

**BEFORE THE GOVERNING BOARD OF THE
LAKESIDE UNION SCHOOL DISTRICT
KERN COUNTY, CALIFORNIA**

In the Matter of Adopting Trustee Areas for Election of Lakeside Union School District Trustees for Submission to the Kern County Committee on School District Organization Pursuant to Education Code sections 5019, 5020, and 5030.

[PROPOSED]
RESOLUTION NO.

Resolution by the Governing Board to Adopt a By-Trustee Area Election System and a Trustee Area Plan for Submission to the Kern County Committee on School District Organization (California Education Code sections 5019, 5020, and 5030)

RECITALS

1. Members of the Board of Trustees (Board) of the Lakeside Union School District (District) are currently elected in “at-large” elections, i.e., elections in which “each governing board member [is] elected by the registered voters of the entire school district” (Education Code section 5030(a)); and
2. Education Code sections 5019(a) and (c)(1) and 5030 authorize the Kern County Committee on School District Organization (KCCSDO), upon application of a school district’s governing board, to change the method of election in a district under its jurisdiction; and
3. At a noticed public board meeting on January 31, 2012, the Board reviewed Census and demographics information and adopted Resolution No. 01312012 expressing its intent to maintain its at-large election system and monitor updated demographic data, including the 2020 Census, for possible indications for change in the electoral system; and
4. On November 28, 2018, the District received a letter on behalf of the Southwest Voter Registration Education Project asserting the District’s at-large election system violated the California Voting Rights Act and demanding institution of “by-trustee area” elections, i.e., elections in which “one or more members residing in each trustee area be elected by the registered voters of that particular trustee area” (Education Code section 5030(b)); and
5. On February 28, 2019, the Board adopted Resolution No. 02282019 expressing its intent to transition to a by-trustee area election system and authorizing the Superintendent to retain a qualified demographic consultant to assist and to prepare a timeline for transition; and
6. The parties agreed that transition would occur after receipt of the 2020 Census data and in time for the November 2022 Board of Trustees elections; and

7. Pursuant to California Elections Code section 10010(a)(1), the Board held public hearings on June 8 and 15, 2021, during which the public was invited to provide input regarding the composition of the District's trustee areas before any draft maps were drawn; and
8. On June 15, 2021, the Board adopted Resolution No. 06152021 specifying criteria that could be considered in the design of the trustee areas of the District; and
9. On February 4, 2022, the District made public a draft trustee area map, with a proposed sequencing of election, prepared by National Demographics Corporation (the Violet Map); the map was posted on the District's website and remains posted as of the date of this Resolution; and
10. On February 16, 2022, the District made public a second draft trustee area map (the Violet II Map), with a proposed sequencing of election, prepared by National Demographics Corporation; the map was posted on the District's website and remains posted as of the date of this Resolution; and
11. Pursuant to Elections Code section 10010(a)(2), public hearings were held on February 11 and 15, 2022, during which the public was invited to provide input regarding the content of the draft maps that had been published at least seven days before the meetings along with the proposed sequence of elections, and at public meetings on February 11 and 15, 2022, the Board considered and discussed the same; and
12. The Board considered comments on the plans received at the public hearings; and
13. At its February 23, 2022, public meeting, the Board held a final public hearing and adopted the _____ Map as the trustee area plan to be submitted to the KCCSDO for its consideration and adoption pursuant to Education Code section 5019(c)(1); and
14. The proposed trustee areas of the _____ Map are substantially equal in population, in compliance with legal requirements; and
15. Section 2 of the Voting Rights Act, 42 U.S.C. section 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 the _____ Map complies with Section 2 of the Voting Rights Act; and
16. The _____ Map provides for the use of a single-member, by-trustee area electoral system and thereby complies with the California Voting Rights Act; and
17. The trustee areas of the _____ Map are consistent with traditional redistricting criteria in that the trustee areas are contiguous, they consider communities of interest including urban and rural areas of the District, the boundaries are recognizable geographic and topological features of the District, and no trustee is paired with another thus providing for continuity of governance unless the voters of a trustee area decide to change; and

18. Pursuant to Elections Code section 10010(a), on February 23, 2022, a final public hearing was held prior to the Board's considering a resolution to establish a by-trustee election system; and

19. The _____ Map with a sequence of elections (a copy of which, together with its associated data sheet, is attached hereto as Exhibit A and incorporated by this reference) was published at least seven days before District's February 23, 2022, meeting, and made available for the February 23, 2022, public hearing; and

20. In accordance with state law, the _____ Map includes a sequencing of elections in the trustee areas as follows: Trustee Area 1 (20__), Trustee Area 2 (20__), Trustee Area 3 (20__), Trustee Area 4 (20__), Trustee Area 5 (20__).

21. Approval of the _____ Map will also approve the sequencing of elections in the trustee areas as reflected in Recital 20.

NOW, THEREFORE, BE IT RESOLVED as follows:

A. The above recitals are true and correct.

B. The Board hereby submits the _____ Map (copy attached hereto as Exhibit A and incorporated by this reference) to the KCCSDO and requests that the KCCSDO consider and adopt the _____ Map pursuant to Education Code section 5019(a) and (c)(1) as the by-trustee area electoral plan for the Lakeside Union School District, along with the election sequence specified in Recital 20.

C. The District's Superintendent and/or designee shall take all action necessary to notify the KCCSDO of the Board's determination and provide whatever assistance may be required by the KCCSDO, or by the Kern County Elections Department, to complete the process in a timely fashion to permit implementation of these trustee areas in connection with the election for Board of Trustees to be held on November 8, 2022.

D. 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 may not be revealed until implementation begins, the Superintendent 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 or otherwise.

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

THE FOREGOING RESOLUTION was adopted upon motion by Trustee _____, seconded by Trustee _____, at the meeting of the Board held on February 23, 2022, by the following vote or abstention of each member present:

AYES:

NOES:

ABSENT:

DATED: February 23, 2022

President, Board of Trustees
Lakeside Union School District

CERTIFICATION OF CLERK

I certify that the foregoing Resolution was regularly introduced, passed, and adopted by the Board of Trustees at its meeting held on February 23, 2022.

DATED: February 23, 2022

Clerk, Board of Trustees
Lakeside Union School District