



**BEFORE THE GOVERNING BOARD OF THE  
WEST HILLS COMMUNITY COLLEGE DISTRICT**

**Resolution in the Matter of Specifying Criteria to Guide the Realignment of  
Trustee Areas for West Hills Community College District Board Members**

WHEREAS, the West Hills 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[.]” California Education Code Section 72036(a); see also Education Code Section 5030(b); and

WHEREAS, Education Code Section 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, on September 28, 2021, the Board of Trustees received a presentation from the District’s retained special voting rights counsel and demographer regarding the legal and policy criteria governing redistricting; and

WHEREAS, on 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 September 20, 2021, the California Statewide Database released a prisoner-adjusted version of the Census Bureau’s data, as required by state law, which have been designated by the Department of Finance as the “validated” data for purposes of community college district redistricting under Education Code Section 5019.5; and

WHEREAS, on October 26, 2021, the District’s retained demographer, Lapkoff & Gobalet Demographic Research, Inc., provided the Board of Trustees and the public with certain demographic information regarding the current trustee areas, based on the adjusted, “validated” 2020 Census data; and

WHEREAS, the Census data indicate that the current trustee areas have a “total deviation” as defined under federal law of 17.2%; and

WHEREAS, a map with a total deviation exceeding 10% is presumptively in excess of the range permitted by the equal protection clause, meaning that the District will have to adjust the trustee area boundaries to bring them back into substantial equality of population; and

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

WHEREAS, the Board of Trustees now wishes to adopt criteria to guide 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.

NOW, THEREFORE, the District hereby finds, determines, declares and resolves 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 Districting Criteria. The Board of Trustees hereby adopts the criteria identified in Exhibit A to this Resolution as criteria to guide the realignment of trustee areas for the 2022 governing board elections in the District and thereafter until realignment is again required pursuant to Education Code Section 5019.5.

Section 3. Direction to Administration, Demographer, and Special Counsel. The Chancellor or designee is hereby authorized and directed to work with the District's experienced redistricting/demographic consulting firm and instruct the professional demographer to formulate one or more trustee area plan scenarios based upon the criteria specified in Exhibit A for review by the public at public hearings and for consideration by the Board of Trustees at a future meeting in accordance with the timeline adopted by the Board of Trustees. The Chancellor shall consult with legal counsel to resolve any legal issues necessary to give effect to this Resolution.

Section 4. Delegation of Authority. That the District's Governing Board hereby approves the delegation of authority and appoints its Chancellor or Chancellor's designee, who is hereby authorized and directed, pursuant to a vote of the Governing Board, to take all necessary steps to carry out the intent of this Resolution.

Section 5. Effective Date. This Resolution shall be effective as of date of the adoption of this Resolution until otherwise rescinded by the Governing Board.

APPROVED, PASSED AND ADOPTED by the Governing Board of the West Hills Community College District this 26<sup>th</sup> day of October, 2021, by the following vote:

Board Member Cantu:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Board Member Jackson:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Board Member Levinson:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" type="checkbox"/> Absent
Board Member Maldonado:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Board Member McKean:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Board Member Oxborrow:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Board Member Raygoza:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent

Dated: 10/26/2021

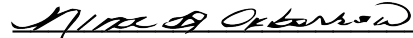
  
Mark McKean  
President of the Board of Trustees

**CERTIFICATION**

STATE OF CALIFORNIA )  
COUNTY OF FRESNO )

I, Nina Oxborrow, hereby certify that this resolution is a true and correct copy of a resolution adopted on the 26<sup>th</sup> day of October, 2021 at a regular meeting of the Board of Trustees of the West Hills Community College District, and that such resolution appears in the official minutes of the governing board under that date.

Dated: 10/26/2021

  
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Nina Oxborrow  
Clerk of the Board of Trustees

## EXHIBIT A

### Specification of Criteria to Guide the Realignment of Trustee Areas

1. The boundaries of the trustee areas shall be established so that the trustee areas are equal in population as defined by law.
2. 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.
3. The boundaries of the trustee areas shall be established 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.
4. The boundaries of the trustee areas shall observe and respect communities of interest, including: rural or urban populations; social interests; agricultural, industrial or service industry interests; and the like, insofar as practicable.
5. The boundaries of the trustee areas shall be compact, insofar as practicable.
6. The boundaries of the trustee areas shall be created to contain cohesive, geographically contiguous territory, insofar as practicable.
7. 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, major roadways and canals, etc., as natural divisions between districts, insofar as practicable.
8. Unless otherwise required by law, the trustee areas shall be created using whole census blocks.
9. 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.