, 2026	Board votes to fill the vacancy by appointment.
June 5, 2026	Post Notice of Vacancy and Request for Applications.
June 8, 2026	Application period opens. Board adopts resolution calling elections, requesting consolidation and election services, and rescinding prior election resolution.
June 22, 2026	Letters of Interest and Applications due to District.
June 25, 2026	Special Meeting to interview applicants (if needed) and make appointment.
July 1, 2026	Last day to file Notice of Election.
July 27, 2026	Last day the Board may fill the vacancy by appointment; after this date, the Board of Supervisors may fill the vacancy.

If the Board selects this option, staff recommends the Board hold at least one special meeting to interview candidates (if needed) and make the appointment, to meet related election time requirements.

As noted above, due to the timing of the vacancy, the Board is required to place the open seat on the ballot of the next general District election, which will occur on November 3, 2026. District staff, in consultation with the Marin County Elections Office, recommends that the Board first rescind Resolution No. 3213 adopted at the May 11, 2026 regular meeting, which called an election for the three Board seats whose terms expire this year and requested consolidation and election services from the County. The Board would then adopt a similar resolution that includes a special election on the same date for the vacant Board seat. A resolution effecting this recommendation would be presented to the Board as early as the June regular meeting.

Costs: It is anticipated that the direct costs of filling the vacancy by appointment would be limited to printing and advertising costs. At this time, such direct costs are estimated at about \$4,000, which would be met with available funds in Account No. 69040 (Election Expenses) of the Fiscal Year (FY) 25-26 budget and the FY 26-27 Preliminary Budget.

B. Call a Special Election

The Board may call for a special election to fill the vacancy within 60 days of the effective date of the vacancy. This action would be in lieu of filling the vacancy by appointment, and the practical effect would be that the Board seat would be unfilled until the election results are certified, and the election filing requirements would not be in line with that of a general election. A minimum of 130 days must elapse between the Board’s decision to call the election and the date of the special election. A sample schedule for this option is presented below.

Sample Schedule for Calling a Special Election

Date	Action
July 1 to 25, 2026	Board votes to call a special election
Nov. 8 to Dec. 2, 2026	Earliest possible dates for a special election
March 2, 2027	Next established date for a general election

Costs: Based on information from the County of Marin Elections Department, estimated costs for a special election in March 2026 could range from about \$55,000 to \$83,000 (at about \$8 to \$12 per registered voter) if held as a special election conducted specifically within Division 1, and assuming approximately 6,900 registered voters per voting division.

C. Refer to the Board of Supervisors for Appointment

If the District Board declines or fails to make an appointment or call a special election within 60 days of the vacancy, the action on the vacancy will go to the Board of Supervisors. The Board of Supervisors can either make an appointment within 90 days of the vacancy or require that the District call a special election specific to Division 1. The cost associated with a special election called by the Board of Supervisors would be similar to that in Section B, above.

Recommendation

It is recommended that the Board proceed with an appointment process that follows the schedule presented in Section A, above, and direct staff to post a notice soliciting applications for the vacancy consistent with GC § 1780. The recommended process is similar to the District’s past practices as well as the process used in the past by local special districts, i.e. the North Marin Water District and the Novato Fire Protection District.

Attachments:

1. California Government Code Section 1780
2. Notice of Board Vacancy
3. Board Appointment Application

Filling of Board Vacancy Memorandum
Attachment No. 1 (3 pages)

California Government Code Section 1780

West's Annotated California Codes

Government Code

Title 1. General

Division 4. Public Officers and Employees

Chapter 4. Resignations and Vacancies

Article 2. Vacancies

§ 1780. Special districts; vacancies in elective offices of governing board;
election dates; term

(a) Notwithstanding any other provision of law, a vacancy in any elective office on the governing board of a special district, other than those specified in Section 1781, shall be filled pursuant to this section.

(b) The district shall notify the county elections official of the vacancy no later than 15 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later.

(c) The remaining members of the district board may fill the vacancy either by appointment pursuant to subdivision (d) or by calling an election pursuant to subdivision (e).

(d)(1) The remaining members of the district board shall make the appointment pursuant to this subdivision within 60 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later. The district shall post a notice of the vacancy in three or more conspicuous places in the district at least 15 days before the district board makes the appointment. The district shall notify the county elections official of the appointment no later than 15 days after the appointment.

(2) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(3) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(e)(1) In lieu of making an appointment the remaining members of the board may within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(f)(1) If the vacancy is not filled by the district board by appointment, or if the district board has not called for an election within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, then the city council of the city in which the district is wholly located, or if the district is not wholly located within a city, the board of supervisors of the county representing the larger portion of the district area in which the election to fill the vacancy will be held, may appoint a person to fill the vacancy within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, or the city council or board of supervisors may order the district to call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the city council or board of supervisors calls the election.

(g)(1) If within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, the remaining members of the district board or the appropriate board of supervisors or city council have not filled the vacancy and no election has been called for, then the district board shall call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(h)(1) Notwithstanding any other provision of this section, if the number of remaining members of the district board falls below a quorum, then at the request of the district secretary or a remaining member of the district board, the appropriate board of supervisors or the city council shall promptly appoint a person to fill the vacancy, or may call an election to fill the vacancy.

(2) The board of supervisors or the city council shall only fill enough vacancies by appointment or by election to provide the district board with a quorum.

(3) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold the office until

the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(4) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(5) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is held 130 or more days after the date the city council or board of supervisors calls the election.

Credits

(Added by Stats.1975, c. 1059, p. 2551, § 1.3. Amended by Stats.1977, c. 189, p. 708, § 1; Stats.1977, c. 1205, p. 4074, § 82; Stats.1978, c. 319, § 1; Stats.1986, c. 866, § 20; Stats.1987, c. 1184, § 2; Stats.1994, c. 923 (S.B.1546), § 31; Stats.1999, c. 312 (S.B.1208), § 27; Stats.2007, c. 343 (S.B.144), § 4.)

West's Ann. Cal. Gov. Code § 1780, CA GOVT § 1780

Current with urgency legislation through Ch. 10 of 2026 Reg.Sess. Some statute sections may be more current, see credits for details.

Filling of Board Vacancy Memorandum
Attachment No. 2 (1 page)

Notice of Board Vacancy

DRAFT NOTICE OF BOARD VACANCY

Effective May 26, 2026, a vacancy exists on the Board of Directors of the Novato Sanitary District. The Board will appoint a new member who will serve until the next general election of the District scheduled for November 2026. At that time, an election will be held to fill the vacant seat for the remainder of the term ending with the 2028 election. The current vacancy is for an Electoral Division 1 seat, and only registered voters residing in Division 1 will be eligible to run for this seat. Interested parties are invited to submit an application by 4:30pm, Monday, June 22, 2026, describing their educational and employment background, any prior community activities, potential areas of conflict of interest, and a statement of interest on serving on the Board of Directors. Applications are available at the District office, or can be downloaded at www.novatosan.com. Interested parties may also contact the District Secretary at (415) 892-1694. The Board of Directors will review applications, and interview applicants (if needed), at an open public meeting scheduled for Thursday, June 25, 2026 at 3:00 PM and will make an appointment. The meeting will be held at the District offices located at 500 Davidson Street, Novato, California.

Sandeep Karkal
District Secretary, Novato Sanitary District

Dated: June 5, 2026

Filling of Board Vacancy Memorandum
Attachment No. 3 (2 pages)

Board Appointment Application

NOVATO SANITARY DISTRICT
APPLICATION FOR APPOINTMENT TO BOARD OF DIRECTORS

Electoral Division: 1

Application Deadline: June 22, 2026, 12:00 p.m.

Application must be received by the District Secretary by the stated deadline to be considered. Applications may be delivered in person or by mail to:

Board Member Appointment

**Attention: District Secretary
Novato Sanitary District
500 Davidson Street, Novato, CA 94945**

Or by email to: sandeepk@novatosan.com

SECTION 1 — APPLICANT INFORMATION

This section to be redacted for public distribution except name.

Full Legal Name: _____

Residence Address (within District): _____

Mailing Address (if different): _____

Primary Phone: _____

Email Address: _____

Years residing in Novato: _____ Years residing in Marin County: _____

SECTION 2 — PROFESSIONAL BACKGROUND

Current Employer / Occupation: _____

Position Title: _____

Employer Location: _____

Prior Relevant Experience (if applicable):

SECTION 3 — EDUCATION AND TRAINING (Please describe)

SECTION 4 — COMMUNITY AND PUBLIC SERVICE (Please describe)

SECTION 5 — EXPERIENCE AND COMPETENCIES

- | | |
|---|---|
| <input type="checkbox"/> Public agency governance | <input type="checkbox"/> Legal, policy, or regulatory matters |
| <input type="checkbox"/> Budgeting, finance, or auditing | <input type="checkbox"/> Organizational leadership or management |
| <input type="checkbox"/> Infrastructure, utilities, or capital projects | <input type="checkbox"/> Community engagement or public communication |
| <input type="checkbox"/> Environmental compliance or regulation | |

Describe your most relevant experience

SECTION 6 — ADDITIONAL INFORMATION (Optional)

Optional attachments (max 2 pages total):

- Resume
- Letter of interest

SECTION 7 — SIGNATURE

By signing below, I certify that I am at least 18 years old and that I am a registered voter of Marin County residing in Electoral Division 1 of the Novato Sanitary District.

I also acknowledge that I am aware that the Board meets regularly on the 2nd Monday of each month at 5:30 PM and I am able to devote the time necessary to perform the duties of this body.

I am also aware that my name and address may be made public as an applicant for this body and that, if selected, I will be required to report investments, business positions and income from sources that are located in or doing business in the Novato Sanitary District in accordance with State and Federal laws.

Signature: _____ Date: _____