

**MONTEREY COUNTY COMMITTEE
ON SCHOOL DISTRICT ORGANIZATION**

RESOLUTION #21-22-33

**RESOLUTION OF THE MONTEREY COUNTY COMMITTEE ON SCHOOL DISTRICT
ORGANIZATION APPROVING THE PACIFIC GROVE UNIFIED SCHOOL DISTRICT'S
PROPOSAL TO ADOPT BY-TRUSTEE AREA ELECTIONS**

WHEREAS, Education Code sections 5019, 5030 and other applicable provisions of law authorize the Monterey County Committee on School District Organization (“County Committee”) to change the method of election for the Pacific Grove Unified School District (“District”);

WHEREAS, the California Voting Rights Act (“CVRA”) prohibits the use of election systems that impair the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election;

WHEREAS, there is only one method of electing trustees that jurisdictions can use that protects the public agency from a challenge under the CVRA: by-trustee area elections. In a by-trustee area election, each trustee must reside within a designated trustee area boundary and is elected only by the voters residing in that particular trustee area.

WHEREAS, the District board is currently elected using an “at-large” election system, meaning that governing board members are elected by voters of the entire District;

WHEREAS, in furtherance of the purposes of the CVRA, on April 22, 2021, the District board adopted Resolution No. 1069 stating its intent to transition from at-large to by-trustee area board elections;

WHEREAS, the District retained National Demographics Corporation (“Demographer”) to prepare by-trustee area election map options for the Board and public’s consideration;

WHEREAS, on August 19, 2021, and September 16, 2021, the District board held public hearings to gather public input regarding potential trustee area boundaries pursuant to Elections Code section 10010;

WHEREAS, the District held a town hall meeting to allow members of their community to provide input and dialogue regarding criteria the Board should consider in creating trustee area boundary maps;

WHEREAS, based on information received from the town hall meeting, the District developed an email account for members of the community to send additional input and suggestions as to what the demographer should consider when drafting boundary lines;

WHEREAS, the District provided a free web app to allow members of the community to create, view, analyze, and share potential maps and instructions on how to operate the site.

WHEREAS, the District published (4) potential trustee area maps and potential election sequencing on the District's website on January 12, 2022;

WHEREAS, the District board held a public hearing on January 20, 2022 to gather public input on the proposed trustee area maps and sequence of elections and, as a result of that hearing, requested the Demographer to prepare three (3) additional map options;

WHEREAS, on February 3, 2022, the District posted three (3) additional map options on its website;

WHEREAS, on February 10, 2022, the District board held its second public hearing and reviewed the seven (7) map options, eliminating four of the map options at the February 10th hearing;

WHEREAS, on March 3, 2022, the Board adopted Resolution No. 1085, selecting the trustee area map identified as the Teal option, selecting an election sequencing schedule, and initiating a proposal to the County Committee for adoption of by-trustee area elections (**Exhibit A**);

WHEREAS, pursuant to Education Code section 5019, upon receipt of a proposal from the District board, the County Committee must hold a public hearing within the boundaries of the District, and vote to either approve or deny the proposal;

WHEREAS, on March 14, 2022, the County Committee held a duly noticed public hearing to gather community input on the District proposed transition to by-trustee area elections; and

WHEREAS, Education Code section 5020, as amended by Senate Bill 442, allows the County Committee to approve the District's proposal to change to by-trustee area elections, without the need to seek voter approval, so long as the County Committee adopts a resolution indicating that the change in the method of electing members is being made in furtherance of the purposes of the California Voting Rights Act of 2001.

NOW, THEREFORE, the Monterey County Committee on School District Organization hereby resolves as follows:

1. The above recitals are correct and true;
2. The County Committee hereby approves the adoption of by-trustee area elections, the trustee area map, and the election sequencing schedule set forth in the District board's Resolution No. 1085 (**Exhibit A**);

3. The County Committee hereby declares that the District board's change in method of election is being made in furtherance of the purposes of the California Voting Rights Act of 2001. Therefore, pursuant to Education Code section 5020, subdivision (a)(2), the District board's transition to by-trustee area elections need not be submitted for voter approval; and
4. The County Superintendent or designee is hereby authorized and requested to work with the Elections Office to conduct any acts necessary to effectuate the purposes of this Resolution and to ensure that by-trustee area elections can be implemented in the election cycles scheduled in 2022 and 2024.

APPROVED, PASSED AND ADOPTED by the Monterey County Committee on School District Organization on this 14th day of March 2022.

AYES: 6

NOES: 0

ABSENT: 0

ABSTAIN: 0

As Secretary to the Monterey County Committee on School District Organization of Monterey County, California, I do hereby attest that the foregoing is a full, true and correct copy of a resolution adopted by said County Committee at a special meeting thereof held within the boundaries of the Pacific Grove Unified School District at the time and by the vote stated above.

Doreen Huss
Secretary to the County Committee on
School District Organization

Date: March 14, 2022