

**BEFORE THE GOVERNING BOARD OF THE  
ANTELOPE VALLEY COMMUNITY COLLEGE DISTRICT  
RESOLUTION NO.17-18/4**

**RESOLUTION TO INITIATE THE PROCESS OF ESTABLISHING  
TRUSTEE AREAS, AND ADOPT THE BY-TRUSTEE AREA ELECTION  
METHODOLOGY**

**RECITALS**

*WHEREAS*, the Antelope Valley Community College District (“District”) currently uses an at-large system of electing its Governing Board members; and

*WHEREAS*, the Governing Board is aware that under state law an at-large method of election may be deemed to impair the ability of some voters to elect candidates of their choice or to influence the outcome of elections and, therefore, may be subject to challenge under the California Voting Rights Act of 2001, California Elections Code §§ 14025, et seq. (“CVRA”); and

*WHEREAS*, on or about August 22, 2017, the Board received a demand letter from Tanya G. Pellegrini, Staff Attorney, with the Mexican American Legal Defense and Educational Fund (“MALDEF) alleging that the District’s at-large system of elections violates the CVRA and demanding a response by September 12, 2017; and

*WHEREAS*, the Board, prior to receipt of any demand letters from MALDEF and based on its awareness of the CVRA, has developed a process and timeline for changing election methodologies, and has decided to initiate the process of establishing trustee areas and changing the method of elections, in order to ensure compliance with the CVRA or, at minimum, avoid the potential for costly litigation under the CVRA; and

*WHEREAS*, transitioning to a by-trustee area election method is a time consuming process, which requires at least four public hearings before the Board, and the submission of a resolution requesting approval of these changes from the Board of Governors of the California Community Colleges pursuant to Education Code section 72036; and

*WHEREAS*, the Governing Board intends to complete a thorough and public process for changing to the by-trustee area election methodology; and

*WHEREAS*, the Los Angeles County Board of Supervisor approved on February 7, 2017, and the Kern County Board of Supervisors approved on March 7, 2017, a change in the District’s election dates to coincide with the statewide general election held in November of even-numbered years, as required by Elections Code section 14050 et seq., the California Voter Participation Rights Act (Stats.2015, c. 235 (S.B.415).) As a result, the District’s initial by-trustee area election of Governing Board members will be held in November 2018.

*NOW, THEREFORE, BE IT RESOLVED* that the Governing Board of the District hereby finds the foregoing recitals to be true and correct; and

*BE IT FURTHER RESOLVED* that the Governing Board directs the Superintendent/President or designee to immediately initiate the holding of public hearings leading

to the Board's adoption of a resolution establishing trustee areas and sequencing of elections in a manner consistent with Elections Code section 10010 in light of the August 22, 2017 letter from MALDEF; and

**BE IT FURTHER RESOLVED** that the Governing Board directs the Superintendent/President or designee to immediately initiate the process of changing the method of electing members of the Board, from the current at-large system whereby each member of the Board is elected by the registered voters of the entire District (Education Code section 5030(a)), to a method which provides that Governing Board members residing in each trustee area will be elected by the registered voters of that particular trustee area (Education Code section 5030(b)); and

**BE IT FURTHER RESOLVED** that the Superintendent/President or designee is authorized and directed to initiate the process of seeking authorization from the Board of Governors of the California Community Colleges pursuant to Education Code section 72036, and Board Policy 2100, to change election systems, notwithstanding any other provision of law, and so that trustee area elections can commence effective with the November 2018 election; and

**BE IT FURTHER RESOLVED** that the Superintendent/President or designee initiate and carry out the legal process, including the scheduling of required public hearings, notwithstanding prior action of this Board, in time for the Board to take final action on a District trustee area map and sequencing of election on or before December 11, 2017; and

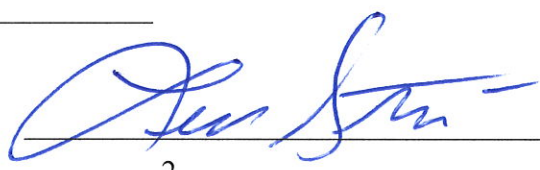
**BE IT FURTHER AND FINALLY RESOLVED** that the Superintendent/President or his designee is authorized to do all things necessary and proper to accomplish the purposes of this Resolution.

**APPROVED AND ADOPTED** by the Governing Board of the Antelope Valley Community College District, this 11th day of September 2017.

  
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President, Governing Board of the  
Antelope Valley Community College District

I, Lew Stults, Clerk of the Governing Board of the Antelope Valley Community College District, do hereby certify that the foregoing Resolution was adopted by the Governing Board of said District at a meeting of said Board held on the 11th day of September, 2017, and that it was so adopted by the following vote:

AYES: 5  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

Date: 9-12-17 

Clerk of the Governing Board of the  
Antelope Valley Community College District