

**BEFORE THE GOVERNING BOARD OF THE
GOLDEN PLAINS UNIFIED SCHOOL DISTRICT
OF FRESNO COUNTY, CALIFORNIA**

ITEM: 9.10

A Resolution of the Governing Board of the Golden Plains Unified School District Recommending a Trustee Area Plan to the Fresno County Committee on School District Organization for the November 2014 and Subsequent Elections

RESOLUTION NO. FY13-14-21

A Resolution of the Governing Board of the Golden Plains Unified School District ("Board") Recommending a Trustee Area Plan to the Fresno County Committee on School District Organization for the November 2014 and Subsequent Elections.

RECITALS

1. The Golden Plains Unified School District ("District") currently elects each member of its governing board in "from-trustee area" elections, *i.e.*, elections in which candidates for the District's governing board (the "Board") must reside within a specific geographic subarea of the District called a "trustee area" but candidates are elected by the voters of the entire school district (see Educ. Code § 5030(c)); and
2. One trustee is currently elected from Trustee Area #1, and two trustees are elected from each of Trustee Areas #2, #3 and #4; and
3. Based on the 2010 Census, the District has a total population of 7,263 persons; and
4. Based on the 2010 Census, the District's existing trustee areas have a substantial variation in population—from a minimum of 186 persons in Trustee Area #1 to a maximum of 4,609 persons in Trustee Area #3; and
5. The Education Code requires that trustee areas shall "provide for representation in accordance with population and geography," Educ. Code § 35734; and
6. To ensure compliance with the Education Code, the District proposes to readjust its trustee area boundaries to achieve substantial equality of population; and
7. For that purpose the District retained an experienced redistricting/demographic consulting firm, National Demographics Corporation ("NDC"), and experienced legal counsel to advise it on the process of preparing a trustee area plan for submission to the County Committee under Education Code § 5019; and

8. On March 11, 2014, the Board and the public received a presentation from the District's legal counsel regarding the procedures and legal and policy criteria governing redistricting and the current demographics of the District under the 2010 census; and

9. Following the presentation on existing demographics, the Board opened the floor to comment from the public regarding appropriate criteria to guide the realignment of the existing trustee areas; and

10. The Board fully considered the presentations of its counsel and all of the public comments received, and thereafter adopted the following criteria to guide the re-alignment of its trustee areas consistent with legal requirements, including reasonably equal population and Section 2 of the federal Voting Rights Act, and which address other concerns and considerations important to the District:

- The boundaries of the trustee areas shall be realigned so that the trustee areas are equal in population as defined by law.
- The boundaries of the trustee areas shall not be gerrymandered in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993), and its progeny.
- The boundaries of the trustee areas shall be realigned so that the trustee areas do not result in a denial or abridgement of the right of any citizen to vote on account of race or color as provided in Section 2 of the federal Voting Rights Act.
- The boundaries of the trustee areas shall observe communities of interest, developed primarily around the District's school attendance areas, but also including the current trustee areas, rural or urban populations, municipalities, social interests, agricultural, industrial or service industry interests, and the like, insofar as practicable.
- The boundaries of the trustee areas shall be compact, insofar as practicable.
- The boundaries of the trustee areas shall be created to contain cohesive, contiguous territory, insofar as practicable.
- The boundaries of the trustee areas may observe topography and geography, such as the existence of mountains, flat land, forest lands, man-made geographical features such as highways and canals, etc. as natural divisions between districts, insofar as practicable.
- Unless otherwise required by law, the trustee areas shall be created using whole census blocks.

- The boundaries of the trustee areas may avoid the “pairing” of more incumbents in the same trustee area than there are trustees to be elected from that area, insofar as this does not conflict with the constitution and laws of the State of California and the United States.
- The boundaries of the trustee areas shall comply with such other factors which become known during the redistricting process and are formally adopted by the Board of Trustees.

11. On April 8, 2014, at a duly noticed meeting of the Board, NDC presented three draft trustee area plans, which were developed according to the criteria set forth above, to the Board and to the public; and

12. Following NDC’s presentation, the Board received public comment regarding the draft plans, and thereafter requested preparation of a fourth draft plan that would incorporate and combine certain aspects of the presented plans; and

13. On May 13, 2014, at a duly noticed meeting of the Board, NDC presented a fourth draft trustee area plan, which was developed in response to the Board’s request, to the Board and to the public; and

14. Following NDC’s presentation on May 13, 2014, the Board received public comment regarding all four draft plans; and

15. The Board has considered all public comments on the plans; and

16. The populations in the proposed trustee areas of all four draft trustee area plans are reasonably equal in compliance with legal requirements; and

17. Section 2 of the Voting Rights Act, 42 U.S.C. § 1973 prohibits the use of any voting qualification, or prerequisite to voting, or standard, practice, or procedure in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, and all four draft trustee area plans comply with section 2 of the Voting Rights Act; and

18. Each of the plans is drawn to be compact and to contain cohesive, contiguous territory to the extent possible; and

19. Each of the draft trustee area plans is drawn to avoid the “pairing” of incumbent trustees to the extent possible, beyond the pairing that exists under the current plan due to the multi-member nature of three of the trustee areas; and

20. Each of the draft trustee area plans is drawn to comply with each of the other criteria set forth above to the extent possible; and

20. The Board prefers the trustee area boundaries in proposed Plan 3, incorporated herein.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. The above recitals are true and correct.

B. The undersigned, constituting at least a majority of the members of the Golden Plains School District Governing Board, do hereby adopt Plan 3, attached hereto as Exhibit "A" and incorporated herein by this reference, as the trustee area plan to be submitted to the Fresno County Committee on School District Organization for its consideration and adoption pursuant to Education Code § 5019.

C. The District Superintendent and/or his designee shall take all actions necessary to notify the Committee of the Board's determination forthwith and provide whatever assistance may be required by the Committee, or by the Fresno County Elections Department, to complete the process in a timely fashion to permit implementation of these trustee areas in connection with the election to be held on November 4, 2014.

D. That because the new redistricting plan may contain technical anomalies caused by errors in the 2010 Census line files that do not substantively affect the populations in the trustee areas, the trustee area boundaries, or the intent of this resolution, which anomalies are not revealed until implementation begins, the Superintendent and/or her designee are authorized to make technical emendations to the new redistricting plan that do not substantively affect the populations in the trustee areas, the trustee area boundaries, or the intent of this resolution, and shall advise the Board of any such emendations that are found to be required in plan implementation by the Fresno County elections officials.

E. The Superintendent shall consult with legal counsel to resolve any legal issues necessary to give effect to this Resolution.

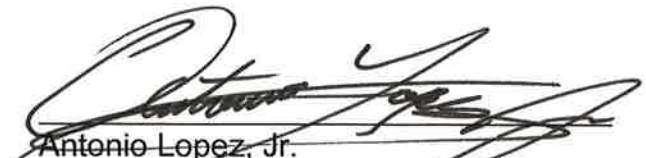
THE FOREGOING RESOLUTION was adopted upon motion by Trustee Edna Munguia, seconded by Trustee Kathy Chaffin, at a noticed meeting held on May 13, 2014, by the following vote:

AYES: 5

NOES: 0

ABSENT: 2

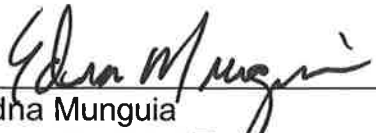
DATED: May 13, 2014


Antonio Lopez, Jr.
President, Board of Trustees
Golden Plains Unified School District

CERTIFICATION

I, Edna Munguia, Clerk of the Board of Trustees of the Golden Plains Unified School District, certify that the foregoing Resolution was regularly introduced, passed, and adopted by the Board of Trustees at its meeting held on May 13, 2014.

DATED: May 13, 2014



Edna Munguia
Clerk, Board of Trustees
Golden Plains Unified School District

Golden Plains Population Deviations							
2014, National Demographics Corporation							
Total Population	# Members	Pop per Member					
7,263	7	1,038					
Current Areas:	Area	# Board Members	Ideal Population	Actual	Diff	Deviation	Latino % Voting Age Pop.
	1	1	1,038	186	-852	-82.07%	83%
	2	2	2,075	1,157	-918	-44.24%	96%
	3	2	2,075	4,609	2,534	122.11%	93%
	4	2	2,075	1,311	-764	-36.82%	70%
	Plan Deviation					204.18%	
Draft 1	Area	# Board Members	Ideal Population	Actual	Diff	Deviation	Latino % Voting Age Pop.
Area 2 out of San Joaquin	1	1	1,038	1,027	-11	-1.02%	90%
	2	2	2,075	2,043	-32	-1.55%	85%
	3	2	2,075	2,074	-1	-0.06%	95%
	4	2	2,075	2,119	44	2.11%	86%
	Plan Deviation					3.66%	
Draft 2	Area	# Board Members	Ideal Population	Actual	Diff	Deviation	Latino % Voting Age Pop.
Area 4 out of San Joaquin	1	1	1,038	1,006	-32	-3.04%	91%
	2	2	2,075	2,071	-4	-0.20%	94%
	3	2	2,075	2,116	41	1.97%	95%
	4	2	2,075	2,070	-5	-0.25%	77%
	Plan Deviation					5.01%	
Draft 3	Area	# Board Members	Ideal Population	Actual	Diff	Deviation	Latino % Voting Age Pop.
Area 1 out of San Joaquin	1	1	1,038	1,014	-24	-2.27%	82%
	2	2	2,075	2,063	-12	-0.59%	94%
	3	2	2,075	2,102	27	1.29%	94%
	4	2	2,075	2,084	9	0.43%	82%
	Plan Deviation					3.57%	

EXHIBIT A

Proposed Trustee Area Plan

Full District Map



Golden Plains Unified Trustee Areas Draft 3 San Joaquin Detail Map

