

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA, CALIFORNIA, CALLING FOR AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION OF THE PASADENA UNIFIED SCHOOL DISTRICT TO BE HELD IN THE TERRITORY OUTSIDE THE CITY OF PASADENA ANNEXED THERETO FOR PASADENA UNIFIED SCHOOL DISTRICT PURPOSES, ON TUESDAY, JUNE 5, 2018, FOR THE SUBMISSION OF A CHARTER AMENDMENT MEASURE TO CHANGE THE TIMING AND FORMAT OF FUTURE PASADENA UNIFIED SCHOOL DISTRICT ELECTIONS TO OCCUR ON STATEWIDE GENERAL ELECTION DATES HELD IN EVEN YEARS, CONSISTENT WITH STATE LAW, AND TO UTILIZE THE PLURALITY VOTING FORMAT

WHEREAS, pursuant to authority provided by California Elections Code Section 1405(A)(2); and Section 1206 of the Pasadena City Charter, the City Council of the City of Pasadena, desires to submit to the voters of the Pasadena Unified School District to be held in the territory annexed thereto for Pasadena Unified School District purposes, a Charter amendment measure to change the timing and format of future Pasadena Unified School District elections to occur on statewide general election dates held in even years, consistent with state law, and to utilize the plurality voting format; and

WHEREAS, the City Council is authorized to submit the Charter amendment measure on behalf of the Pasadena Unified School District to the voters of said School District.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena, California, as follows, that:

SECTION 1. Pursuant to the requirements of the Pasadena City Charter and the laws of the State of California, a Special Municipal Election is hereby called and ordered to be held in the territory annexed thereto for Pasadena Unified School District purposes on Tuesday, June 5, 2018.

SECTION 2. At said election there shall be submitted to the qualified voters of the Pasadena Unified School District, a Charter amendment measure to change the timing and format of future Pasadena Unified School District elections to occur on statewide general election dates held in even years, consistent with state law, and to utilize the plurality voting format to determine the elected representative for each Board of Education race.

SECTION 3. The text of said measure of the Charter amendment to be submitted to the voters is attached hereto as Exhibit "A" (for printing in the sample ballot pamphlet), and incorporated herein by this reference.

SECTION 4. The procedures for voting for and against said Charter amendment measure shall be those established by Los Angeles County and the question shall be printed in substantially the following form:

Consistent with state law, shall the Pasadena City Charter be amended to: 1) change the Pasadena Unified School District's election dates to coincide with statewide general election dates, utilizing the plurality voting format, beginning with the November 2020 general election; 2) extend the current terms of Board Members by 19 months on a one-time basis in order to transition to the statewide election cycle; and 3) change the timing of the Board President's annual address?	YES	
	NO	

SECTION 5. The ballots to be used at the election shall be in form and content as required by law.

SECTION 6. The polls shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, pursuant to California Elections Code, Section 10242, except as provided in California Elections Code, Section 14401.

SECTION 7. The vote requirement for passage of the Charter amendment measure shall be a majority of votes cast (50% plus 1) for the measure.

SECTION 8. The City of Pasadena agrees to reimburse the County for all expenses incurred for services requested by this resolution, with Pasadena Unified School District to be invoiced by the City for the School District's share of the costs for the special municipal election after all invoices have been received and costs tabulated.

SECTION 9. In all particulars not recited in this resolution, the election hereby called shall be held and conducted as provided by law for holding municipal elections in said City.

SECTION 10. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

Adopted at the regular meeting of the City Council on the _____ day of February, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mark Jomsky, City Clerk

APPROVED AS TO FORM:



Theresa Fuentes
Assistant City Attorney

Section 702. - TERM OF OFFICE.

A. Except as provided in subsection B, the members of the Board of Education shall hold office for a term of four years, and until their successors are elected and have duly qualified.

B. Notwithstanding any other provision of this Charter, in order to transition to new election dates starting in 2020, the terms of office of members of the Board of Education elected in the year 2015 shall expire in December 2020 and the terms of office of members of the Board of Education elected in the year 2017 shall expire in December 2022.

C. Beginning in the year 2020, the terms of office of members of the Board of Education elected in the geographic sub-districts for seats 2, 4, and 6 shall commence in the year 2020 and in each fourth anniversary of the year 2020, and the terms of office of members of the Board of Education elected in the geographic sub-districts for seats 1, 3, 5, and 7 shall commence in the year 2022 and in each fourth anniversary of the year 2022. The terms of office for all members of the Board of Education shall commence on the fifth Tuesday following their election and until their respective successors are elected and have duly qualified.

Section 703. - ELECTION.

~~Elections shall be primary nominating and general. A. Except as provided in subsection B, beginning in the year 2020, mMembers of the Board of Education shall be elected at a general election held on the firstthird Tuesday after the first Monday in NovemberApril in each evenodd-numbered years, coinciding with the statewide general unless elected by a majority of votes at the primary nominating election. Candidates to be voted on at the general election shall be residents and qualified voters of the geographic sub-district in which the election is held, and shall be nominated at a primary nominating election, held on the sixth Tuesday preceding the date fixed for the Board of Education general election. Only voters who live in the geographic sub-district shall be eligible to vote in the elections for Board Member from that geographic sub-district. No names shall be printed upon the ballot in the general election for the office of a member or members of the Board of Education other than those nominatedselected in the manner hereinafter prescribed.~~

~~So far as possible, the same officers of election shall be appointed for the primary nominating election and for the general election, utilizing, so far as possible, the same polling places. The officers of the elections shall be compensated for their services as provided by the general laws of the State governing school elections; such compensation and any other expense incurred in the conduct of said elections shall be a charge upon the school district and not upon the City. (Sec. 703 amended by vote of the people 6-5-2012.)~~

Section 706. - ELECTION AT THE ~~PRIMARY AND BALLOTS FOR GENERAL~~ ELECTION.

The candidate receiving the highest number of votes in the general election for each geographic sub-district shall be deemed elected for that office, without any run-off election. ~~two candidates for each of the geographic sub-districts of the Board of Education receiving the highest number of votes at the primary nominating election shall be the candidates and the only candidates for such office whose names shall be printed on the ballots to be used at the general election; provided that any candidate who at a primary nominating election shall receive a majority of all the votes cast for candidates for said office shall be elected to said office. The ballots at such general election shall be in the same general form as for such primary nominating election, so far as applicable.~~ In the case of a tie vote, the Board of Education shall summon the candidates affected to appear at a time and place designated by the ~~said~~ Board and shall at that time and place determine the tie by lot. (Sec. 706 amended by vote of the people 6-5-2012.)

Section 707. - CANVASS OF RETURNS.

On the ~~second~~ fifth Tuesday of each even-numbered year after the statewide general primary nominating election and at their usual time and place of meeting, the Board of Education shall meet to approve the canvass of returns submitted by the City Clerk acting in his/her capacity as Assistant Secretary to the Board of Education ~~during consolidated Board of Education and City Council elections~~ and shall declare the results.

(Sec. 707 amended by vote of the people 3-7-1995.)

Section 709. - MEETINGS OF BOARD OF EDUCATION.

The members of the Board of Education shall enter upon the discharge of their duties on the ~~first Monday in May~~ fifth Tuesday of each even-numbered year after ~~their~~ the statewide general election, and the Board of Education shall meet upon said day and annually thereafter and organize by electing one of their number President, whose term of office shall be one year. The Board of Education shall determine the rules of its proceedings. Any vacancy occurring on the Board of Education shall be filled by the remaining members of the said Board, and if there be no members, then by the City ~~Board of Directors~~ Council.

(Sec. 709 amended by vote of the people 6-3-1980.)

Section 710. - ANNUAL ADDRESS BY PRESIDENT OF THE BOARD OF EDUCATION.

~~In September~~ No later than May of each year, the President of the Board of Education shall address the public on the state of the Pasadena Unified School District to report to the people on the progress of the District in achieving its prior~~articulate its~~ goals and objectives and to articulate its goals and objectives for the coming~~for the~~ school year ~~and to report to the people on the progress of the District in achieving its prior goals and objectives~~, including the financial state of the schools.

(Sec. 710 approved by vote of the people 11-7-2000.)

Section 713. - GEOGRAPHIC SUB-DISTRICTS.

~~A. Initial elections for geographic sub-district for seats 1, 3, 5, and 7 shall occur in 2013. Initial elections for geographic sub-district for seats 2, 4, and 6 shall occur in 2015. Notwithstanding the other provisions of Section 713, the Board of Education shall establish, by resolution, the initial geographic sub-districts for use in elections held prior to redistricting under the provisions of 713.B.~~

BA. Geographic sub-districts for the Board of Education shall be established by resolution of the Pasadena Board of Education after the decennial census year or whenever the Board determines by at least a two-thirds vote that a sufficient change in population has occurred that makes it desirable in the opinion of the Board to adjust the boundaries of the geographic sub-districts. Geographic sub-districts shall be as nearly equal in population as practicable and such redistricting shall be in compliance with applicable laws.

CB. At least twenty two (22) months prior to the second general election day following the day of the decennial census, the Board of Education shall establish, by resolution, a Redistricting Commission to recommend to the Board the configuration of geographic sub-districts for the area served by the Pasadena Unified School District. The Redistricting Commission shall consist of nine members, as follows:

1. Three residents of the City of Pasadena appointed by the Pasadena City Council;
2. Three residents of the area served by the Pasadena Unified School District appointed by the Pasadena Board of Education who are not then members of the Board of Education;
3. Two residents of the Altadena unincorporated area of Los Angeles County served by the Pasadena Unified School District appointed by the County Supervisor(s) representing such area;
4. One resident of the City of Sierra Madre to be appointed by the City Council of the City of Sierra Madre;

DC. The Redistricting Commission shall hold at least one public hearing on any proposal to adjust the boundaries of a district prior to a public hearing at which the Redistricting Commission votes to recommend the proposal to the Board of Education. The Redistricting Commission shall provide its recommendation to the Board of Education at least sixteen (16) months prior to the second general election day following the day of the decennial census.

ED. The geographic sub-districts recommended by the Redistricting Commission shall be adopted by the Board, unless amended by a two-thirds majority of the Board. If the Board fails to act within 60 calendar days of the submission of the Commission's final report and recommended plan to the Superintendent, the Commission's recommended geographic sub-districts shall be deemed adopted.

FE. No change in the boundary or location of any district by redistricting shall abolish or terminate the term of office of any member of the Board prior to expiration of the term of office for which the member was elected, notwithstanding any other provision of this Section. Each incumbent member of the Board of Education will, during the duration of the member's current term, represent the area by which the member was elected.

GF. At the time of, or after, any annexation of territory to the District, the Board of Education shall designate, by resolution, the geographic sub-district of which the annexed territory shall be a part.

(Sec. 713 added by vote of the people 6-5-2012.)