

Monterey County Office of Education

Leadership, Support, and Service to Prepare All Students for Success

Dr. Deneen Guss
County Superintendent of Schools

Resolution No. 21-22-11

RESOLUTION ORDERING ELECTION, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION, REQUESTING CONSOLIDATION OF THE ELECTION, AND SPECIFICATIONS OF THE ELECTION ORDER

CHUALAR UNION SCHOOL DISTRICT, TRUSTEE AREA THREE

WHEREAS, pursuant to Education Code Section 5091(a), whenever a vacancy occurs on a school district governing board, or whenever a resignation has been filed with the county superintendent of schools containing a deferred effective date, the school district or community college district governing board shall, within 60 days of the vacancy or the filing of the deferred resignation, either order an election or make a provisional appointment to fill the vacancy, and in the event that a governing board fails to make a provisional appointment or order an election within the prescribed 60-day period as required by this section, the county superintendent of schools shall order an election to fill the vacancy.

WHEREAS, pursuant to Education Code Section 5322, whenever a school district election is ordered, the governing board of the district or the board or officer authorized to make such designations shall, concurrently with or after the order of election, but not less than 123 days prior to the date set for the election in the case of an election for governing board members, or at least 88 days prior to the date of the election in the case of an election on a measure, including a bond measure, by resolution delivered to the county superintendent of schools and the officer conducting the election specify the date of the election and the purpose of the election;

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election;

WHEREAS, the resolution of the governing body of the city or district shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, 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, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation with the statewide election, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, pursuant to Education Code Section 5342 and Elections Code Section 10400, such election for school districts may be either completely or partially consolidated;

WHEREAS, various district, county, and statewide and other political subdivision elections have been or may be called to be held on June 7, 2022;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED THAT the Monterey County Superintendent of Schools hereby orders an election to be called and consolidated with any and all elections also called to be held on June 7, 2022 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 the School District request to the Board of Supervisors of the County of Monterey to order such consolidation under Elections Code Section 10400; and

BE IT FURTHER RESOLVED AND ORDERED that said School Board hereby requests the Board of Supervisors to permit the Monterey County Elections Department to provide any and all services necessary for conducting the election; and

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Education Code Sections 5322 and 5091(a), the authority for the specifications of the election order, the Monterey County Superintendent of Schools hereby orders an election to be held with the following specifications:

- The election shall be held on Tuesday, June 7, 2022;
- The election shall be held to fill a vacant seat in Trustee Area Three of the Chualar Union School District;
- The election shall be consolidated with any and all elections also called to be held on June 7, 2022 insofar as said elections are to be held in the same territory;
- No election will be held if there are an insufficient number of nominees;
- The qualifications of a nominee of an elective officer of the school district are as follows: 18 years of age or older, a citizen of the State of California, a registered voter in the State of California, residing in Trustee Area Three of the Chualar Union School District, not legally disqualified from holding civil office;
- The Candidate's Statement of Qualifications shall be limited to 200 words and will be paid for by the candidate.

A copy of the trustee area map currently on file with the Monterey County Registrar of Voters is attached.

BE IT FURTHER RESOLVED AND ORDERED that the Monterey County Elections Department is ordered, in accordance with Education Code section 5016(b), that in the event of a tie vote, the candidate will be selected by the drawing of lots.

PASSED AND ADOPTED by the Monterey County Superintendent of Schools, County of Monterey, State of California, this 10th day of January, 2022.

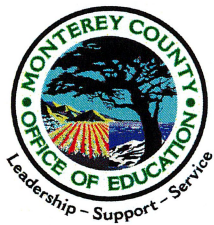


Dr. Deneen Guss, Monterey County Superintendent of Schools

Attested: _____

Witness

2022 JAN 10 PM 4:15
REGISTRAR OF VOTERS
MONTEREY COUNTY



Monterey County Office of Education

Leadership, Support, and Service to Prepare All Students for Success

Dr. Deneen Guss
County Superintendent of Schools

NOTICE OF CALL FOR ELECTION

**in the Governing Board
of the
CHUALAR UNION SCHOOL DISTRICT, TRUSTEE AREA THREE
of
Monterey County, California**

Pursuant to California State Education Code Section 5091(a), the Monterey County Superintendent of Schools hereby issues a call for election to Trustee Area Three of the governing board of the Chualar Union School District of Monterey County, California.

NOTICE IS HEREBY GIVEN to the qualified electors, in accordance with the provisions of the Education Code of the State of California, that an election will be held on Tuesday, June 7, 2022.

The Resolution by the County Superintendent of Schools containing the Orders of Election is on file with the Monterey County Superintendent of Schools, located at 901 Blanco Circle, Salinas, California and the Monterey County Elections Department.

Candidates must appear in person at the Monterey County Election Department in order to execute candidacy papers. For information, visit the website MontereyCountyElections.us or telephone (831) 796-1499.

By:

Deneen Guss, Ed.D.
Monterey County
Superintendent of Schools

Dated: January 10, 2022

RECEIVED
REGISTER OF VOTERS
MONTEREY COUNTY
2022 JAN 10 PM 4:14



Chualar Union Elementary School District

24285 LINCOLN STREET • CHUALAR, CA 93925 • PHONE: 831.679.2504 • FAX: 831.679.2071

January 3, 2022

Dr. Deneen Guss
County Superintendent
Monterey County Office of Education
901 Blanco Circle
Salinas, CA 93901

Re: Notice of Unfilled Board Vacancy - Chualar USD

Dear Dr. Guss,

As you may know, on November 1, 2021, the Chualar Union School District ("District") received the written formal resignation of a member of the District's Board of Trustees ("Board"), Mr. Alberto Contreras. We provided you a copy of this resignation via email on November 3, 2021, triggering the 60-day timeline in which the vacancy is to be filled, pursuant to Education Code section 5090.

The Board met on December 8, 2021 to address the vacancy left by Mr. Contreras's resignation. The Board was presented with a full detailed presentation, which provided information on all options available to the Board on how to address this matter. The Board was also informed that the deadline to take action to address the vacancy was January 3, 2022.

Unfortunately, however, the Board was unable to secure the necessary votes for a decision, and thus has not taken action to address and the deadline which has now passed. Therefore, as required by law, this matter is now being formally transferred to your office. (Gov. Code, § 5091, subd. (a)(2).)

Please contact me if you have any questions.

Sincerely,

Roberto Rios
Superintendent/Principal
Chualar Union School District

RECEIVED
ADMINISTRATIVE SERVICES
MONTEREY COUNTY
2022 JAN 10 PM 4:15