

RESOLUTION NO. 20212022-05

**RESOLUTION OF THE SAN BERNARDINO COUNTY
COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
APPROVING AND ADOPTING A FINAL TRUSTEE AREA PLAN
FOR SILVER VALLEY UNIFIED SCHOOL DISTRICT
TO TRANSITION TO A BY-TRUSTEE AREA ELECTION SYSTEM**

WHEREAS, California Education Code sections 5019(a) and (c)(1) and 5030 authorize the San Bernardino County Committee on School District Organization (“County Committee”), upon application of a school district’s governing board, to change the method of election of governing board members in a school district under its jurisdiction; and

WHEREAS, on May 7, 2019, the Silver Valley Unified School District (“District”) Board of Trustees (“Board”) passed Resolution 18-19-30 initiating the process for the District to transition from an “at-large” election system to a “by-trustee area” election system utilizing and analyzing the most up-to-date demographic data as permissible by law during this transition process; and

WHEREAS, the California Voting Rights Act of 2001 (Elections Code §§ 14025 *et seq.*) (“CVRA”) prohibits the use of an “at-large” election system for governing board members of a school district if the “at-large” elections impair the ability of a protected class to elect candidates of its choice, or its ability to influence the outcome of an election; and

WHEREAS, District Board Members are currently elected using an “at-large” election system (i.e., election system in which registered voters of the entire jurisdiction elect candidates to the governing board); and

WHEREAS, in approving Resolution 18-19-30, the Board expressed awareness of the importance of maintaining a fair election system, and the Board strived to listen and represent all of the community; and

WHEREAS, to ensure compliance with the CVRA the Board initiated the process to establish “by-trustee area” pursuant to Government Election Code section 10010(e)(3); and

WHEREAS, to create trustee area maps that most accurately represent the District, the 2020 federal census was used; and

WHEREAS, District staff was directed to prepare for all relevant processes and procedures including, but not limited to: creation of maps, information, notices, agendas, other materials regarding “by-trustee area” elections, and to establish means of communication to answer questions from the public; and

WHEREAS, the District utilized the services of Cooperative Strategies (“Consultant”) to prepare proposed trustee area boundary plans for consideration by the District, Board, and community taking into consideration the CVRA, the Federal Voting Rights Act, and related election system choices; and

WHEREAS, all of the proposed trustee area boundary plans prepared by the Consultant were drawn with all applicable laws and regulations in mind, including the CVRA and federal election law; and

WHEREAS, the District conducted public hearings at Board meetings on October 26, 2021, and November 9, 2021, to solicit feedback in advance of map preparation; and

WHEREAS, map options were released to the public and available for public review and comment on the District’s website from November 2021 until final adoption on February 8, 2022; and

WHEREAS, the District continually posted map options and additional information materials on the District’s webpage and conducted additional public hearings at Board meetings on December 14, 2021, January 11, 2022, and February 8, 2022; and

WHEREAS, with thoughtful consideration of all public input received on draft trustee area plans and applicable state and federal legal criteria, on February 8, 2022, the Board adopted Resolution 21-22-20 selecting “Trustee Plan Scenario 3” (attached hereto as Exhibit “A”) as the final trustee area plan establishing the boundaries for the new trustee areas, and to request timely approval from the County Committee of the trustee area plan and the District’s transition to a by-trustee area election system commencing with the November 8, 2022 Governing Board election; and

WHEREAS, the District's approved trustee area map "Trustee Plan Scenario 3" includes one current trustee in each trustee area.

NOW, THEREFORE, BE IT RESOLVED that the County Committee hereby finds the foregoing recitals to be true and correct; and

BE IT FURTHER RESOLVED that the County Committee determined that trustee areas 1, 2, and 4 shall hold elections starting in 2022; and

BE IT FURTHER RESOLVED that the County Committee determined that trustee areas 3 and 5 shall hold elections starting in 2024; and

BE IT FURTHER AND FINALLY RESOLVED that if by resolution the County Committee grants the District's request to waive the election requirements to establish trustee election areas, trustee area elections shall be commenced in the District effective the next succeeding board member election on November 8, 2022.

PASSED AND ADOPTED by the County Committee on 6th day of April, 2022, at a duly noticed meeting by the following vote:

AYES: *Barillas, Weatherspoon-Bell, Cadman, Munoz, Martinez, Trujillo,*

NOES: *Ø* *Gongora, Lopez*

ABSTAIN: *Ø*

ABSENT: *Holohan, Quezada, Willingham*

I, Dennis W. Mobley, Interim Acting Secretary to the San Bernardino County Committee on School District Organization ("County Committee"), hereby certify, in the County of San Bernardino, State of California, that the above and foregoing Resolution was duly and regularly adopted by said County Committee at a special meeting thereof held on the 6th day of April, 2022, and passed by a vote of 8 to Ø in favor of said Committee Members present.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of April, 2022.

Dennis W. Mobley

Dennis W. Mobley, Interim Acting Secretary
San Bernardino County Committee on School District Organization

SILVER VALLEY UNIFIED SCHOOL DISTRICT CONCEPTUAL TRUSTEE AREAS - SCENARIO 3

Exhibit A

