



**Agenda Item Details**

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Meeting	Dec 14, 2011 - Board of Trustees Regular Meeting, 6:00 P.M.
Category	7. PRESIDENT'S OFFICE
Subject	7.6 Resolution No. 15190: Establishing Trustee Areas from which District Governing Board Members will be Elected and Approving the Election of such Board Members in a By-Trustee Area Election Process
Type	Action

WHEREAS, the Imperial Valley College District ("District") currently uses an at-large process of electing its governing board members; and

WHEREAS, at-large election processes such as the District's are subject to challenge under the California Voting Rights Act of 2001, codified at sections 14025-14032 of the California Elections Code ("CVRA"); and

WHEREAS, a by-trustee area election process is not vulnerable to challenge under the CVRA; and

WHEREAS, in a by-trustee area election process, candidates for the District's Governing Board of Trustees (the "Board") must reside within a specific geographic subarea of the District called a "trustee area" and candidates are elected only by the voters of that trustee area; and

WHEREAS, on July 27, 2011, the Board previously adopted Resolution No. 15057 to establish by-trustee area elections and to seek a waiver of special election for the establishment of by-trustee area elections pursuant to Education Code Education Code section 5020, and portions of sections 5019, 5021 and 5030; and

WHEREAS, on October 8, 2011, AB 684 was signed into law by Governor Edmond G. Brown, specifying the manner in which Community College Districts could seek a waiver of special election for the establishment of by-trustee area elections, as codified in California Education Code 72036; and

WHEREAS, Education Code section 72036 allows Community College Districts to transition from an at-large election process to a by-trustee area election process upon the adoption of a resolution by the District's Board in support of transitioning to a by-trustee area election process and upon the approval of the Board of Governors of the California Community Colleges; and

WHEREAS, District staff and consultants have prepared proposed trustee area plans and recommendations (the "Plans") that the Board has considered; and

WHEREAS, the Board has conducted public hearings on November 16, 2011 and December 14, 2011, to receive public input and comment on the Plans; and

WHEREAS, pursuant to Resolution No. 15057, a community committee consisting of two members from each of the area Districts was formed, for purposes of eliciting and considering public input; and

WHEREAS, the Board has conducted additional community workshops in the following school districts: Calexico Unified on October 11, 2011; Central Union High School on October 12, 2011; Imperial Unified on October 13, 2011; Brawley Union on October 18, 2011; San Pasqual on October 20, 2011; Calipatria Unified on October 25, 2011; Holtville Unified on October 27, 2011; to receive public input and comment on the Plans; and

WHEREAS, the Board has considered all such public input and comment on the Plans; and

WHEREAS, the Board hereby adopts Plan \_\_\_\_, a copy of which is attached to this Resolution as Exhibit "A", for use in the District's next regularly scheduled governing board member election occurring in November, 2012 in a by-trustee area election process; and

WHEREAS, Each trustee area in Plan \_\_\_\_ contains substantially equal population utilizing the most recent decennial federal census data as required by Education Code section 72036; and

WHEREAS, the trustee areas from which governing board members will be elected in November, 2012, are Areas \_\_\_\_, \_\_\_\_ and \_\_\_\_; and

WHEREAS, the trustee areas from which governing board members will be elected in the following governing board member election occurring in November, 2014, are Areas \_\_\_\_ and \_\_\_\_.

NOW THEREFORE, be it resolved by the Governing Board of Trustees of the Imperial Community College District as follows:

- A. That the above recitals are true and correct.
- B. That the Board hereby adopts Plan \_\_\_\_ for use in a by-trustee area election process commencing with the District's next regularly scheduled governing board member election occurring in November of 2012.
- C. That the Superintendent/President and/or his designee take all actions necessary to obtain the approval of this change from the Board of Governors of the California Community Colleges and provide whatever information or assistance may be required by the Board of Governors to complete this process.

#### EXHIBIT "A"

#### REPORT ON TRUSTEE AREA PLAN " "

#### **Motion & Voting**

M/S/C Trustee Cardenas with Scenario A. Second by Trustee Galindo. Trustee Areas, 1, 3, 4 and 6. Then 2, 5, and 7.

Motion by Rudy Cardenas, second by Norma Sierra Galindo.

Final Resolution: Motion Carries

Yes: Rudy Cardenas, Jerry Hart, Romualdo Medina, Norma Sierra Galindo, Karla Sigmond, Steve Taylor, Louis Wong