

MARTINEZ UNIFIED SCHOOL DISTRICT

Resolution No. 2018-24

Resolution Adopting Trustee Area Boundary Map and Election Sequence for Election of Members of the Board of Education; Submitting Proposal to the Contra Costa County Committee on School District Organization to Establish By-Trustee Area Elections Pursuant Thereto

WHEREAS, the Martinez Unified School District ("District") is governed by a five member Board of Education ("Board");

WHEREAS, members of the Board are elected "at large," in which each member of the Board is elected by the registered voters of the entire District;

WHEREAS, the District is committed to structures that most effectively involve all community members in the democratic process of elections;

WHEREAS, the next election for members of the Board is scheduled for 2018;

WHEREAS, no community members have voiced concerns about the Board election processes;

WHEREAS, the California Voting Rights Act (Elec. Code, §§ 14025 et seq.)("CVRA") prohibits the use of "at large" elections where their use impairs the ability of a protected class to elect candidates of its choice, or its ability to influence the outcome of elections;

WHEREAS, on October 25, 2017, the District received a letter from attorney Kevin Shenkman claiming that the District's use of an at-large election system "dilutes the ability of Latinos to elect candidates of their choice," and thus violates the CVRA;

WHEREAS, the Board is concerned that a transition in election systems may have unintended consequences, but is cognizant of the financial impact which would result from any litigation to defend its current at-large election system and seeks to address this matter in a way which safeguards District funds for District students;

WHEREAS, upon application to the Contra Costa County Committee on School District Organization ("County Committee"), the election of Board members may be transitioned from "at large" to "by-trustee area" elections;

WHEREAS, a by-trustee area election system, where each Board member residing in each trustee area is elected by the registered voters of that particular trustee area, is not vulnerable to challenge under the CVRA;

WHEREAS, following discussion of the CVRA and the District's current at-large elections the Board adopted Resolution No. 2018-16, which "indicated the Board's intention to transition from at-large to by-trustee area elections;"

WHEREAS, while Education Code section 5020 requires that the County Committee's approval of a proposal to change the method for election of a school district's governing board shall be submitted to the electorate for approval, given the cost associated with such an election and to ensure timely implementation of the "by-trustee area" elections, the

Board adopted Resolution No. 2018-17, requesting that the State Board of Education waive the election requirement;

WHEREAS, the District retained an experienced demographer to work with its legal counsel and staff to develop proposed trustee area boundaries;

WHEREAS, eight proposed trustee area boundary maps (Scenarios 1-8) were developed during the process and posted for public review on the District's website;

WHEREAS, all proposed trustee area boundary maps incorporate the use of a single-member by-trustee area election system;

WHEREAS, the populations of the trustee areas in all of the proposed trustee area boundary maps are substantially equal in population and are drawn to be compact and to contain cohesive, contiguous territory to the extent possible in compliance with legal requirements;

WHEREAS, pursuant to Elections Code section 10010 the District held five public hearings on potential trustee area boundary maps, including two public hearings prior to the drafting of any maps, and a final public hearing at the meeting at which this resolution is considered;

WHEREAS, the Board has considered all public comment on the maps and elections sequence it received;

WHEREAS, the Board seeks to adopt a specific trustee area boundary map and election sequence for implementation beginning with the 2018 election for Board members;

BE IT RESOLVED by the Board as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. That the Board adopts the trustee area boundary map attached hereto as "Exhibit A" (also known as "Scenario 7") and believes that its adoption would serve the public interest of the District's residents and voters.

Section 3. That the trustee areas from which Board members shall be elected in November 2018, and every four years thereafter, are Areas 3 and 5.

Section 4. That the trustee areas from which Board members shall be elected in November 2020, and every four years thereafter, are Areas 1, 2, and 4.

Section 5. That this resolution shall serve as the District's proposal to the County Committee. The Board hereby requests that the County Committee approve the establishment of the trustee area boundaries indicated on Exhibit A pursuant to Education Code section 5019 and establish by-trustee area elections for election of members of the Board pursuant to Education Code section 5030, subdivision (b).


Section 7. That the trustee area boundaries and by-trustee area elections take effect with the November 2018 elections.

Section 8. That the Superintendent and/or his designee are hereby directed to take all necessary steps to:

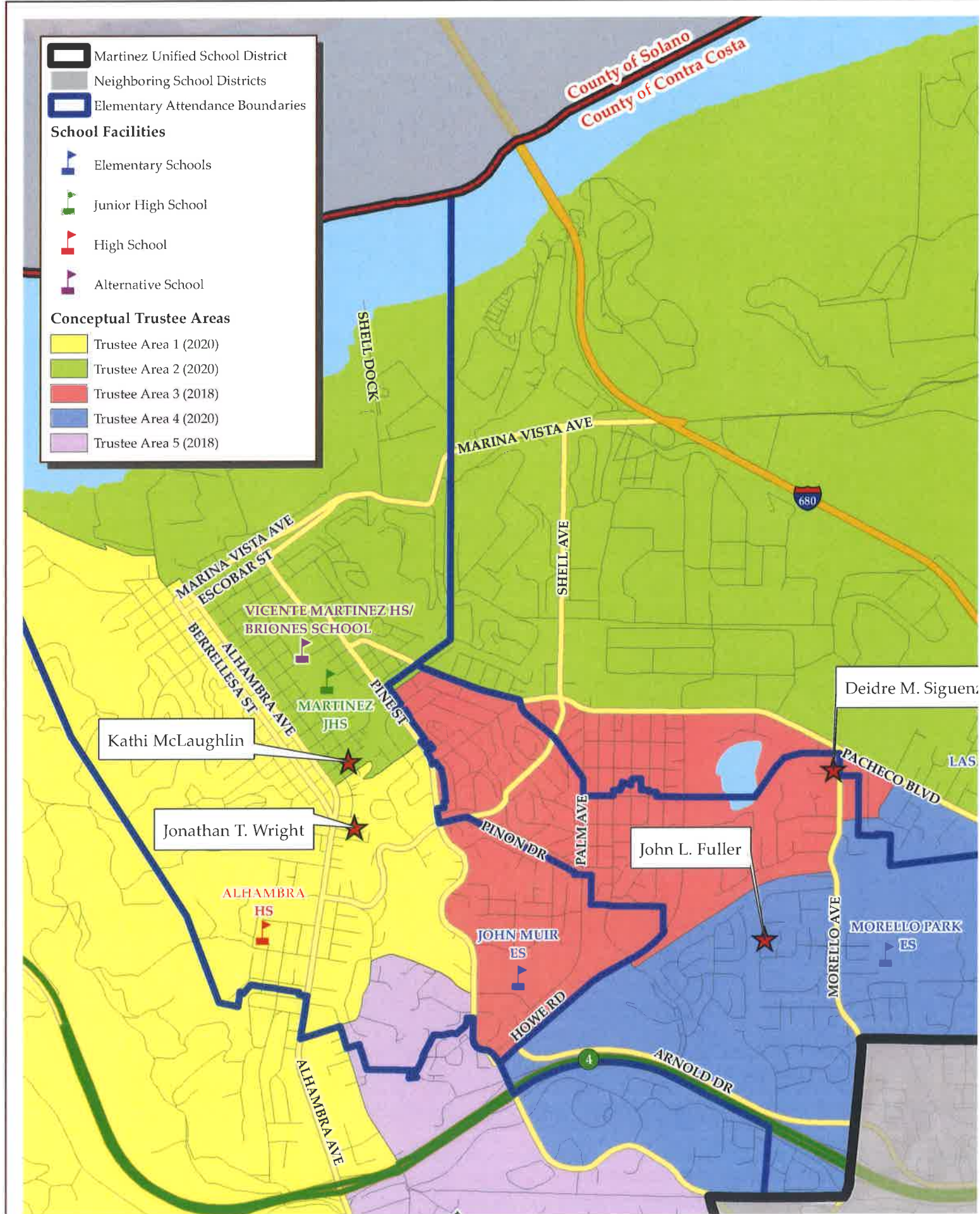
- (1) submit this resolution to the County Committee pursuant to Education Code section 5019;
- (2) notify the responsible county officials of the Board's determination and provide whatever assistance may be required to implement the Board's direction for future election of Board members; and,
- (3) take any action and/or execute any documents which are necessary to carry out, give effect to, and comply with the terms and intent of this resolution.

APPROVED, PASSED AND ADOPTED by the Board of Education of the Martinez Unified School District this 12th day of February 2018, by the following vote:

AYES: 5
NOES: 0
ABSTAIN: 0
ABSENT: 0







Bobbi Horack, Clerk to the Board of Education
Martinez Unified School District

MARTINEZ UNIFIED SCHOOL DISTRICT CONCEPTUAL TRUSTEE AREAS - SCENARIO 7



Martinez USD - Scenario 7

Scenario 7

-  Trustee Area No. 1
-  Trustee Area No. 2
-  Trustee Area No. 3
-  Trustee Area No. 4
-  Trustee Area No. 5

Proposed Scenario 7 trustee area boundaries for Martinez Unified School District

