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August 6, 2021

VIA EMAIL

Superintendent Lynn Mackey
Contra Costa County Superintendent of Schools
Contra Costa County Office of Education
77 Santa Barbara Road
Pleasant Hill, California 94523
Email: lmackey@cccoe.k12.ca.us

Re: Education Code Section 35705.5 Considerations for Joint Petition of Antioch Unified School District (“AUSD”), Brentwood Union Elementary School District (“BUESD”), and Liberty Union High School District (“LUHSD”) to transfer territory by and amongst the Districts’ territories to avoid splitting real property parcels and to align with new development

Dear Superintendent Mackey:

Pursuant to a request by County Committee staff, this letter is to supplement the above-referenced Petition consistent with the provisions of Education Code section 35705.5 which in part provides:

At least 10 days before the public hearing, or hearings, on the petition, the county committee shall make available to the public and to the governing boards affected by the petition a description of the petition, including all of the following:

- (1) The rights of the employees in the affected districts to continued employment.
- (2) The local control funding formula allocation pursuant to Section 42238.02, as implemented by Section 42238.03, per pupil, for each affected district and the effect of the petition, if approved, on that allocation.
- (3) Whether the school districts involved will be governed, in part, by provisions of a city charter and, if so, in what way.

Superintendent Lynn Mackey

August 6, 2021

Page 2

- (4) Whether the governing boards of any proposed new district will have five or seven members.
- (5) A description of the territory or school districts in which the election, if any, will be held.
- (6) Where the proposal is to create two or more new districts, whether the proposal will be voted on as a single proposition.
- (7) Whether the governing board of any new district will have trustee areas and, if so, whether the trustees will be elected by only the voters of that trustee area or by the voters of the entire school district.
- (8) A description of how the property, obligations, and bonded indebtedness of original districts will be divided.
- (9) A description of when the first governing board of any new district will be elected and how the terms of office for each new trustee will be determined.

The petitioners respond as follows to each of these nine (9) provisions:

- (1) Due to the *de minimis* nature of the transfer, no employee rights of any of the district shall be affected.
- (2) The LCFF per pupil allocation for each district is as follows: Antioch \$11,509 per pupil; Brentwood \$9,056 per pupil (Combined Average); Liberty \$10,703 per pupil. These allocations will not be impacted by the transfer due to its *de minimis* nature.
- (3) None of the districts are governed by city charter.
- (4) Not applicable as no new district will be formed as a result of the transfer.
- (5) Not applicable as no election requirement applies in this case under Education Code section 35709 since the territory is uninhabited and the governing board of each district has consented.
- (6) Not applicable.
- (7) Not applicable.
- (8) No properties or bond indebtedness are implicated by the transfer. There is an active community facilities district whose territory will be amended to conform to the new boundary line.
- (9) Not applicable.

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

Superintendent Lynn Mackey

August 6, 2021

Page 3

Please contact the undersigned should you require any additional information.

Very truly yours,

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

A handwritten signature in blue ink, appearing to read "David A. Soldani". The signature is fluid and cursive, with a large initial "D" and "S".

David A. Soldani

DAS:las

cc: Stephanie Anello, AUSD Superintendent
Dana Eaton, BUESD Superintendent
Eric Volta, LUHSD Superintendent