

Resolution No. 17-18.22
Governing Board of the Acton-Agua Dulce Unified School District
Los Angeles County, California
Ordering an Election to Fill a Governing Board Vacancy
and Providing Specifications of Election

RESOLVED, by the Governing Board of the Acton-Agua Dulce Unified School District, County of Los Angeles, State of California that:

WHEREAS, on May 28, 2018, Board member Larry H. Layton passed away; and

WHEREAS, Mr. Layton's passing created a vacancy on the Governing Board as of May 28, 2018, pursuant to Government Code section 1770(a); and

WHEREAS, it is this Board's intent to order an election to fill the vacancy until the expiration of Mr. Layton's term in December 2020; and

WHEREAS, pursuant to Education Code section 5093(b), if a vacancy on a governing board occurs during the period between six months and 130 days prior to a regularly scheduled governing board election and the position is not scheduled to be filled at such election, the position shall be filled at a special election for that position to be consolidated with the regular election, and the person elected to fill the position shall take office at the next regularly scheduled meeting of the governing board following the certification of the election and shall serve only until the end of the term of the position which he or she was elected to fill; and

WHEREAS, a regularly scheduled election for positions on the Governing Board will be held on November 6, 2018; and

WHEREAS, pursuant to Education Code section 5304(a), it is the duty of the Governing Board to order elections as authorized by the Education Code; and

WHEREAS, the successful candidate elected to serve as the provisional Trustee at the November 6, 2018 election will take office at the next regularly scheduled meeting of the Governing Board following the certification of the election; and

WHEREAS, the successful candidate elected to serve as the provisional Trustee at the November 6, 2018 election will serve only until the end of the term of the position which he or she was elected to fill, i.e., December 2020; 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, any election ordered to fill the vacancy should be consolidated with the election scheduled for November 6, 2018, pursuant to Education Code section 5093(b).

NOW THEREFORE BE IT RESOLVED AND ORDERED:

1. That the foregoing recitals are true and correct.
2. That the Governing Board of the Acton-Agua Dulce Unified School District hereby determines to proceed by ordering an election pursuant to Education Code section 5090 et seq., specifically section 5093(b), to fill the vacancy created by Board member Larry H. Layton's passing.
3. That the Governing Board of the Acton-Agua Dulce Unified School District hereby orders a special election for the purpose of filling the vacant position on the Governing Board of Trustees, formerly occupied by Mr. Layton, to be called by the Los Angeles County Superintendent of Schools and consolidated with the regularly scheduled governing board election to be held on November 6, 2018.
4. That the Governing Board of the Acton-Agua Dulce Unified School District hereby requests the Board of Supervisors to permit the Los Angeles County Registrar of Voters to provide any and all services necessary for conducting the election.
5. That the Governing Board of the Acton-Agua Dulce Unified District hereby orders an election to be held with the following specifications:
 - a. The election shall be held on Tuesday, November 8, 2018.
 - b. The purpose of the election shall be to elect a provisional Board member to complete the term of office of Mr. Layton.
6. That the Board delegates to the Superintendent all authority necessary and proper to the accomplishment of the purposes of this Resolution.

The foregoing Resolution was considered, passed and adopted by this Board at its regular meeting of June 14, 2018, by the following vote:

Ayes, in favor:

Noes, opposed:

Dated: _____

By: _____

President, Governing Board of the
Acton-Agua Dulce Unified School District