

**VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
RESOLUTION NO. 22-04**

Resolution Adopting Realigned Trustee Areas for Victor Valley Community College District
Board-Members Based on the 2020 Census Pursuant to
Education Code § 5019.5

WHEREAS, the Victor Valley Community College District (“District”) currently elects each member of its governing board using “by-trustee area” elections, *i.e.*, elections in which “one member of the governing board shall be elected from each trustee area[,]” and in which “[a] candidate for election as a member of the governing board shall reside in, and be registered to vote in, the trustee area he or she seeks to represent[,]” Cal. Educ. Code § 72036(a); *see also* Educ. Code § 5030(b); and

WHEREAS, Education Code § 5019.5 requires that in the year following the Census (years ending in “1”) the board of trustees of a community college district that conducts its elections by-trustee area shall adjust the boundaries of those areas to equalize their population in light of the new Census data; and

WHEREAS, the District has retained experienced redistricting/demographic consulting firm, Redistricting Partners (“RP”), to advise it on the process of preparing a trustee area plan; and

WHEREAS, on or about August 12, 2021, the Census Bureau released the decennial redistricting data, after a four-and-a-half-month delay caused by the COVID pandemic; and

WHEREAS, on or about September 20, 2021, the California Statewide Database released a prisoner-adjusted version of the Census Bureau’s data, as required by state law; and

WHEREAS, the California Statewide Database released a corrected version of the adjusted data on or about September 27, 2021, which has been designated by the Department of Finance as the “validated” data for purposes of community college district redistricting under Education Code § 5019.5; and

WHEREAS, on November 9, 2021, the Board of Trustees received a presentation from the District’s retained demographer regarding policy criteria governing redistricting and presenting 2020 census data by Trustee Area Voting Districts; and

WHEREAS, on November 9, 2021, the Board of Trustees held the first of four public hearings on the subject of redistricting pursuant to the 2020 Census data; and

WHEREAS, the Board directed RP to prepare mapping options in accordance with the Census data that are compliant with the law; and

WHEREAS, on November 30, 2021, RP presented two draft plans drawn in accordance with the foregoing criteria (Draft Maps A, and B), after which the Board conducted its second duly noticed public hearing on the draft maps; and

WHEREAS, on December 14, 2021, as part of its Organizational Meeting, the Board received a presentation from RP regarding Draft Maps A, and B, and conducted its third duly noticed public hearing after which the Board engaged in further discussion of the maps, giving direction to RP to prepare a final map; and

WHEREAS, on January 11, 2022, the Board conducted a fourth and final duly noticed public hearing on the draft maps and selected Draft Map B as its preferred map; and

WHEREAS, the Board has fully considered the presentations of its counsel, its demographer, the current demographics, and all of the public comments received; and

WHEREAS, the Board now wishes to adopt the realignment of 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; and

WHEREAS, the populations in the proposed trustee areas of all the draft trustee area plans are substantially equal in population, in compliance with legal requirements; and

WHEREAS, Section 2 of the Voting Rights Act, 52 U.S.C. § 10301, 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 the draft trustee area plans comply with Section 2 of the Voting Rights Act; and

WHEREAS, each of the plans are drawn to follow major thoroughfares, and respect topography and geography and communities of interest, to the extent possible, while still complying with equal population requirements and federal and state law; and

WHEREAS, each of the plans are drawn to be compact and to contain cohesive, contiguous territory to the extent possible; now, therefore, be it

RESOLVED by the Victor Valley Community College Board of Trustees as follows:

Section 1. Determination of Recitals. All of the recitals set forth above are true and correct, and the District Governing Board so finds and determines.

Section 2. Adoption of Trustee Area Plan. The Board of Trustees prefers the trustee area boundaries in proposed Draft Map B, attached hereto as Exhibit “1” and incorporated herein by this reference; believes that its adoption would best serve the public interest of the District’s residents and voters; and by this resolution hereby adopts the trustee area boundaries in that

Plan for use at the District's November 2022 election and subsequent elections until a further re-alignment is required pursuant to Education Code § 5019.5, following the release of the 2030 Census.

Section 3. Implementation. The Superintendent/President and/or his designee shall take all actions necessary to notify the San Bernardino County Registrar's Office and the San Bernardino County Committee on School District Organization of the Board's determination forthwith and provide whatever assistance may be required by the Registrar's Office to complete the process.

Section 4. Correction of Nonsubstantive Clerical Errors. Because the new trustee area plan may contain technical anomalies caused by errors in the 2020 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/President and/or his designee is authorized to make technical emendations to the new 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 County Registrar's Office.

Section 5. Consultation with Legal Counsel. The Superintendent/President shall consult with legal counsel as needed to resolve any legal issues necessary to give effect to this Resolution.

PASSED, APPROVED AND ADOPTED this 8th day of February 8, 2022.

Jennifer Tarpley, Board President

Date

Joseph W. Brady, Board Clerk

Date

PASSED AND ADOPTED by the Board of Trustees of the Victor Valley Community College District, this 8th day of February 8, 2022, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT: