

SOLANO COUNTY BOARD OF EDUCATION
Solano County, California

RESOLUTION NO. CC18-19-01
SOLANO COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
APPROVAL AND ADOPTION OF A FINAL TRUSTEE AREA PLAN
FOR THE VACAVILLE UNIFIED SCHOOL DISTRICT
TO TRANSITION TO A BY-TRUSTEE AREA ELECTION SYSTEM

WHEREAS as authorized by Education Code section 4020 *et seq.*, the Solano County Board of Education is vested with all of the duties, powers, purposes, responsibilities, and jurisdiction of the Solano County Committee on School District Organization for the County of Solano, State of California ("the County Committee"); and

WHEREAS Education Code sections 5019 and 5030 authorize the 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 September 20, 2018, the Governing Board of the Vacaville Unified School District ("District") adopted Resolution No. 3, 2018-2019, initiating the process for the District to transition from an "at-large" election system to a "by-trustee area" election system in time for the 2020 regularly schedule District Governing Board elections;

WHEREAS in approving Resolution No. 3, 2018-2019, the District expressed its view that 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 section 14025, *et seq.* ("CVRA"); and

WHEREAS the District Governing Board, based on this awareness, studied the issue with the assistance and advice of legal counsel and decided to initiate the process of establishing trustee areas to change the method of electing members of the District Governing Board in order to ensure compliance with the CVRA or, at a minimum, avoid the potential for costly litigation under the CVRA; and

WHEREAS transitioning to a by-trustee area election system is a time consuming process, which requires extensive public input, the involvement of the Solano County Committee on School District Organization, and potentially seeking and obtaining a waiver of the requirement for an election from the State Board of Education; and

WHEREAS the District undertook a very deliberate, careful, and public process of changing the method of electing members of its Governing Board, from the current at-large voting system whereby each member of the Governing 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)), in sufficient time for the new method of electing members of the Governing Board to be in place for the 2020 election; and

WHEREAS the District held properly noticed public hearings on October 4, 2018 and October 10, 2018, to receive public input on drafting trustee area map plans and recommendations ("Plans") and adopted Resolution No. 11, 2018-2019, establishing criteria for developing trustee area boundaries; and

WHEREAS the District published proposed trustee area maps on October 24, 2018 and November 8, 2018 to the public for input; and

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

WHEREAS pursuant to Elections Code section 10010, the District held properly noticed public hearings regarding the proposed trustee area plans on November 1, 2018, November 15, 2018, and November 29, 2018, in addition to receipt of public input via the District's website, community meetings, social media, and paper submissions; and

WHEREAS on November 29, 2018, the District Governing Board adopted Resolution No. 16, 2018-2019, designating the trustee area plan and demographic information described as Map 101 (attached hereto as Exhibit "A") as the final trustee area plan establishing the boundaries for the new trustee areas, and requesting timely action by the County Committee on the District's request, including its transition to a by-trustee area election system and election sequencing commencing with the 2020 elections; and

WHEREAS the District Governing Board transmitted Resolution No. 16, 2018-2019, with all attachments, to the County Committee on December 12, 2018; and

WHEREAS Education Code section 5019(c), requires that a county committee on school district organization call and conduct at least one public hearing in the district regarding a district proposal to implement a by-trustee area election voting plan; and

WHEREAS on December 19, 2018, the County Committee conducted a duly noticed public hearing on the District's request at Will C. Wood High School, Catwalk Theater, 998 Marshall Road, Vacaville, California; and

WHEREAS pursuant to Education Code section 5019(c), at the conclusion of the hearing, the County Committee must approve or disapprove the proposal to establish trustee areas shown on Exhibit A to Resolution No. 16, 2018-2019 and to implement by-trustee area voting for the election of governing board members; and

WHEREAS pursuant to Education Code section 5020(a), a resolution of the County Committee approving a proposal to establish trustee areas and to implement by-trustee area elections constitutes an order of election and requires that the proposal be presented to the electors of the district unless waived by the State Board of Education; and

WHEREAS the District Governing Board adopted Resolution No. 10, 2018-2019, authorizing the District Superintendent to seek a waiver from the California State Board of Education of the election requirement set forth in Education Code section 5020(a), which waiver request was submitted to the State Board of Education on October 19, 2018, and if granted, shall permit implementation of the by-trustee area voting plan and election schedule as approved by the County Committee.

NOW, THEREFORE, BE IT RESOLVED by the Solano County Committee on School District Organization that:

1. The foregoing recitals are true and correct and incorporated herein by this reference.
2. By this Resolution, with due consideration of the District's request, legal requirements, and all public input received, the County Committee approves the establishment of trustee areas and election sequencing for members of the Governing Board of the Vacaville Unified School District in accordance with the trustee area map identified as "Map 101," and supporting documentation attached hereto as Exhibit "A" and incorporated herein by this reference, and specifies that the method of election for trustees shall be by-trustee area voting as provided in Education Code section 5030(b).
3. The County Board of Education, acting as the County Committee on School District Organization, hereby transmits this Resolution to the County Superintendent of Schools. As provided in Education Code section 5020(a), this Resolution shall constitute an order of election unless the State Board of Education grants the District's request to waive the election requirements to establish trustee

election areas, in which case by-trustee area elections shall be commenced in the District effective the next succeeding Governing Board Member elections in 2020.

PASSED AND ADOPTED at a duly notice meeting this 19th day of December 2018 by the Solano County Committee on School District Organization, Solano County, California, by the following vote:

AYES: Trustees Cohen-Thompson, Dean, Dunne, Lavell, Sharp, Cheek, Coleman
NOES: None
ABSTAIN: None
ABSENT: None

CERTIFICATION

I, Tommy Welch, Secretary to the Solano County Committee on School District Organization, Solano County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by said Committee at a duly noticed meeting thereof held on the above stated date, which resolution is on file in the office of said Committee.



Secretary's Signature

12/19/18
Date

Attachment: Exhibit A – Vacaville Unified School District Governing Board Resolution No. 16, 2018-2019, including all exhibits thereto

EXHIBIT "A"

**Vacaville Unified School District
Resolution No. 16, 2018-19**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE VACAVILLE UNIFIED
SCHOOL DISTRICT INITIATING A PROPOSAL TO THE SOLANO COUNTY
COMMITTEE ON SCHOOL DISTRICT ORGANIZATION FOR THE ADOPTION OF
TRUSTEE-AREA ELECTIONS**

WHEREAS, the Board of Education (“Board”) of the Vacaville Unified School District (“District”) is elected under an “at-large” election system where trustees are elected by voters of the entire District;

WHEREAS, on September 20, 2018, the Board adopted Resolution No. 3, 2018-2019, signaling its intent to transition to trustee-area elections, where each trustee must reside within the designated trustee-area boundary and is elected only by the voters in that trustee-area;

WHEREAS, National Demographics Corporation (“Demographer”) was retained to prepare several trustee-area election system map options for the Board and public’s consideration.

WHEREAS, pursuant to Elections Code, section 10010, subdivision (a)(1), the Board held public hearings on October 4, 2018 and October 10, 2018, to consider community input and comment regarding potential trustee-area boundaries;

WHEREAS, on October 10, 2018, the Board adopted Resolution No. 10, 2018-2019, Resolution Authorizing the Superintendent to Seek a Waiver from the State Board of Education and Resolution No. 11, 2018-2019, Criteria for Developing Trustee-Area Boundaries, respectively;

WHEREAS, pursuant to Elections Code, section 10010, subdivision (a)(2), the Board published trustee-area maps on October 24, 2018, and held a public hearing on November 1, 2018, to gather public input on the proposed trustee-area maps.

WHEREAS, pursuant to Elections Code, section 10010, subdivision (a)(2), the District published additional proposed trustee- area maps on November 8, 2018, and held a public hearing on November 15, 2018, to gather public input on the proposed trustee-area maps.

WHEREAS, Education Code sections 5019 and 5030 authorize the Solano County Committee on School Reorganization (“County Committee”), upon application from a school district’s governing board, to change the method of election in a school district under its jurisdiction;

WHEREAS, Education Code section 5020 requires the County Committee’s resolution of approval to be submitted to the electorate for its approval;

WHEREAS, Education Code sections 33050-33053 authorize the State Board of Education to waive this voter approval requirement, which could reduce the costs associated with the proposed change to trustee-area elections;

NOW THEREFORE BE IT RESOLVED, the Governing Board of the Vacaville Unified School District hereby resolves as follows:

1. The above recitals are correct and true.
2. The Board hereby approves and recommends the adoption of the trustee-area map set forth in Exhibit A.
3. The Board hereby proposes that each of the trustee areas identified in Exhibit A be assigned for election in 2020 or in 2022, as set forth in Exhibit A.
4. The District Superintendent/Principal or his designee is hereby authorized and directed to send a copy of this Resolution to the County Committee, and to work with the County Committee and the County Election's Office to conduct all legally required hearings and other acts necessary so that trustee-area elections can be implemented in the election cycles scheduled in 2020 and 2022.

PASSED AND ADOPTED by the Board of Education of the VACAVILLE UNIFIED SCHOOL DISTRICT, at a special meeting of the Board of Education held on November 29, 2018, by the following vote:

AYES: Michele Dally, John Jansen, Michael Kitzes, Sherie Mahlberg,

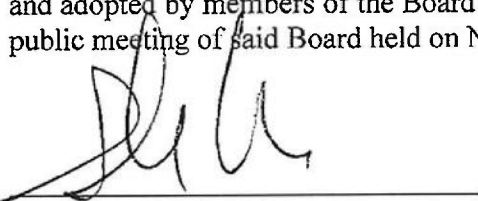
Tracee Stacy, Shawn Windham

NOES: _____

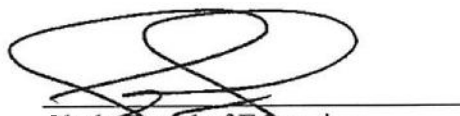
ABSENT: _____

ABSTAIN: Horace "Whit" Whitman

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by members of the Board of Education of the Vacaville Unified School District, at a public meeting of said Board held on November 29, 2018.



President, Board of Education
Vacaville Unified
School District



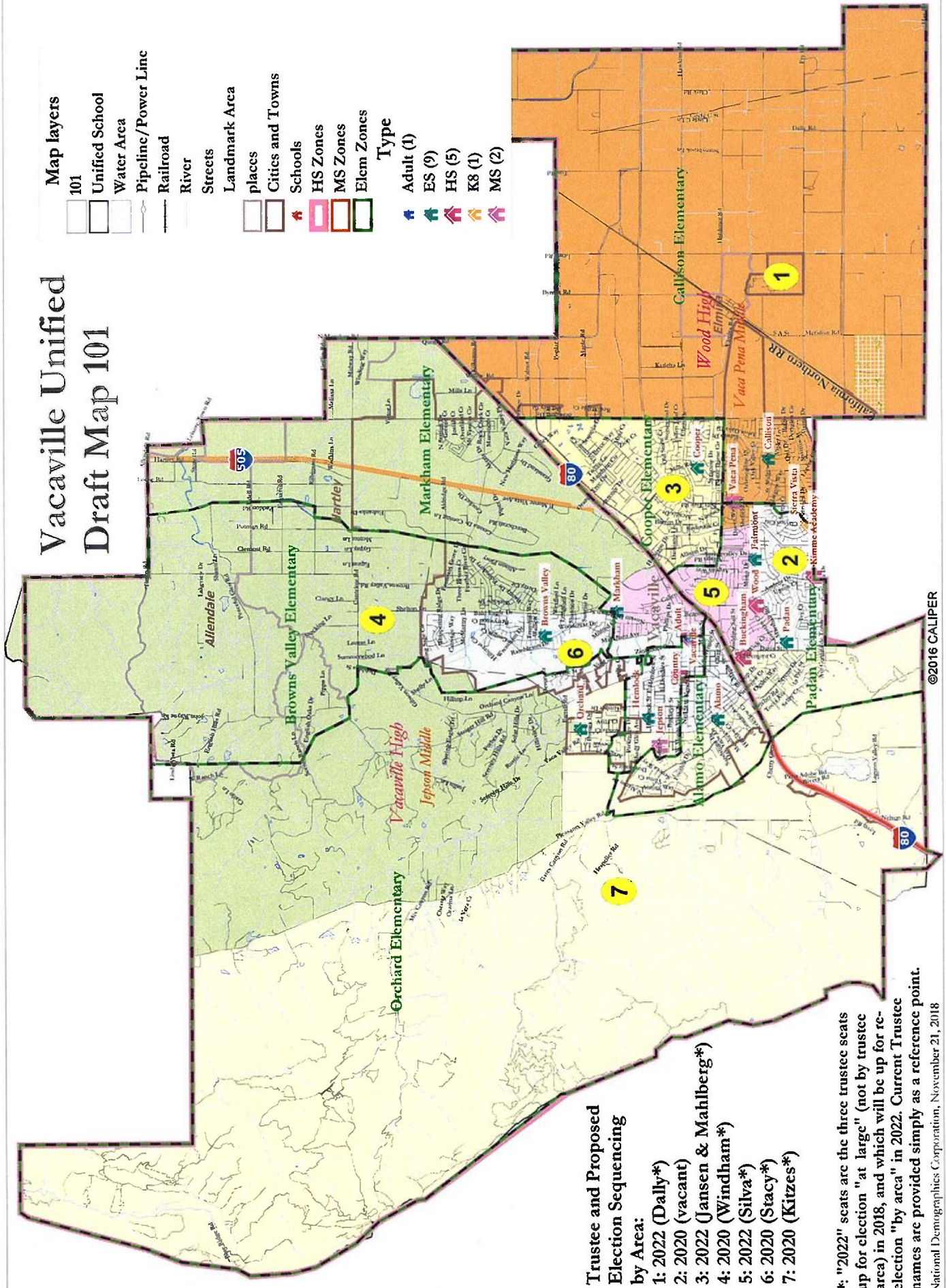
Clerk, Board of Education
Vacaville Unified
School District

EXHIBIT A

PREFERRED MAP AND ELECTION STAGGERING SCHEDULE

Vacaville Unified Draft Map 101

- Map layers**
- 101
 - Unified School
 - Water Area
 - Pipeline/Power Line
 - Railroad
 - River
 - Streets
 - Landmark Area
 - places
 - Cities and Towns
 - Schools
 - HS Zones
 - MS Zones
 - Elem Zones
- Type**
- Adult (1)
 - ES (9)
 - HS (5)
 - K8 (1)
 - MS (2)

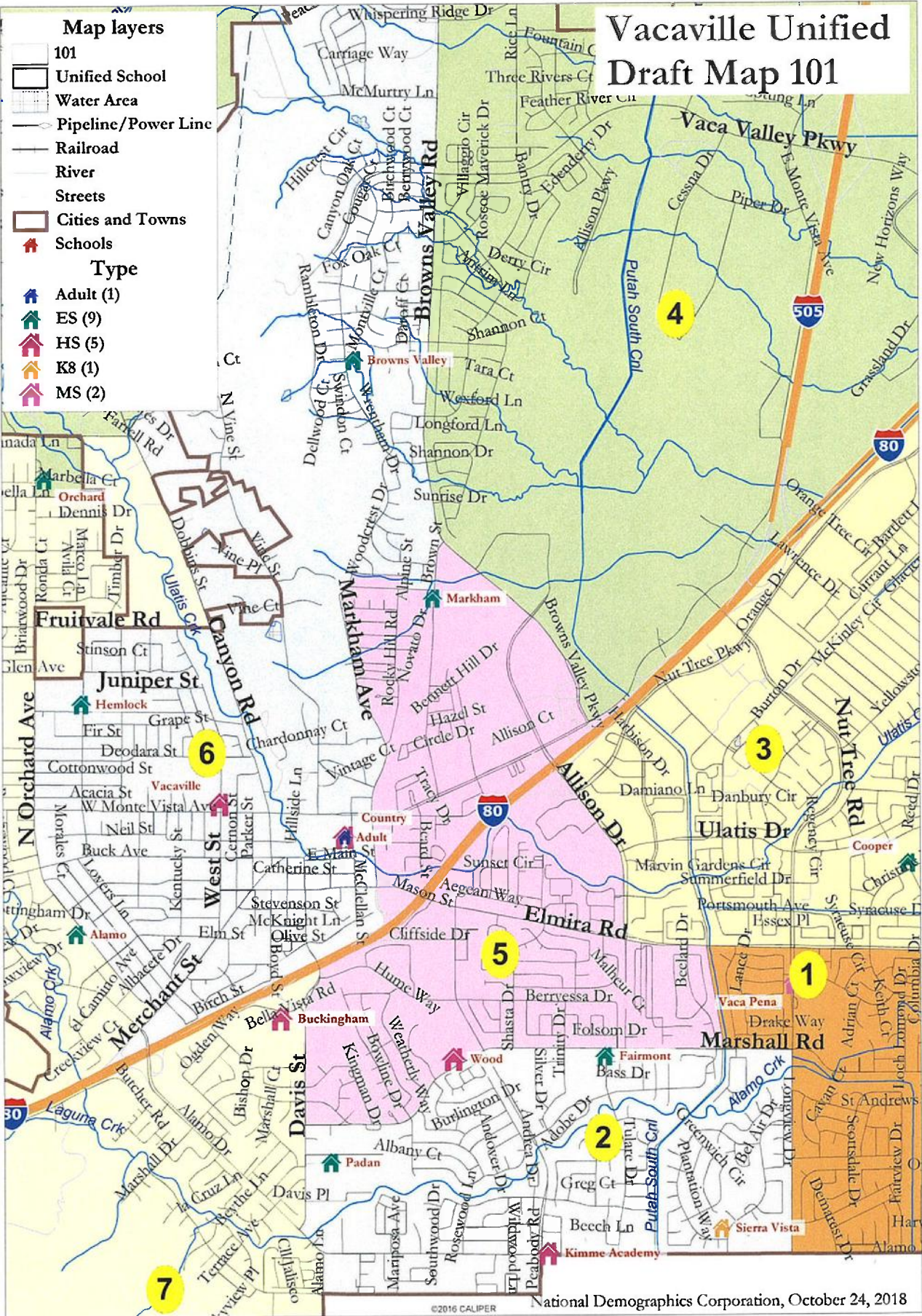


- Trustee and Proposed Election Sequencing by Area:**
- 1: 2022 (Dally*)
 - 2: 2020 (vacant)
 - 3: 2022 (Jansen & Mahlberg*)
 - 4: 2020 (Windham*)
 - 5: 2022 (Silva*)
 - 6: 2020 (Stacy*)
 - 7: 2020 (Kitzes*)

*: "2022" seats are the three trustee seats up for election "at large" (not by trustee area) in 2018, and which will be up for re-election "by area" in 2022. Current Trustee names are provided simply as a reference point.

Vacaville Unified Draft Map 101

- Map layers**
- 101
 - Unified School
 - Water Area
 - Pipeline/Power Line
 - Railroad
 - River
 - Streets
 - Cities and Towns
 - Schools
- Type**
- Adult (1)
 - ES (9)
 - HS (5)
 - K8 (1)
 - MS (2)



Vacaville Unified - Draft Map 101

District		1	2	3	4	5	6	7	Total
Ideal	Total Pop	11,173	10,851	11,255	10,891	10,868	11,051	11,380	77,469
11,067	Deviation from ideal	106	-216	188	-176	-199	-16	313	404
	% Deviation	0.96%	-1.95%	1.70%	-1.59%	-1.80%	-0.14%	2.83%	3.65%
Total Pop	% Hisp	21%	28%	13%	17%	45%	22%	18%	23%
	% NH White	61%	52%	68%	66%	37%	64%	68%	60%
	% NH Black	7%	10%	8%	5%	9%	5%	5%	7%
	% Asian-American	7%	7%	8%	9%	5%	6%	5%	7%
Citizen Voting Age Pop	Total	8,436	7,927	8,869	9,091	6,521	7,911	8,992	57,746
	% Hisp	16%	19%	11%	14%	33%	16%	12%	17%
	% NH White	66%	61%	73%	66%	46%	70%	71%	66%
	% NH Black	8%	9%	6%	5%	12%	8%	8%	8%
	% Asian/Pac.Isl.	7%	8%	8%	13%	4%	6%	5%	8%
Voter Registration (Nov 2016)	Total	6,509	4,981	7,308	7,734	4,027	6,602	7,316	44,477
	% Latino est.	16%	18%	12%	15%	25%	14%	14%	16%
	% Spanish-Surnamed	14%	17%	11%	13%	22%	13%	13%	14%
	% Asian-Surnamed	2%	1%	2%	2%	1%	2%	2%	2%
	% Filipino-Surnamed	2%	2%	1%	2%	2%	1%	1%	2%
	% NH White est.	69%	67%	78%	70%	59%	74%	74%	71%
	% NH Black	8%	10%	6%	6%	13%	8%	7%	8%
Voter Turnout (Nov 2016)	Total	5,012	3,583	5,841	6,071	2,868	5,174	5,808	34,356
	% Latino est.	15%	17%	12%	13%	23%	13%	14%	15%
	% Spanish-Surnamed	13%	16%	11%	12%	21%	12%	12%	13%
	% Asian-Surnamed	2%	1%	2%	2%	1%	2%	2%	2%
	% Filipino-Surnamed	2%	2%	1%	2%	1%	1%	1%	2%
	% NH White est.	70%	68%	78%	72%	60%	76%	75%	72%
	% NH Black	8%	10%	6%	6%	13%	8%	7%	8%
Voter Turnout (Nov 2014)	Total	2,767	1,854	3,732	3,295	1,326	3,000	3,830	19,804
	% Latino est.	10%	15%	8%	9%	20%	10%	9%	10%
	% Spanish-Surnamed	9%	13%	8%	8%	18%	9%	8%	9%
	% Asian-Surnamed	2%	1%	2%	2%	1%	2%	1%	2%
	% Filipino-Surnamed	2%	1%	1%	1%	2%	1%	1%	1%
	% NH White est.	79%	73%	83%	83%	68%	84%	80%	80%
	% NH Black est.	7%	7%	6%	3%	9%	3%	8%	6%
ACS Pop. Est.	Total	11,991	11,468	11,165	12,190	11,058	11,097	12,372	81,340
Age	age0-19	28%	31%	19%	26%	30%	28%	26%	27%
	age20-60	56%	54%	41%	54%	57%	56%	51%	53%
	age60plus	17%	15%	40%	20%	13%	16%	22%	21%
Immigration	immigrants	9%	10%	11%	14%	13%	13%	11%	11%
	naturalized	65%	57%	71%	52%	42%	44%	63%	55%
Language spoken at home	english	85%	79%	85%	78%	75%	80%	82%	81%
	spanish	9%	15%	6%	13%	17%	16%	12%	13%
	asian-lang	4%	5%	6%	5%	6%	2%	3%	4%
	other lang	2%	1%	2%	4%	2%	2%	3%	2%
Language Fluency	Speaks Eng. "Less than Very Well"	4%	7%	5%	7%	10%	9%	7%	7%
Education (among those age 25+)	hs-grad	67%	73%	70%	61%	69%	63%	61%	66%
	bachelor	18%	13%	15%	20%	13%	13%	17%	16%
	graduatedegree	8%	4%	8%	10%	6%	9%	13%	9%
Child in Household	child-under18	35%	37%	18%	30%	35%	36%	30%	31%
Pct of Pop. Age 16+	employed	62%	59%	47%	58%	65%	63%	56%	58%
	income 0-25k	8%	14%	20%	10%	21%	19%	15%	15%
Household Income	income 25-50k	11%	20%	20%	13%	25%	18%	15%	17%
	income 50-75k	20%	26%	15%	18%	19%	20%	17%	19%
	income 75-200k	55%	37%	40%	47%	31%	37%	42%	41%
	income 200k-plus	7%	3%	5%	13%	5%	6%	10%	7%
Housing Stats	single family	89%	65%	78%	88%	53%	74%	88%	77%
	multi-family	11%	35%	22%	12%	47%	26%	12%	23%
	rented	31%	52%	38%	29%	60%	49%	29%	41%
	owned	69%	48%	62%	71%	40%	51%	71%	59%

Total population data from the 2010 Decennial Census.

Surname-based Voter Registration and Turnout data from the California Statewide Database.

Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2012-2016 American Community Survey and Special Tabulation 5-year data.