



May 10, 2017

BOARD OF SUPERVISORS

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Board

Cassandra Shepherd
President

Elizabeth Thompson
Clerk

Kathy Main

Jonathan Merriam

Jay Orth

Administration

Paul Gardner
Superintendent

Cathy Thomasson
Business Manager

Frank Kampen
District Projects Director
Co-Director

Clerk of the Board of Supervisors
Elizabeth A. King
1010 Tenth Street Suite 6700
Modesto, Ca 95354

Good Afternoon,

Enclosed is the Hickman Community Charter District Board Approved Revised Resolution #1617-7 to change our regularly scheduled elections for governing board member from an odd-numbered year to an even numbered year beginning in 2022. Please place this on your Board of Supervisors Agenda for consideration of implementation.

Sincerely,

Mr. Paul Gardner
Superintendent

Re: Revised Resolution #1617-7

13306 4th Street
Hickman, CA 95323
209-874-9070
hcs.hickmanschools.org



Resolution #1617-7
Reschedule Election of Governing Board Members

WHEREAS, the current date for election of members of the Governing Board of Hickman Community Charter District is every two years on the first Tuesday after the first Monday in November of odd numbered years (e.g., November 2017) (Education Code section 5000 and Election Code section 1302 (a)); and

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

WHEREAS, the District is located within Stanislaus County; and

WHEREAS, generally voter turnout is greater for statewide general elections than for local elections, including school board member election held in November of odd-numbered years; and

WHEREAS, California Senate Bill 415, an act (which may be cited to as the California Voter Participation Rights Act (herein "the Act") to add Chapter 1.7 (commencing with Section 14050) to Division 14 of the Elections Code was approved by the California Governor and filed with the Secretary of State on September 1, 2015; and

WHEREAS, commencing January 1, 2018, the Act prohibits a political subdivision from holding an election other than on a statewide election date (i.e., "off-cycle") If holding an election on a non-current date has previously resulted in voter turnout for a regularly scheduled election in the political subdivision being at least 25% less than the average voter turnout within the political subdivision for the previous four statewide general elections; and

WHEREAS, a political subdivision may, however, hold an off-cycle election if, by January 1, 2018, the political subdivision has adopted a plan to consolidate a future election with a statewide general election not later than the November 8, 2022, statewide general election; and

WHEREAS, the Act authorizes attorney's fees to a prevailing plaintiff who has appropriately filed an action in superior court to enforce the Act's prohibition; and

WHEREAS, the District may achieve a savings in the cost of its elections, if the District's elections are consolidated with the statewide general elections; and

WHEREAS, as a result of these facts, the Governing Board desires to change the date of future Board member elections to be consolidated with the California statewide general elections in order to save public funds and provide greater voter input into school board elections; and

WHEREAS, Elections Code section 1302(b) establishes a procedure whereby the Governing Board may change the election date for its Board members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county (Elections Code Section 10404.5);

WHEREAS, the rescheduled election cycle shall be achieved by scheduling Board member elections in 2017 and 2019 for a term of five (5) years. The subsequent Board member elections (2022 and 2024) shall be for a term of four (4) years. [refer to Appendix A]; and

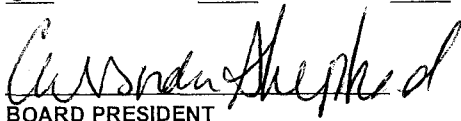
WHEREAS, if the change in election date is approved, it is requested that the new election date be moved from the first Tuesday after the first Monday in November 2021 to the first Tuesday after the first Monday in November 2022.

NOW THEREFORE, BE IT RESOLVED, that the Governing Board of the **Hickman Community Charter District** hereby finds, determines, and / or declares as follows:

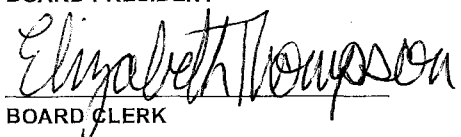
1. Each of the foregoing is true and correct.
2. The Governing Board declares its intent to adopt this resolution to consolidate the election date for members of the Board with the date for the California general election in November in even-numbered years (Election Code section 1001) pursuant to Election Code section 1302(b).
3. The Superintendent will forward this resolution to the Stanislaus County Board of Supervisors explaining the rationale for the resolution and requesting formal approval of the change by the Board of Supervisors at a public meeting held within 60 days after submission and after the resolution has been posted in accordance with the law.
4. The Superintendent will notify the Stanislaus County Elections Office that the District is prepared to pay the expense of mailing notice of approval of the change in election date by the Stanislaus County Board of Supervisors as required by Election Code 10404.5(e).
5. If the consolidation of election is approved by the Board of Supervisors, the date of the election will be moved to the first Tuesday after the first Monday in November 2022 and each subsequent Board member election will be held two year thereafter in November of even years.

Approved Revisions this 8th day of May, 2017.

5 AYES 0 NOES 0 ABSENT 0 ABSTAIN


BOARD PRESIDENT

5-8-17
DATE


BOARD CLERK

5-8-17
DATE

APPENDIX A
RESOLUTION TO RESCHEDULE ELECTION
OF GOVERNING BOARD MEMBERS
RESOLUTION #1617-7

Board Member	Current Election Year	Proposed Election Year
Kathy Main	2019	2024
Jonathan Merriam	2019	2024
Jay Orth	2017	2022
Elizabeth Thompson	2019	2024
Cassandra Shepherd	2017	2022