

RESOLUTION #09-06-2016A

**BEFORE THE BOARD OF TRUSTEES OF THE
COMPTON COMMUNITY COLLEGE DISTRICT
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA**

**RESOLUTION ORDERING AND PROVIDING THE SPECIFICATIONS
OF AN ELECTION TO FILL A VACANCY ON THE BOARD**

RESOLVED, by the Board of Trustees of the Compton County Community College District, County of Los Angeles, State of California that:

WHEREAS, on September 1, 2016 Board President Leslie Irving submitted her resignation with a deferred effective date of October 31, 2016. On September 1, 2016, the Chief Executive Officer forwarded Trustee Irving's resignation to the Los Angeles County Superintendent of Schools; and

WHEREAS, Board President Leslie Irving's resignation creates a vacancy in Trustee Area 2, representing the communities of Willowbrook, Enterprise, Compton, and West Rancho Dominguez; and

WHEREAS, California Education Code section 5091(a)(1) requires the Board of Trustees to either appoint a provisional board member or order an election to fill the vacancy created by resignation of a board member; and

WHEREAS, a provisional appointment will be effective only until the next regularly scheduled election for District Trustees that is scheduled 130 or more days after the effective date of the vacancy. The next regularly scheduled election for District Trustees will be held on November 7, 2017; 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. The next election date established pursuant to Election Code section 1000 would be the first Tuesday after the first Monday in March of an odd-numbered year, which would in this case be March 7, 2017; and

WHEREAS, the County of Los Angeles Registrar of Voters can provide an estimate of the cost of an election to fill the vacancy on a provisional basis, however, it is expected that the cost of such an election would be a significant unbudgeted expense for the District; 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, any election ordered to fill the vacancy should be consolidated or partially consolidated with elections to be held on the first Tuesday after the first Monday in March of each odd-numbered year, which will be March 7, 2017, pursuant to Education Code Section 5342 and Elections Code section 10400 et seq.; and

WHEREAS, pursuant to Education section 5342 the consolidation may be effected by the officer conducting the election upon receipt of resolutions from two or more political subdivisions whose boundaries are totally or partially the same territory calling elections to be held on the same day if the resolutions are delivered to the officer conducting the election at least 88 days prior to the date of the election; and

NOW THEREFORE BE IT RESOLVED AND ORDERED AS FOLLOWS:

1. That the Board of Trustees hereby determines to proceed by ordering a special election pursuant to Education Code section 5090 et seq., specifically section 5091(a)(1) and (b) in order to fill the vacancy created by Board President Leslie Irving's resignation;

2. That the Board of Trustees of the Compton Community College District hereby orders an election to be called by the Los Angeles County Superintendent of Schools and consolidated with any and all elections also called to be held on March 7, 2017 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 Trustee Area 2 of the Compton Community College District;

3. That the Board of Trustees of the Compton Community College District hereby requests the Board of Supervisors to permit the County of Los Angeles' 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 of Trustees of the Compton Community College District hereby orders an election to be held with the following specifications:

The election shall be held on March 7, 2017; and

The purpose of the election shall be to elect a provisional Board member to complete the term of office of Trustee Leslie Irving; and

Candidates must be electors residing in and registered to vote in Trustee Area 2.

5. That the Board of Trustees delegates to the Chief Executive Officers the authority to take any and all actions necessary and proper to the furtherance of the purposes of this resolution.

The foregoing resolution was considered, passed and adopted by this Board of Trustees at its regular meeting of September 6, 2016 by the following vote:

AYES: _____

NAYS: _____

ABSENT: _____

PASSED AND ADOPTED THIS 6th day of September, 2016, by the Board of Trustees of the Compton Community College District of Los Angeles County, California.

By: _____
Thomas Henry, Special Trustee
Compton Community College District