

LA CANADA UNIFIED SCHOOL DISTRICT

RESOLUTION NO: 7-17-18

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE LA CANADA UNIFIED SCHOOL DISTRICT APPROVING THE RESCHEDULING OF BOARD OF TRUSTEE ELECTIONS FROM ODD TO EVEN YEAR ELECTIONS COMMENCING WITH THE 2020 BOARD OF TRUSTEES ELECTION

WHEREAS, the current date for election of members to the Board of Trustees (“Board”) of the La Canada Unified School District (“District”) is currently every two (2) years on the first Tuesday after the first Monday in November of odd years (Education Code section 5000 and Elections Code section 1302(a)); and

WHEREAS, statewide general elections are held in California only in June and November of even years (Elections Code section 1001); and

WHEREAS, generally, voter participation is greater for statewide general elections than for special local elections, including District Board elections; and

WHEREAS, the Board believes that rescheduling to “even-year elections” will enhance voter participation in District Board elections; and

WHEREAS, on January 1, 2018, Senate Bill 415 (“SB 415”), the California Voter Participation Rights Act, takes effect and adds section 14050 *et seq.* to the Elections Code; and

WHEREAS, SB 415 prohibits a local government from holding a separate election “on any date other than a statewide election date” if the voter turnout in past local elections has resulted in a “significant decrease in voter turnout” as defined (at least 25% less than the average turnout in the District for the last four general elections); and

WHEREAS, voter turnout for recent District elections meets the foregoing criteria; and

WHEREAS, the Board believes that rescheduling to “even-year elections” is consistent with the intent of, and will reduce the District’s exposure to litigation under, SB 415 which provides a successful plaintiff who enforces the law by court action the right to reasonable attorneys’ fees and costs if necessary to compel the rescheduling of elections; and

WHEREAS, the Board desires to be proactive and ensure compliance with SB 415; and

WHEREAS, the Board also recognizes that there may be a cost savings to the District resulting from aligning the District’s elections with the statewide general elections; and

WHEREAS, as a result of these facts, the Board desires to change the date of future Board elections to be consolidated with the California statewide general election in November of even years; and

WHEREAS, Elections Code section 1302(b) establishes a procedure whereby the Board may change the election date for its Board members by adopting a resolution, and seeking approval of the change by the Los Angeles County Board of Supervisors (Elections Code section 10404.5); and

WHEREAS, if the change in election date is approved, the election date for Board members will be moved from November of odd years to November of even years commencing in 2020 (from 2019), and District governing board members will continue in their offices until successors are elected and qualified, as required by Elections Code section 10404.5(g).

NOW THEREFORE, BE IT RESOLVED that the above recitals are true and correct; and

BE IT FURTHER RESOLVED that the La Canada Unified School District Board of Trustees adopts this resolution to consolidate the election date for members of the Board with the California general election in November of even years (Elections Code 1001) pursuant to Elections Code section 1302(b) and effective in 2020 (from 2019).

BE IT FURTHER RESOLVED that the Superintendent or her designee ensure that this resolution is forwarded to the Los Angeles County Board of Supervisors, and request formal approval of the change by the Board of Supervisors at a public meeting within 60 days after submission and after the resolution has been posted in accordance with law.

BE IT FURTHER RESOLVED that the Superintendent or his designee notify the Los Angeles County Elections Office that the District is prepared to pay the expenses of mailing notice of approval of the change in election date by the Los Angeles County Board of Supervisors as required by Elections Code 10404.5(e).

BE IT FURTHER RESOLVED that if the consolidation of election is adopted and submitted to the Board of Supervisors at least 240 days prior to the next scheduled school Board election (Elections Code section 10404.5(a)) and if the Board of Supervisors approves the consolidation, the date of the District's Board election, currently scheduled for 2019, will be moved to November 2020, and each subsequent Board member election will be held two years thereafter in November of even years.

BE IT FURTHER RESOLVED that if the consolidation of election is approved, the terms of office of Board members expiring in November 2019 will be extended to November 2020, and the terms of Board members expiring in November 2021 will be extended to November 2022 (i.e., they shall continue in their offices until successors are elected and qualified, as required by Elections Code section 10404.5(g)).

BE IT FURTHER RESOLVED that the District's Superintendent or her designee is authorized to take such actions and execute such documentation necessary to effect the intent of this Resolution.

PASSED AND ADOPTED by the Board of Trustees of the La Canada Unified School District, Los Angeles County, California, on this 5th day of December, 2017 at a duly noticed meeting, by the following vote:

AYE _____ **NO** _____ **ABSTAIN** _____ **ABSENT** _____

Dan Jeffries

Kaitzer Puglia

Brent Kuszyk

Ellen Multari

Joe Radabaugh

I, Brent Kuszyk, Clerk of the La Canada Unified School District Board of Trustees, hereby certify that the foregoing is a full, true and correct copy of the Resolution adopted by the said Board of Trustees on the 5th day of December, 2017.

Dated: December 5, 2017

Clerk, Board of Trustees
La Canada Unified School District
Los Angeles County, California