BEFORE THE BOARD OF TRUSTEES OF THE
MT. DIABLO UNIFIED SCHOOL DISTRICT
CONTRA COSTA COUNTY, STATE OF CALIFORNIA

In the Matter of Ordering Regular Governing Board Member Elections
Specifications of the Election Order
Resolution No. 15/16-51

WHEREAS, Election Code 1302 (a) provides that, in the absence of establishing the Election Day for governing boardmembers to regularly occur on specified statewide elections, the regular election to select governing boardmembers in any school or community college district shall be held on the first Tuesday after the first Monday in November of each even-numbered year.

WHEREAS, Education Code 5322 provides that whenever an election for governing boardmembers is ordered, the governing board shall, by resolution, provide for specifications of the election order which shall be delivered to the County Superintendent of Schools and the officer conducting the election not less than 123 days prior to the date set for the election; and

WHEREAS, other elections of school districts or other public agencies may be held in whole or part within the territory of this District and it is to the advantage of the District to consolidate therewith;

WHEREAS, Elections Code Section 13307 requires that before the nominating period opens the governing body must determine whether a charge shall be levied against each candidate submitting a candidate's statement to be sent to the voters; determine the number of words, may estimate the cost; and determine whether the estimate must be paid in advance; and

WHEREAS, Elections Code Section 12112 and Education Code 5363, requires the publication of a notice of the election once in a newspaper of general circulation in the District;

WHEREAS, tie votes shall be determined by lot or run off election according to Education Code 5016.

NOW, THEREFORE, BE IT RESOLVED as follows:

SPECIFICATIONS OF THE ELECTION ORDER

1. This Governing Board hereby orders an election to be held within the territory included in this District on the **8th day of November, 2016,** for the purpose of electing member(s) to the governing board of the District in accordance with the following specifications:

2. The purpose of the election is to choose successors for the **following offices** (List offices and terms):

    Brian Lawrence   term expires 12/2/16   Barbara Oaks   term expires 12/2/16

    _____   _____

3. The Governing Board has determined that the **Candidate** will pay for the Candidate's Statement. The Candidate's Statement will be limited to **300** words. As a condition of having the Candidate's Statement published, the candidate shall/may pay the estimate cost at the time of filing. The Governing Board hereby establishes the estimated cost for a candidate statement as the following: **$1,650.00**

4. The Governing Board requests that the Elections Division publish the Notice of Election in a newspaper of general circulation that is regularly circulated in the territory.

5. The Governing Board has determined that the action to be taken in the event of a tie vote is as follows: the Governing Board shall forthwith notify the candidates who have received tie votes to appear before it either personally or by a representative at a time and place designated by the Governing Board. The Governing Board, at that time and place, determine the winner or winners by lot. This Board hereby requests and consents to the consolidation of this election with other elections to be held in whole or in part in the territory of the District, pursuant to Education Code 5340 and Elections Code 10400.

7. The Clerk of this Board is ordered to deliver copies of this Resolution, to the County Superintendent of Schools and to the Registrar of Voters, and if applicable, to the Registrar of Voters of any other county in which the election is to be held, as required by Education Code 5322 and 5324.

8. In accordance with Education Code 5421, the district will reimburse the county for the actual cost incurred by the county elections official in conducting the general district election upon receipt of a bill stating the amount due as determined by the elections official.

8. The County Superintendent of Schools to file resolutions calling governing board elections with Elections Office according to Education 5324.

9. I, Nellie Meyer, Clerk of the Board of Trustees of the Mt. Diablo Unified School District do hereby certify that the foregoing Resolution was duly passed and adopted by said Board, at an official and public meeting thereof held on June 27, 2016, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

DATED:_____   _____
                                                                                                CLERK, BOARD OF TRUSTEES