

RESOLUTION NO. 19/20-28

**RESOLUTION OF THE GOVERNING BOARD OF THE
MT. DIABLO UNIFIED SCHOOL DISTRICT RECOMMENDING
THAT THE CONTRA COSTA COUNTY COMMITTEE ON SCHOOL DISTRICT
ORGANIZATION APPROVE AND ESTABLISH TRUSTEE AREAS
FROM WHICH THE MT. DIABLO UNIFIED SCHOOL DISTRICT
TRUSTEES WILL BE ELECTED
IN A BY-TRUSTEE AREA ELECTION PROCESS**

WHEREAS, The Mt. Diablo Unified School District (“District”) currently uses an at-large system of electing members of its Board of Education; and

WHEREAS, At-large electoral systems such as the Districts are subject to challenge under the California Voting Rights Act of 2001, codified at sections 14025-14032 of the California Elections Code (“CVRA”); and

WHEREAS, By-trustee area electoral systems are less vulnerable to challenge under the CVRA; and

WHEREAS, In a by-trustee area system of election, candidates for the District’s Governing Board of Trustees (the “Board”) must reside within a specific geographic subarea of the District called a “trustee area” and candidates are elected only by the voters of that trustee area; and

WHEREAS, One method of transitioning from an at-large electoral system to a by trustee area electoral system is for the school district board of education to petition the local county committee on school district organization by resolution to initiate the transition under California Education Code section 5019(c)(1); and

WHEREAS, the Contra Costa County Committee on School District Organization (“Committee”) has indicated that it will initiate this process on behalf of the District at the District’s request, and will consider any recommendation on specific trustee areas made by the District; and

WHEREAS, District held two public hearings on June 10, 2019 and June 24, 2019 to receive public input on drafting trustee area map scenarios (“Scenarios”) and thereafter, District consultants created three (3) draft map Scenarios that were circulated for public review at community forums held on August 21, 22, and 29, 2019, and created three (3) more draft map Scenarios for public review at a community forum on September 11, 2019; and online on the District’s website from August 5, 2019 to the present date; and

WHEREAS, Pursuant to Elections Code section 10010, the District held three properly noticed public hearings regarding the proposed trustee area Scenarios on September 23, 2019 and October 14 and 28, 2019; and

WHEREAS, the Board has considered all public input and comment on the Scenarios; and

WHEREAS, the Board has adopted Scenario _____ and hereby recommends Scenario _____ to the Committee for its consideration based upon the findings, analysis and recommendations contained in the report attached hereto and incorporated herein as Exhibits _____; and

NOW THEREFORE, be it resolved by the Board of Education of the Mt. Diablo Unified School District as follows:

1. That the above recitals are true and correct.
2. That the Board has adopted Scenario _____ and recommends Scenario _____ to the Committee for consideration and adoption.
3. That the Superintendent and/or his designee take all actions necessary to notify the Committee of the Board's determination forthwith and provide whatever assistance may be required by the Committee to complete the process.

ADOPTED, SIGNED AND APPROVED on October ____, 2019.

President of the Board of Education for the
Mt. Diablo Unified School District

I, Robert A. Martinez, Secretary of the Board of Education of the Mt. Diablo Unified School District, do hereby certify that the foregoing Resolution was adopted by the Board of Education of said District at a meeting of said Board held on October 28, 2109, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Secretary of the Board of Education of the
Mt. Diablo Unified School District

EXHIBIT "A"

APPROVED TRUSTEE AREA MAP