

BUTTE-GLENN COMMUNITY COLLEGE DISTRICT
Meeting of the Board of Trustees

April 14, 2021

RESOLUTION NO. 799

**RESOLUTION DECLARING INTENT TO TRANSITION FROM
AT-LARGE TO BY-TRUSTEE AREA GOVERNING BOARD MEMBER ELECTIONS**

WHEREAS, the Governing Board ("Board") of the Butte-Glenn Community College District ("District") is currently elected using a hybrid election system, with all the voters residing within the District voting at-large for trustees who reside within trustee areas;

WHEREAS, in 1976, following the 1975 annexation of Glenn County to the Butte Community College District, voters approved the current hybrid election method while also increasing the number of Board members from five to seven;

WHEREAS, hybrid systems are considered "at-large" voting systems for purposes of the California Voting Rights Act ("CVRA");

WHEREAS, "by-trustee area" elections, where each board member must reside within the designated trustee-area boundary and is elected only by the voters in that trustee-area, are favored under the CVRA;

WHEREAS the Board desires to ensure fair representation and has determined that transitioning to by-trustee elections is in the best interest of the District and its community;

WHEREAS, California Education Code section 72036 authorizes community colleges to transition from at-large elections to by-trustee area elections upon the approval of the Board of Governors of the California Community Colleges;

WHEREAS, the boundaries for trustee areas in by-trustee elections are established based on population counts and demographics from the most recent United States' census;

WHEREAS, the United States' census count occurs every ten (10) years with the last census count occurring in 2020 ("2020 Census");

WHEREAS, due to Coronavirus pandemic related delays, the 2020 Census data is not expected to be made available to state and local agencies until September 30, 2021, which is a substantial delay from the original due date of March 31, 2021;

WHEREAS, if the District transitioned to by-trustee area elections prior to the release of the 2020 Census, the trustee areas would be established based on the 2010 Census, which (1) may not fairly and accurately reflect the current voter population distribution and demographics of the District, and (2) could require the District to incur additional, duplicative costs to adjust the trustee areas based on the 2020 Census as required by Education Code Section 5019.5;

WHEREAS, the Board, cognizant of its need to be fiscally responsible, desires to implement this change in the manner of electing board members in a cost effective and efficient manner following release of the 2020 Census data;

WHEREAS, due to the Coronavirus pandemic Governor Newsom issued Executive Orders N-34-20 and N-48-20 which toll the public hearing requirements and safe harbor provisions of the CVRA while social distancing measures remain in place;

WHEREAS, Board Members are elected in even-numbered years and serve staggered, four-year terms, such that the next election for three Board Members is scheduled for November 2022, with the remaining four Board Members scheduled for election in November 2024; and

WHEREAS, the adoption of "by-trustee area" elections will not affect the terms of any Board members serving or elected during this transition, each of whom will serve out his or her full term.

NOW THEREFORE BE IT RESOLVED,

1. The above recitals are true and correct;
2. This Resolution is passed and adopted pursuant to Elections Code section 10010, subd. (e)(3)(A);
3. Trustee area boundary lines shall be developed, pursuant to the process provided in Elections Code section 10010, based on the most updated federal decennial census data following its release in 2021 to provide for "by-trustee area" elections commencing in 2022. The District may begin the process sooner, if deemed necessary by changed circumstances or other considerations;
4. Staff is directed to engage a demographer and any other consultant deemed required to assist in the development of proposed by-trustee area boundaries;
5. The Superintendent, or designee, is hereby directed to prepare additional Board resolutions and documents, as needed, to meet all applicable legal requirements in a timely manner to develop proposed trustee area boundaries, and to seek approval from the Board of Governors of the California Community Colleges pursuant to Education Code section 72036;

6. The Superintendent, or designee, shall consult with legal counsel to take all steps necessary to implement and give effect to this resolution; and
7. The foregoing resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED on the 14th day of April, 2021, at a regular meeting of the Board of Trustees by the following vote:

AYES: Dahlmeier, Boss, Krepelka, Blacklock, Boeger, Massa, and McGinnis

NOES: none

ABSENT: none

ABSTAIN: none

Dated: April 14, 2021



[Samia Yaqub \(May 20, 2021 15:57 PDT\)](#)

Samia Yaqub, Ph.D.
Secretary, Board of Trustees
Superintendent/President of Butte College



[Rick Krepelka \(May 14, 2021 09:41 PDT\)](#)

Rick Krepelka
Clerk, Board of Trustees

RESO 799 By-Trustee Area Election Redistricting

Final Audit Report

2021-05-20

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"RESO 799 By-Trustee Area Election Redistricting" History

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