

ITEM: 10.3

Resolution No. FY# 15-16-05
**RESOLUTION OF THE BOARD OF EDUCATION OF
GOLDEN PLAINS UNIFIED SCHOOL DISTRICT
ORDERING AND PROVIDING THE SPECIFICATIONS OF
AN ELECTION TO FILL A VACANCY ON THE BOARD**

RESOLVED, by the Governing Board of the Golden Plains Unified School District, County of Fresno, State of California that:

WHEREAS, in November 2014, Mr. Presentation Sanchez was elected to the Board of Trustees of the Golden Plains Unified School District ("Board") as a resident of Trustee Area No. 3 for a term of four years ending in November 2018;

WHEREAS on or about May 28, 2015, Mr. Sanchez resigned from the Golden Plains Unified School District Board of Trustees and as a result of Mr. Sanchez's resignation, a vacancy exists on this Board pursuant to California Education Code section 5090 and California Government Code section 1770;

WHEREAS, California Education Code Section 5091(a)(1) requires the Governing Board to either appoint a provisional board member or call a special election to fill the vacancy created by the resignation of a board member; and

WHEREAS, a provisional appointment will be effective only until the until the next regularly scheduled election for district governing board members, which will occur on November 8, 2016; and

WHEREAS, if an election is ordered, it shall be held on the next established election date provided pursuant to Section 1000 et seq. of the Elections Code, but not less than 130 days after the order of the election; and

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

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, of any 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, there are less than 130 days until the statewide general election scheduled for November 3, 2015; therefore, pursuant to Education Code section 5091(b), any election ordered to fill the vacancy shall take place on the subsequent established election date, Tuesday, April 12, 2016; and

WHEREAS, any election ordered to fill the vacancy should be consolidated or partially consolidated with the election scheduled for April 12, 2016, pursuant to Education Code section 5342 and Elections Code section 10400 et seq.; and

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WHEREAS, the conditions prohibiting a special election to fill the vacancy under California Education Code section 5093 do not apply.

NOW THEREFORE BE IT RESOLVED AND ORDERED AS FOLLOWS:

1. That the Board hereby determines to proceed by ordering a special election pursuant to Education Code section 5090 et seq., specifically section 5091(a)(1) in order to fill the vacancy created by Mr. Sanchez's resignation.

2. That the Board hereby orders an election to be called by the County Superintendent of Schools of Fresno County and consolidated with any and all elections also called to be held on April 12, 2016 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the Golden Plains Unified School District;

3. That the Board hereby requests the Board of Supervisors to permit the Fresno County of Registrar of Voters to provide any and all services necessary for conducting the election; and

4. That pursuant to Education Code Section 5322, the Board hereby orders an election to be held with the following specifications:

The election shall be held on Tuesday, April ~~12~~, 2016;

The purpose of the election shall be to elect a provisional Board member to complete the term of office of Presentacion Sanchez;

5. That the Board delegates to the Superintendent or his designee, all authority necessary and proper to the accomplishment of the purposes of this Resolution.

PASSED AND ADOPTED by the Golden Plains Unified School District Board of Trustees on July 21, 2015, by the following vote:

AYES: 4

NOES: 0

ABSTENTIONS: 0

ABSENT: 2

STATE OF CALIFORNIA)
) ss.
COUNTY OF FRESNO)

I certify the above is a true copy of a resolution adopted by the Board of Trustees of the Golden Plains Unified School District in open session at a duly noticed meeting held on July 21, 2015.

DATED: 7, 21, 2015

By:

Richard Gonzalez, Vice President

Governing Board Golden Plains Unified School District