

**RESOLUTION NO. 04/21-22
BEFORE THE GOVERNING BOARD
OF THE SAN MATEO-FOSTER CITY SCHOOL DISTRICT
SAN MATEO COUNTY, CALIFORNIA**

**ESTABLISHING AND IMPLEMENTING TRUSTEE AREA DISTRICT
ELECTIONS FOR BOARD MEMBERS PURSUANT TO
ELECTIONS CODE SECTION 10010**

WHEREAS, the San Mateo-Foster City School District Board of Education ("Board") is aware of the significant role the California Voting Rights Act of 2001 plays in district election systems and of the importance of maintaining a fair election system;

WHEREAS, the Board seeks to ensure that the San Mateo-Foster City School District ("District") election system does not result in the dilution of votes and polarized voting patterns;

WHEREAS, the District has received a demand by a prospective plaintiff pursuant to California Elections Code section 10010(f)(1);

WHEREAS, members of the Board are currently elected at-large;

WHEREAS, members of the Board are elected in even numbered years to serve staggered four year terms such that the next election for two Board members is scheduled for November 2022;

WHEREAS, on June 10, 2021, the Board adopted Resolution No. 34/20-21, declaring its intent to transition from at-large to by-trustee area Board elections, where each trustee must reside within the designated trustee area boundary, and is elected only by the voters in that trustee area;

WHEREAS, the Board is authorized to change to a trustee-area system or by a district-based system upon approval of the San Mateo County Committee on School District Organization and the State Board of Education;

WHEREAS, the District informed its stakeholders of the District's intention to proceed with a by trustee area election system and sought to obtain input from stakeholders regarding the proposed map options;

WHEREAS, the District enlisted the services of National Demographics Corporation to prepare several by-trustee area election system map options for the Board's consideration;

WHEREAS, on June 22, 2021, the Board held its first public hearing to solicit and provide input regarding the composition of the potential trustee area draft maps;

WHEREAS, on June 28, 2021, after conducting a properly noticed public hearing, the Board adopted Resolution No. 40/20-21 authorizing the Superintendent to seek a full waiver of Education Code Section 5020, and partial waivers of Education Code Sections 5019, 5021, and

5030 in order to effectuate the District's goal of transitioning to a by-trustee area elections system without having to place a measure on the ballot for voter approval;

WHEREAS, on June 29, 2021, the Board held its second public hearing to solicit and provide input regarding the composition of the potential trustee area draft maps;

WHEREAS, on August 6, 2021, the Board held its third public hearing to receive public input and consider the composition of the potential trustee area draft maps, including reviewing four (4) draft maps, (Draft Maps 201, 202, 203 and 701) prepared by the demographer;

WHEREAS, on August 16, 2021, the Board held its fourth public hearing to receive public input and consider the composition of the potential trustee area draft maps, including reviewing three (3) additional draft maps, (Draft Maps 204, 205 and 702) prepared by the demographer;

WHEREAS, on August 19, 2021, five (5) additional draft maps, (Draft Maps 206, 207, 208, 209 & 703) were posted online and made available for inspection at the District Office;

WHEREAS, on August 26, 2021, the Board held its third public hearing to receive public input and consider the twelve (12) draft maps (Draft Maps 201, 202, 203, 204, 205, 206, 207, 208, 209, 701, 702 & 703) prepared by the demographer;

WHEREAS, all of the proposed trustee area boundary maps prepared by National Demographics, Inc. were drawn with all applicable laws and regulations in mind, including the CVRA and federal election law;

WHEREAS, the Board has considered the public input received on the draft trustee area maps and applicable state and federal legal criteria, and desires to adopt the trustee area map and demographic information described as Map [REDACTED] (attached hereto as Exhibit "A") as the final trustee area map establishing the boundaries for the new trustee areas;

WHEREAS, California Education Code sections 5019 and 5030 authorize the San Mateo County Committee on School District Reorganization ("County Committee"), upon application of a school district's governing board, to change the method of election in a school district under its jurisdiction;

WHEREAS, if the County Committee approves this request to change the method of electing board members, Education Code section 5020 requires the County Committee's resolution of approval to be submitted to the electorate for its approval;

WHEREAS, an election to approve the change in voting methods will result in a cost to the District, and Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the costs associated with this proposed change in the manner of electing board members;

WHEREAS, in order to complete the transition to by-trustee area elections in a timely and cost effective manner, and to ensure that the new by-trustee area process will be in place in time to elect new governing board members at the Board's next regularly scheduled election, the District is seeking a waiver of certain portions of the Education Code (full waiver of Education Code Section 5020, and partial waivers of Education Code Sections 5019, 5021, and 5030) from the State Board of Education. The District's request for waiver was submitted to the State Board of Education for approval June 29, 2021 and will be considered during the State Board of Education's September 9, 2021 meeting; and

NOW, THEREFORE, the San Mateo-Foster City School District Board of Education does hereby resolve as follows:

SECTION 1. The above recitals are true and correct.

SECTION 2. The Board hereby adopts the trustee area map and demographic information described as Map ____ (attached hereto as Exhibit "A") as the final trustee area map for the District's transition to a by-trustee area election system commencing with the 2022 Governing Board election.

SECTION 3. The District will hold by-trustee area elections in two areas (areas__ and__) at its November 2022 election, assuming timely approval by the San Mateo County Committee. The District will hold by-trustee area elections in three areas (areas ____, ____, and ____) at its November 2024 election subject to any required trustee area boundary adjustments required pursuant to Education Code section 5019.5 following the release of the decennial federal census as validated by the Population Research Unit of the Department of Finance. These areas would be included in the event that a 7 trustee map were selected (areas ____ and ____).

SECTION 4. Contingent upon the County Committee's approval of the District's change to a by trustee area election system, the Board hereby applies to the County Committee to timely approve the Board's adopted trustee area map for implementation commencing with the 2022 Governing Board election, or at the earliest possible election, as conditioned upon approval of the Education Code waiver request submitted to the State Board of Education.

SECTION 5. The Board hereby authorizes and directs District staff to transmit this resolution, the final trustee area map adopted, and any additional required documentation to the County Committee and to take any other necessary action to effectuate the purposes of this resolution and complete the District's transition to a by-trustee area election system for the 2022 Governing Board elections.

SECTION 6. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 26th day of August 2021, at a regular meeting of the Governing Board of the San Mateo-Foster City School District.

Kenneth Chin:	Aye	No	Abstain	Absent
Alison Proctor:	Aye	No	Abstain	Absent
Shara Watkins:	Aye	No	Abstain	Absent
Noelia Corzo:	Aye	No	Abstain	Absent
Lisa Warren:	Aye	No	Abstain	Absent

Board President

Certified and Attested to:

Clerk of the Board