

**WILLIAM S. HART UNION HIGH SCHOOL DISTRICT**

**RESOLUTION NO. 16/17-14**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE WILLIAM S. HART UNION HIGH SCHOOL DISTRICT APPROVING THE RESCHEDULING OF GOVERNING BOARD MEMBER ELECTIONS FROM ODD TO EVEN YEAR ELECTIONS COMMENCING WITH THE 2018 GOVERNING BOARD ELECTION**

**WHEREAS**, the current date for election of Governing Board members (“Board”) of the William S. Hart Union High School District (“District”) is every two (2) years on the first Tuesday after the first Monday in November of odd years (e.g., November 2017) (Education Code section 5000 and Elections Code section 1302(a));

**WHEREAS**, statewide general elections are held in California only in June and November of even years (e.g., November 2016) (Elections Code section 1001);

**WHEREAS**, generally, voter participation is greater for statewide general elections than for special local elections, including school board member elections;

**WHEREAS**, the Board believes that rescheduling to “even-year elections” may enhance voter participation in school Board elections;

**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;

**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”;

**WHEREAS**, the Board believes that rescheduling to “even-year elections” will reduce the District’s exposure to litigation pursuant to SB 415, which provides a successful plaintiff the right to reasonable attorneys’ fees and expert witness fees;

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

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

**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;

**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 Board of Supervisors of the affected county – Los Angeles (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 2018, with Board members whose terms would have expired in 2017 being extended to 2018, and Board members whose terms would have expired in 2019 being extended to 2020, as required by Elections Code section 10404.5(g) [refer to Exhibit A].

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

**BE IT FURTHER RESOLVED** that the William S. Hart Union High School District Governing Board adopts this resolution to consolidate the election date for members of the Board with the California general election in November in even years (Elections Code 1001) pursuant to Elections Code section 1302(b).

**BE IT FURTHER RESOLVED** that the Superintendent or her designee will ensure that this resolution will be 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 her designee will 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 of the consolidation, the date of the District's next Board election will be moved to November 2018 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 term of office of current Board members expiring in November 2017 will be extended to November 2018, and the term of Board members expiring in November 2019 will be extended to November 2020.

**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 William S. Hart Union High School District, Los Angeles County, California, on this 21<sup>st</sup> day of September, 2016 at a duly noticed meeting, by the following vote:

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

Robert P. Hall

Robert N. Jensen, Jr.

Joseph V. Messina

Linda H. Storli

Steven M. Sturgeon

I, Robert P. Hall, President of the Governing Board of the William S. Hart Union High School District, hereby certify that the foregoing is a full, true and correct copy of the Resolution adopted by the said Governing Board on the 21st day of September, 2016.

Dated: \_\_\_\_\_, 2016

\_\_\_\_\_  
Robert P. Hall  
President, Governing Board  
William S. Hart Union High School District  
Los Angeles County, California

Certified a True Copy:

\_\_\_\_\_  
Joseph V. Messina  
Clerk, Governing Board  
William S. Hart Union High School District  
Los Angeles County, California

00509-00112/3322871.2

**Exhibit A**

<b><u>Board Member</u></b>	<b><u>Current Election Year</u></b>	<b><u>New Election Year</u></b>
Robert P. Hall	2017	2018
Robert N. Jensen, Jr.	2017	2018
Joseph V. Messina	2017	2018
Linda H. Storli	2019	2020
Steven M. Sturgeon	2019	2020