

West Contra Costa Unified School District
Resolution No. 69-1718
CRITERIA FOR DEVELOPING TRUSTEE-AREA BOUNDARIES

WHEREAS, the Board of Education (“Board”) of the West Contra Costa Unified School District (“District”) is elected under an “at-large” election system where trustees are elected by voters of the entire District; and

WHEREAS, On March 21, 2018 the Board adopted Resolution No. 64-1718, adopting its intent to transition to trustee-area elections, where each trustee must reside within the designated trustee-area boundary and is elected only by the voters in that trustee-area; and

WHEREAS, pursuant to Elections Code, section 10010, subdivision (a)(1), the Board held public hearings on April 11, 2018 and April 18, 2018, to gather public input regarding potential trustee-area boundaries; and

WHEREAS, the Federal Voting Rights Act (42 U.S.C. section 1973) prohibits the use of any voting qualification, or prerequisite to voting, or standard, practice, or procedure, in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color; and

WHEREAS, federal law and the Equal Protection Clause require that each trustee-area be equal in population; however, deviations (less than five percent [5%] greater than or less than the ideal, for a total of ten percent [10%] deviation) are presumptively constitutional under the Equal Protection Clause where required to meet an official criteria; and

WHEREAS, the Board has instructed its demographer and District staff to develop draft maps to identify trustee-areas that fully comply with legal requirements; and

WHEREAS, the Board wishes to provide official criteria for any needed deviations from the general rule of equal population; and

WHEREAS, the draft maps will be used by the Board to study the possible change to trustee-area elections, and to inform and solicit further input from the public.

NOW THEREFORE BE IT RESOLVED, the Board of Education of the West Contra Costa Unified School District hereby resolves as follows:

1. The above recitals are correct and true.
2. The Board hereby adopts the following criteria, identified in the attached Exhibit A, to guide the demographer and District staff in the development of draft maps and in relation to any necessary deviations as described above.

Exhibit A

Criteria to Guide the Establishment of Trustee-Areas

All items designated below by a shaded-in box shall be included. Criteria numbers 1-4 are legally mandated, and therefore have been automatically shaded-in.

- 1. The boundaries of the trustee-areas shall be established so that the trustee-areas are at least as nearly equal in population as required by law.
- 2. The boundaries of the trustee-areas shall not be gerrymandered in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and other applicable law.
- 3. The boundaries of the trustee-areas shall be established so that the trustee-areas do not result in a denial or abridgement of the right of any citizen to vote on account of race or color as provided in Section 2 of the federal Voting Rights Act.
- 4. The boundaries of the trustee-areas shall be compact, insofar as practicable.
- 5. The boundaries of the trustee-areas shall be created to contain contiguous territory, insofar as practicable.
- 6. The boundaries of the trustee-areas shall observe communities of interest, such as the District's underlying elementary and high school attendance areas, rural or urban populations, municipalities, social interests, agricultural, industrial or service industry interests, and the like, insofar as practicable.
- 7. The boundaries of the trustee-areas may take into account visible features, such as topography and geography, including mountains, flat land, forest lands, man-made geographical features such as highways and canals, etc., insofar as practicable.
- 8. The boundaries of the trustee-areas may consider avoiding pairing two or more incumbents in a single trustee-area, to the extent legally allowable.
- 9. The boundaries of the trustee-areas shall comply with such other factors which become known during the redistricting process and are formally adopted by the Board.
- 10. _____

- 11. _____

PASSED AND ADOPTED by the Board of Education of the WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, at a special meeting of the Board of Education held on April 18, 2018, by the following vote:

Ayes:	<u>4</u>
Noes:	<u>0</u>
Absent:	<u>1</u>
Abstain:	<u>0</u>

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by members of the Board of Education of the West Contra Costa Unified School District, at a public meeting of said Board held on April 18, 2018.



President, Board of Education
West Contra Costa Unified School District



Clerk, Board of Education
West Contra Costa Unified School District