

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

123A



FROM: The Registrar of Voters

SUBMITTAL DATE:
March 28, 2013

SUBJECT: Request for Election Change

RECOMMENDED MOTION: That the Board approve Alvord Unified School District's request for election date change.

BACKGROUND: The Alvord Unified School District has submitted the attached resolution requesting the Board of Supervisors' approval to change the District's election date from November of odd numbered years to be consolidated with Elections held in November of even numbered years.

STATUTORY PROVISIONS: California Elections Code §§ 1302 and 10404.5 allows school districts to consolidate their election with Elections held in November of even numbered years with the Board of Supervisors' approval. The code further stipulates that the Board shall approve such request unless the ballot style, voting equipment, or computer capability is such that additional elections or materials cannot be handled. The Registrar of Voters can accommodate this change of election date. State law also requires that within 30 days after approval of the resolution, a notice is to be mailed to all registered voters of the District informing them of the change in election date and the terms of officeholders which will be changed. The cost of this mailing will be reimbursed by the District.

Attachments:

Alvord USD Resolution No. 33

Kari Verjil
Kari Verjil
Registrar of Voters

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 20,000	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/13

SOURCE OF FUNDS: Jurisdiction will reimburse the department	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

BY: *Stephanie Persi*
Stephanie Persi

County Executive Office Signature

- Policy
- Consent
- Policy
- Consent

Dep't Recomm.:
Per Exec. Office.:

COB - MISC



ALVORD UNIFIED SCHOOL DISTRICT

10365 Keller Avenue • Riverside, California 92505 Telephone: (951) 509-5000 Fax: (951) 509-6070

VIA EMAIL TO CEO@RCEO.ORG AND VIA FIRST CLASS MAIL

BOARD OF EDUCATION

- ART KASPEREEN, JR.
President
- GREG KRAFT
Vice President
- BEN JOHNSON II
Clerk
- CAROLYN M. WILSON
Member
- JOSÉ LUIS PÉREZ, M.A. E. Adm.
Member

February 26, 2013

Board of Supervisors
County of Riverside
County Administrative Center
4080 Lemon Street, 4th Floor
Riverside, California 92501

RE: Alvord Unified School District's Request to Reschedule Governing Board Member Elections from Odd-Numbered Years to Even-Numbered Years; Elections Code Section 10404.5

ADMINISTRATION

- NICOLAS D. FERGUSON, Ed.D.
Superintendent of Schools
 - CYNTHIA GLOVER WOODS
Assistant Superintendent
Instructional Support Services
 - MONALISA HASSON, Ed.D.
Assistant Superintendent
Human Resources Development
 - HERB CALDERON
Assistant Superintendent
Business Services
 - JEFFREY D. HINSHAW
Controller
- www.alvord.k12.ca.us

Dear Honorable Members of the Board of Supervisors of Riverside County:

Please be advised that the Alvord Unified School District ("District") at its regularly scheduled meeting held February 21, 2013, voted to change its Governing Board Member election schedule from odd-numbered years to even-numbered years.

Pursuant to Elections Code Section 10404.5, the District hereby submits a copy of the District's resolution along with this formal request to the County Board of Supervisors to approve the change sought by the District.

Under Elections Code Section 10404.5(d)(1), the County Board of Supervisors shall approve the resolution within sixty (60) days of receiving the request unless it finds that the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled.

The District seeks to consolidate its election with the statewide general election for several reasons. First, voter turnout is generally greater for statewide general elections than for special local elections including school board member elections. Second, the District may recognize a cost savings based upon the consolidation with the statewide general election. Finally, the District is requesting this change in order to provide sufficient time for the District to convert from an at-large election method to by-trustee area election method to avoid liability under the California Voting Rights Act.

Currently, there is insufficient time to change the District's election method in advance of the November 2013 election.

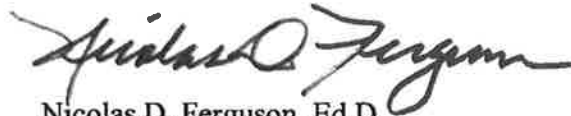
The District is prepared to bear the cost of the notice to the voters pursuant to Elections Code Section 10404.5(e).

2013-3-114985

Board of Supervisors
February 26, 2013
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The District appreciates your attention to this matter. Please feel free to contact me should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicolas D. Ferguson". The signature is fluid and cursive, with a large initial "N" and "F".

Nicolas D. Ferguson, Ed.D.
Superintendent of Schools

NDF:lc

Enclosure: Resolution No. 33 – Rescheduling Election of Governing Board
Members

Cc: Warren S. Kinsler
Atkinson, Andelson, Loya, Ruud & Romo

ALVORD UNIFIED SCHOOL DISTRICT

9.

RESOLUTION NO. 33

RESCHEDULING ELECTION OF GOVERNING BOARD MEMBERS

WHEREAS, the current date for election of members of the governing board of the Alvord Unified School District ("District") is every two (2) years on the first Tuesday after the first Monday in November of odd-numbered years (e.g., November 2013) (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-numbered years (e.g., November 2014) (Elections Code section 1001); and

WHEREAS, the District is located within Riverside County; and

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

WHEREAS, the District is also considering changing its election method to a by-trustee area method and desires to utilize data from the 2010 Census to create trustee areas; 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 the elections are held in either two or three trustee areas at each general election; and

WHEREAS, the District does not have sufficient time to implement a by-trustee area method of election in time for a November 2013 election, and still allow for adequate public participation in the process of establishing trustee areas; and

WHEREAS, as a result of these facts, the Board desires to change the date of future board member elections to be consolidated with the California statewide general election in order to save public funds, provide greater voter input into school board elections, and avoid any potential liability under the California Voting Rights Act (Election Code section 14025 et seq. ; and

WHEREAS, Elections Code 1302 (b) establishes a procedure whereby the 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); 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 2013 to the first Tuesday after the first Monday in November 2014 with board members whose terms would have expired in 2013 being extended to 2014 and board members whose terms would have expired in 2015 being extended to 2016 [*refer to Appendix A*].

NOW, THEREFORE, BE IT RESOLVED that the Alvord Unified School District Board of Trustees adopts 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 (Elections Code 1001) pursuant to Elections Code section 1302 (b).

BE IT FURTHER RESOLVED that the Superintendent will forward this resolution to the Riverside 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 law.

BE IT FURTHER RESOLVED that the Superintendent will notify the Riverside 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 Riverside County Board of Supervisors as required by Elections Code 10404.5 (e).

BE IT FURTHER RESOLVED that if the consolidation of election is approved by the Board of Supervisors, the date of that election will be moved to the first Tuesday after the first Monday in November 2014 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 2013 will be extended to November 2014 and the term of board members expiring in November 2015 will be extended to November 2016.

PASSED AND ADOPTED by the Governing Board of the Alvord Unified School District at a regularly scheduled meeting this 21st day of February, 2013, by the following vote:

AYES: 4
NOES: 1 (Kraft)
ABSENT: 0
ABSTAIN: 0



President of the Governing Board



Secretary to the Governing Board

**Appendix A
to Resolution No. 33**

<u>Board Member</u>	<u>Current Election Year</u>	<u>New Election Year</u>
Art Kaspereen, Jr.	2013	2014
Greg Kraft	2013	2014
Ben Johnson II	2015	2016
Carolyn M. Wilson	2015	2016
José Luis Pérez	2013	2014