

**CITY OF WALNUT CREEK
RESOLUTION NO. 08-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALNUT CREEK
REQUESTING HEARING ON SCHOOL DISTRICT REORGANIZATION PETITION**

WHEREAS, a group of parents have formed an organization called Walnut Creek Schools Together Now to petition the Contra Costa County Committee on School Organization to reorganize the Mt. Diablo Unified School District in such a manner so as to transfer schools and territory located within Walnut Creek into the Walnut Creek School District and Acalanes Unified High School District; and,

WHEREAS, Walnut Creek Schools Together Now prepared a petition, gathered approximately 4,000 signatures in support of its petition, and submitted this petition under Education Code Section 35721 to the Contra Costa County Committee on School Organization, and a hearing was scheduled to be heard before this Committee on April 9, 2008;

WHEREAS, the Contra Costa County Committee on School Organization cancelled the April 9th hearing based upon a determination by staff that the legal description in the petition created an isolated part of Mt. Diablo District and thereby violated Education Code Section 35543, which mandates that all school district territory be contiguous;

WHEREAS, Walnut Creek Schools Together Now received school district boundary map information from the County Office of Education and relied upon this map in preparing its petition documents;

WHEREAS, the boundary map did not reveal that an "island" would be created by the proposed new school district boundaries without the inclusion of the unincorporated area to the south and east of Pleasant Hill Road including Shulgin Road and Purson Lane;

WHEREAS, the school district map relied upon by Walnut Creek Schools Together Now in creating their proposed new district in its petition is now considered to be inaccurate;

WHEREAS, pursuant to Education Code Section 35700.3, a petition to reorganize a school district shall be required to "reasonably identify" the area to be reorganized, and may include references to streets or prominent geographic features; legal descriptions, plat maps, or both are not considered a prerequisite for the filing of a valid petition;

WHEREAS, under Education Code Section 35721(c), upon receipt of a resolution approved by a majority of the City Council, a public hearing shall be heard before the Contra Costa Committee on School Organization on the petitioner's proposal;

WHEREAS, the City Council has not taken a position on the merits, either in favor or disfavor, of the petition to reorganize as proposed by Walnut Creek Schools Together Now.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Walnut Creek resolves as follows:

1. Based upon the fact that Walnut Creek Schools Together Now prepared its petition relying upon information obtained from the County Office of Education and that it was only required to "reasonably identify" the area to be reorganized and was not required to include legal descriptions, the City Council finds that a public hearing should be held before the Contra Costa Committee on School Organization on Walnut Creek Schools Together Now's proposal.

2. This resolution shall take effect immediately.

PASSED AND ADOPTED by the City Council of the City of Walnut Creek at a regular meeting thereof held on the 15th day of April 2008, by the following called vote:

AYES: Councilmembers: Abrams, Silva, Skrel, Mayor Regalia

NOES: Councilmembers: None

ABSENT: Councilmembers: Rainey

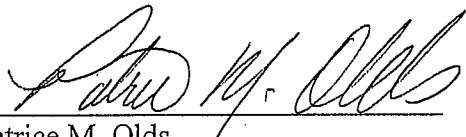
/s/ Gwen Regalia
Mayor of the City of Walnut Creek

Attest:

/s/ Patrice M. Olds
City Clerk of the City of Walnut Creek

I HEREBY CERTIFY the foregoing to be a true and correct copy of Resolution No. 08-15, duly passed and adopted by the City Council of Walnut Creek, County of Contra Costa, State of California, at a regular meeting of said Council held on the 15th day of April 2008.




Patrice M. Olds
City Clerk of the City of Walnut Creek

Revised

MDUSD

**PETITION PURSUANT TO EDUCATION CODE SECTION 35721(a),
TO TRANSFER TERRITORY FROM MT. DIABLO UNIFIED SCHOOL DISTRICT
TO WALNUT CREEK SCHOOL DISTRICT AND ACALANES SCHOOL DISTRICT**

TO THE SUPERINTENDANT OF SCHOOLS OF CONTRA COSTA COUNTY: Pursuant to Education Code Section 35721(a), the undersigned constituting at least 10 percent of the registered electors residing in Mt. Diablo Unified School District, petition that K-6 schools located in City of Walnut Creek (Foothill Middle, Bancroft Elementary, Eagle Peak Elementary, Valle Verde Elementary and Walnut Acres Elementary) should be transferred from Mt. Diablo Unified School District (MDUSD) to Walnut Creek School District (WCSD); and that Northgate High School located in City of Walnut Creek should be transferred from MDUSD to Acalanes Union High School District (AUHSD).

THE PROPERTY TO BE TRANSFERRED IS DESCRIBED AS FOLLOWS: All of MDUSD currently within the city limits of Walnut Creek; and in addition all of MDUSD within unincorporated territory south and east of Pleasant Hill Road (including but not limited to Shulgin Road, Purson Lane, Holland Drive, Kerrison Lane, Pleasant Lane, Sharon Circle, Huston Road, Cayucos Drive and adjoining streets); and in addition all territory within the current boundary of three elementary schools (Bancroft, Valle Verde and Walnut Acres).

TO THE SCHOOL DISTRICTS: the undersigned petition that students residing outside that boundary who are attending Eagle Peak (a charter school), Foothill Middle or Northgate High School may be "grandfathered" to continue to attend those schools, or may apply for an inter-district transfer.

The Chief Petitioner for the purpose of receiving notices is: Ruth Carvor, 2593 Cheyenne Court, Walnut Creek, CA 94598.

**NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY
A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.**

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