

**Special Meeting of the  
Ventura County Committee on School District Organization  
Public Hearing to Change Oxnard School District Election System to a By-Trustee Area  
Minutes  
June 29, 2015**

**Oxnard School District Office  
1051 South "A" Street, Oxnard, CA 93030**

**1. Call to Order and Pledge of Allegiance**

The meeting of the Ventura County Committee on School District Organization of the Oxnard School District to change its Election System to By-Trustee Area was called to order by Misty Key, Secretary to the Ventura County Committee on School District Organization, at 5:07 p.m. at the Oxnard School District, 1051 South A Street, Oxnard, California.

At the request of Misty Key everyone was called to rise for the pledge of allegiance. Ms. Key led the group in the Pledge of Allegiance.

**2. Introduction of County Committee Members**

The following members of the Ventura County Committee on School District Organization were in attendance:

*Leo Molitor, representing Supervisorial District # 1  
Mindee J. Stekinger, representing Supervisorial District # 1  
Patricia Phelps, representing Supervisorial District # 2  
Barbara Wagner, representing Supervisorial District # 3  
Steve Sullivan, representing Supervisorial District # 3  
Greg Barker, representing Supervisorial District # 4 (Arrived at 5:11 p.m.)  
Rob Collins, representing Supervisorial District # 4  
Barbara Vollmert, representing Supervisorial District # 5  
Richard Duarte, representing Supervisorial District # 5 (Arrived at 5:39 p.m.)  
Doylenne Johnson, Member-at-large*

Also in attendance:

*Misty Key, Secretary to the VCCSDO; and Associate Superintendent,  
Fiscal and Administrative Services, Ventura County Office of Education  
Dr. Morales, Superintendent, Oxnard School District  
Veronica Robles-Solis, President, Oxnard School District Board of Trustees  
Nitasha Sawhney, Oxnard School District Council  
Larry Ferchaw, Dolinka Group  
Alicia Freeman, Administrative Assistant  
Cathy Samuel, Administrative Assistant to Misty Key*

### **3. Election of Officers**

Misty Key stated the first order of business was to elect the officers of the County Committee. The County Committee has not held an election or a meeting since the current members of the County Committee were elected in November 2014.

Ms. Key asked if there were any nominations or volunteers to serve as the Chair of the County Committee. Barbara Vollmert made a motion to nominate Doyleenne Johnson as Chair. The motion was seconded by Leo Molitor. Ms. Key asked if there were any other nominations. Leo Molitor made a motion to close the nominations. Steve Sullivan seconded the motion. Vote for Doyleenne Johnson to be Chair was unanimous 8 - 0.

Misty Key suggested the County Committee vote for Vice Chair of the County Committee. A motion was made by Rob Collins to nominate Patricia Phelps. Motion was seconded by Doyleenne Johnson. Newly elected Chair assumes leadership of the meeting. Chairperson Johnson asked if there were any further nominations. Vote for Patricia Phelps to be Vice Chair of the County Committee was unanimous 8 - 0.

Greg Barker arrived at 5:11 p.m.

### **4. Comments by Interested Members of the Public Who Choose to Address the County Committee**

Chairperson Johnson asked if there were any interested members of the public who choose to address the County Committee with no response.

### **5. Presentation by Mr. Larry Ferchaw, Dolinka Group**

Dr. Cesar Morales, Superintendent, Oxnard School District introduced Veronica Robles-Solis, President, Oxnard School District, Board of Trustee, Nitasha Sawhney, District Counsel and Larry Ferchaw, Dolinka Group.

Larry Ferchaw provided a Power Point presentation and handout regarding the Dolinka Group's facilitation of the Oxnard School District's process of transitioning from an at-large to a by-trustee area method of election and why the Oxnard School District is pursuing this change. The California Voting Rights Act (CVRA) states that an at-large election method is in violation of the California Voting Rights Act to the extent that racially polarized voting occurs within those elections that prohibits or prevents members of a protected class from influencing the outcome of the election. If it can be shown that an election method produced racially polarized voting than that would be in violation of the California Voting Rights Act. The public agency would then be mandated to switch by the courts from an at-large election method to a by-trustee area election method. Racially polarized voting means there are two different choices among different groups within an area. A by-trustee area method of election is the only method immune from challenge under the California Voting Rights Act. The Oxnard School District has made a decision to move to a by-trustee area method of election to avoid any potential liability under the California Voting Rights Act.

This process with the Oxnard School District started two years ago. Mr. Ferchaw summarized the districts process a little over a year ago:

- April 16, 2014, Regular Board meeting: the Board decides to appoint a demographer to analyze election history of the school district and identify any potential liability under the California Voting Rights Act.

- January 21, 2015, Regular Board meeting: the Board receives presentation on demographics of the school district and an analysis of election history.
- February 4, 2015, Regular Board meeting: the Board initiates transition to by-area method of election, engages Dolinka Group to draw trustee areas and expresses intent to seek waiver of election requirement from the State Board of Education.

#### Considerations in Trustee Areas:

- Each area shall contain a nearly equal number of inhabitants
- Drawn to comply with the Federal Voting Rights Act
- Compact and contiguous, as much as possible
- Respect communities of interest, as much as possible
- Follow man-made and natural geographic features, as much as possible
- Respect incumbency where possible
- Other local considerations (i.e., attendance boundaries)

Mr. Ferchaw provided three possible demographic scenarios, Scenario A, Scenario B and Scenario C.

#### Trustee Area Process:

- February 4, 2015, Board initiates drawing of Trustee Areas.
- February 5-27, 2015, develop initial Trustee Area scenarios.
- March 19, 2015 – April 14, 2015, request feedback on General Waiver Request from bargaining units, school site committees, and school site councils.
- April 15, 2015, Board meeting: Set Public Hearing on waiver request; public presentation of scenarios.
- Week of April 27, 2015, conduct public meetings on Trustee Area scenarios.
- May 6, 2015 Board meeting: Public Hearing on Waiver Request and consider approval of General Waiver Request; Public Hearing on Trustee Area map scenarios.
- May 20, 2015, Board meeting: Public Hearing on Trustee Area map scenarios.
- June 3, 2015, Board meeting: Public Hearing on Trustee Area map scenarios, consider approval of Trustee Area map and change in election method.
  - June 3, 2015, Board passes Resolution to:
    - Request the Ventura County Committee on School District Organization to approve a change in election method from at-large to by-area (5-0 Vote).
    - Request the Ventura County Committee on School District Organization establish voting areas based on the plan approved by the Board – Scenario A (3-2 Vote).
    - Designate that Areas 1 and 4 shall be elected in 2016 and Areas 2, 3 and 5 will be elected in 2018 (4-1 Vote).
- June 2015, submit General Waiver request for approval by the State Board of Education.
- June 29, 2015, County Committee on School District Organization holds a public hearing within boundaries of school district and considers approval of change in election method and trustee area map.
- September 2015, State Board of Education meeting; waiver application consideration if approved by Oxnard School District Board of Trustees.
- October 2015, send final Trustee Area map to the County Registrar of Voters.
- November 8, 2016, First election held utilizing Trustee Areas.

Richard Duarte arrived at 5:39 p.m.

6. **Opening of Public Hearing on Oxnard School District's Change in Election System**

Chairperson Johnson opened the public hearing on Oxnard School District's change in Election system at 5:51 p.m. Chairperson Johnson asked if the public wished to make a statement. None occurred.

7. **Closing of Public Hearing**

Chairperson Johnson closed the public hearing on Oxnard School District's change in Election system at 5:52 p.m.

8. **Discussion and Possible Action by the County Committee to Grant or Deny District Resolution 14-47 (Exhibit A) to change its Election System to By-Trustee Area, beginning with 2016 Elections. Approval of the Districts change in election system would occur with the County Committee Resolution 15-01 (Exhibit B).**

Chairperson Johnson appointed Misty Key to take a roll call vote to approve the districts election system change. A motion was made by Steve Sullivan to approve the change to a by-trustee area election method beginning with the November 2016 elections. Motion was seconded by Patricia Phelps. Roll call vote was 9 Ayes, 1 abstention and 1 absent member.

Chairperson Johnson reported the County Committee approved the districts change in election system.

Motion was made by Barbara Wagner to approve County Committee Resolution 15-01. Motion was seconded by Richard Duarte. Roll call vote to approve the County Committee Resolution 15-01 was 9 Ayes, 1 abstention and 1 absent member.

Chairperson Johnson reported the County Committee Resolution 15-01 passed.

9. **Adjournment**

Chairperson Johnson adjourned the meeting at 5:58 p.m.

Respectfully Submitted,

By:  \_\_\_\_\_  
Misty Key

Secretary to the County Committee on School District Organization

**RESOLUTION OF THE VENTURA COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION APPROVING THE ESTABLISHMENT OF TRUSTEE AREAS AND CHANGING THE METHOD OF ELECTION TO A BY-TRUSTEE AREA ELECTION PROCESS IN THE OXNARD SCHOOL DISTRICT**

**RESOLUTION NUMBER 15-01**

**WHEREAS**, a proposal to establish trustee areas and change the method of election to a by-trustee area election process was presented to the Ventura County Committee on School District Organization ("County Committee") by the Board of Education ("Board") of the Oxnard School District; and

**WHEREAS**, the Board of the Oxnard School District has adopted a resolution declaring its intent to seek a waiver of the election requirements from the State Board of Education; and

**WHEREAS**, Education Code section 5019(c)(1) provides that a proposal to establish trustee areas may be initiated by resolution of the governing board of a district; and

**WHEREAS**, Education Code section 5019(c)(2) further provides that when a proposal is made by a governing board of a district to establish trustee areas, the county committee on school district organization shall call and conduct at least one hearing in the district on the matter; and

**WHEREAS**, Education Code section 5030 provides that whenever trustee areas are established in a district, provisions shall be made for one of the alternative methods of electing governing board members; and

**WHEREAS**, Education Code section 5020 provides that a resolution of a county committee on school district organization approving a proposal to establish trustee areas, and to adopt one of the alternative methods of electing governing board members specified in Education Code section 5030, shall constitute an order of election which shall be presented to the electors of the district not later than the next succeeding election for members of the governing board; and

**WHEREAS**, the County Committee met on June 29, 2015, to consider the proposal to establish trustee areas and change the method of election to a by-trustee area election process in the Oxnard School District; and

**WHEREAS**, the County Committee meeting on June 29, 2015, took place within the boundaries of the Oxnard School District, and the meeting included a public hearing in accordance with Education Code section 5019(c); and

**WHEREAS**, by Resolution Number 14-47, the Board of the Oxnard School District determined that an at-large method of election could be subject to legal challenge under the California Voting Rights Act of 2001 and adopted a by-trustee area electoral system for consideration by the County Committee; and

**WHEREAS**, by Resolution Number 14-26, the Board of the Oxnard School District declared its intent to request that the State Board of Education waive the election requirements of Education Code section 5020 and 5030 in order to ensure the timely adoption of trustee areas and the district's transition from its current at-large electoral process; and

**WHEREAS**, having consideration the proposal of the Board of the Oxnard School District to establish trustee areas and change the method of election to a by-trustee area election process as set forth in its Resolution Number 14-47, as well as public comments, the County Committee recommends approval of the proposal of the Board of the Oxnard School District;

**NOW, THEREFORE, BE IT RESOLVED** that the County Committee hereby finds the foregoing recitals to be true and correct; and

**BE IT FURTHER RESOLVED** the County Committee hereby establishes trustee election areas within the Oxnard School District as set forth in the district's Resolution Number 14-47 attached hereto as Exhibit A; and

**BE IT FURTHER RESOLVED** the County Committee hereby adopts, as the method of election governing board members to the Board of Education of the Oxnard School District, that method of election specified in Education Code section 5030(b), which provides one or more members residing in each trustee area be elected by the registered voters of that particular trustee area; and

**BE IT FURTHER AND FINALLY RESOLVED** that this action of the County Committee establishing trustee election areas and adopting one of the alternative methods of electing governing board members specified in Education Code section 5030 shall not be deemed to constitute an order of election if the State Board of Education grants the district's waiver and if such waiver is granted, trustee area elections shall be commenced effective the next succeeding Board member election in November 2016.

**AYES:** Mindee Stekkinger, Patricia Phelps, Barbara Wagner, Steve Sullivan, Greg Barker, Rob Collins, Barbara Vollmert, Richard Duarte, and Doyleenne Johnson

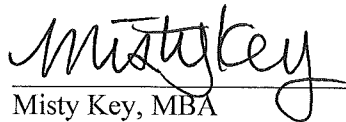
**ABSTAIN:** Leo Molitor

**NOES:** None

**ABSENT:** Jan Iceland

I, Misty Key, Secretary to the Ventura County Committee on School District Organization, hereby certify, in the County of Ventura, State of California, that the above and foregoing Resolution was duly and regularly adopted by said County Committee at a special meeting thereof held on the 29<sup>th</sup> day of June, 2015, and passed by a vote of 9 ayes with 1 abstention of said Committee Members present.

IN WITNESS WHEREOF, I have hereunto set my hand this 29<sup>th</sup> day of June, 2015



Misty Key, MBA  
Secretary to the Ventura County Committee  
on School District Organization

**RESOLUTION NO. 14-47****RESOLUTION OF THE GOVERNING BOARD OF  
OXNARD SCHOOL DISTRICT**

A RESOLUTION APPROVING AND ADOPTING A FINAL TRUSTEE AREA PLAN FOR THE DISTRICT'S TRANSITION TO A BY-TRUSTEE AREA ELECTION SYSTEM; A PLAN OF ELECTION FROM THOSE AREAS; AND RECOMMENDING THAT THE VENTURA COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION APPROVE THE DISTRICT'S ESTABLISHMENT OF A BY-TRUSTEE AREA ELECTION SYSTEM AND ADOPTED TRUSTEE VOTING AREA PLAN

A. On February 4, 2015, the Governing Board ("Board") for the Oxnard School District ("District") passed Resolution No. 14-26 initiating the process for the District to transition from an "at-large" election system to a "by-trustee area" election system commencing with the 2016 Governing Board elections.

B. In approving Resolution No. 14-26, the Board expressed its concern about potential violations of the California Voting Rights Act (Elections Code § 14025 *et seq.*). The Board believes that a transition to a by-trustee area election system will reduce the District's risk of costly litigation, especially since a successful plaintiff under the California Voting Rights Act ("CVRA") is entitled to reasonable attorneys' fees and experts fees, creating great financial risk to any jurisdiction sued.

C. The District retained the Dolinka Group ("Consultant") to prepare proposed trustee area boundary plans for consideration by the District, Board, and community. The Consultant has extensive experience working with school districts and local jurisdictions regarding electoral demographics, taking into consideration the CVRA, the Federal Voting Rights Act, and related election system choices.

D. All of the proposed trustee area boundary plans prepared by Consultant were drawn with all applicable laws and regulations in mind, including the CVRA and federal election law.

E. The District conducted public forums to consider community input and comment regarding the proposed trustee area boundary plans on April 27, 2015 and April 30, 2014, conducted public hearings at regularly scheduled board meetings on May 6, 2015, May 20, 2015 and June 3, 2015, and made plans available for public review and comment on the District's website from April 15, 2015 until final adoption on June 3, 2015.

F. With thoughtful consideration of all public input received on the draft trustee area plans and applicable state and federal legal criteria, the Board desires to adopt the trustee area plan and demographic information described as the "Scenario A" (attached hereto as Exhibit "A") as the final trustee area plan establishing the boundaries for the new trustee areas, and to request timely approval from the Ventura County Committee on School District Organization ("County Committee") of the trustee area plan and the District's transition to a by-trustee area election system commencing with the 2016 Governing Board election.

G. The County Committee has indicated that it will consider the District's establishment of



trustee areas upon the District's request.

H. In order to complete the transition to by-trustee area elections in a timely and cost effective manner, and to ensure that the new by-trustee area process will be in place in time to elect new governing board members at the Board's next regularly scheduled election, the District is seeking a waiver of certain portions of the Education Code from the State Board of Education. The District's request for waiver will be submitted to the State Board of Education for approval at the September 2016 meeting.

**NOW, THEREFORE**, the Governing Board of Oxnard School District does hereby resolve, order and determine as follows:

1. The above recitals are true and correct.
2. The Board hereby adopts the trustee area plan and demographic information described as the "Scenario A" (attached hereto as Exhibit "A") as the final trustee area map for the District's transition to a by-trustee area election system commencing with the 2016 Governing Board election.
3. That the District will hold by-trustee area elections in trustee area numbers 1 and 4 at its November 2016 election, assuming timely approval by the County Committee.
4. That by this resolution and contingent upon the approval by the County Committee of the District's change to a by-trustee area election system, the Board hereby applies to the County Committee to timely approve the Board's adopted trustee area plan for implementation commencing with the 2016 Governing Board election, or at the earliest possible election, as conditioned upon approval of the Education Code waiver request submitted to the State Board of Education.
5. The Board hereby authorizes and directs District staff to transmit this resolution, the final trustee area plan adopted, and any additional required documentation to the County Committee and to take any other necessary action to effectuate the purposes of this resolution and complete the District's transition to a by-trustee area election system for the 2016 Governing Board elections.
6. The foregoing resolution shall take effect immediately upon its adoption.



Veronica Robles-Solis, President of the Governing Board  
Oxnard School District

ATTEST:



Albert Duff, Sr., Clerk of the Governing Board  
Oxnard School District



This Resolution was considered and voted upon in three (3) parts. A roll-call vote of the Board was considered for each part.

In Part 1 the Board determines if the District would move from At-Large to By-Trustee Area election method.

Ayes: 5

Noes: 0

Absent: 0

If Part 1 was approved, then the Board would consider Parts 2 and 3.

In Part 2 the Board determines which map Scenario (A, B or C) the Board chose to move forward with By-Trustee area elections.

Ayes: 3

Noes: 2

Absent: 0

In Part 3 the Board determined which Trustee Areas would be open in the 2016 and 2018 election.

Ayes: 4

Noes: 1

Absent: 0

I, Albert Duff, Sr., Clerk of the Governing Board of the Oxnard School District, hereby certify that the above and foregoing resolution was duly and regularly adopted by said Board at a regular meeting held on the 3<sup>rd</sup> day of June 2015.

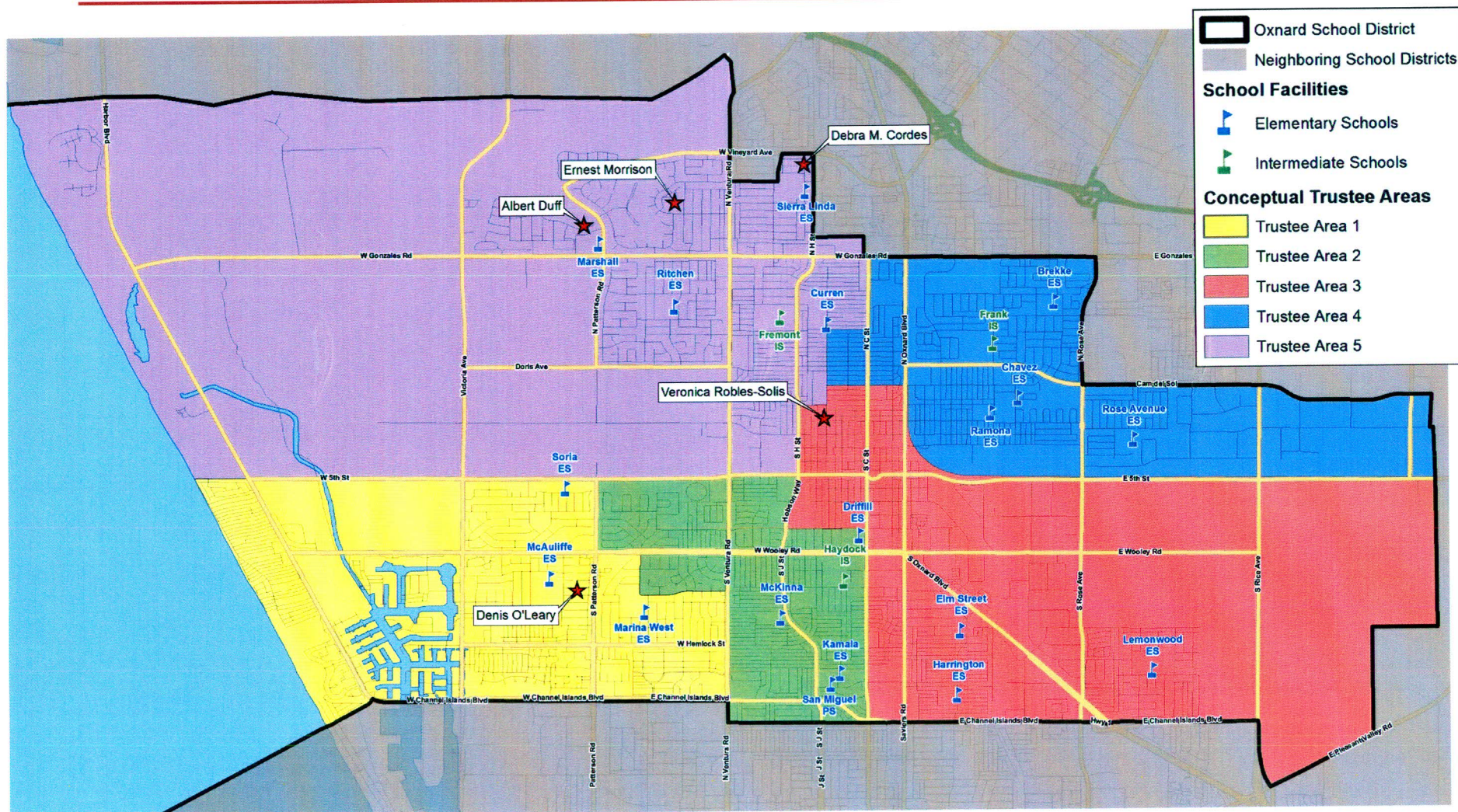
IN WITNESS WHEREOF, I have hereunto set my hand this 3<sup>rd</sup> day of June 2015.

Albert D. Duff Sr.  
Clerk of the Governing Board of the  
Oxnard School District



## Exhibit "A"

# Oxnard School District Trustee Areas – Scenario A - June 3, 2015





## Scenario A – Demographics – Exhibit “A”

### Total Population

	Trustee Area 1	Trustee Area 2	Trustee Area 3	Trustee Area 4	Trustee Area 5
Population	25,424	24,818	25,415	24,851	25,474
Population Variance	228	-378	219	-345	278
	0.90%	-1.50%	0.87%	-1.37%	1.10%
Hispanic/Latino	11,297	21,015	21,849	20,962	16,490
	44.43%	84.68%	85.97%	84.35%	64.73%
White	10,854	2,071	1,766	1,503	5,623
	42.69%	8.34%	6.95%	6.05%	22.07%
Black/African American	939	642	358	402	997
	3.69%	2.59%	1.41%	1.62%	3.91%
American Indian/Alaska Native	65	57	55	37	69
	0.26%	0.23%	0.22%	0.15%	0.27%
Asian	1,507	690	1,113	1,647	1,684
	5.93%	2.78%	4.38%	6.63%	6.61%
Native Hawaiian/Other Pacific Islander	62	53	52	38	86
	0.24%	0.21%	0.20%	0.15%	0.34%
Other	35	15	30	38	30
	0.14%	0.06%	0.12%	0.15%	0.12%
Two or More Races	665	275	192	224	495
	2.62%	1.11%	0.76%	0.90%	1.94%

### Citizens by Voting Age Population Estimate (2008-2012)

	Trustee Area 1	Trustee Area 2	Trustee Area 3	Trustee Area 4	Trustee Area 5
Population	17,425	11,318	9,249	10,524	15,470
Population Variance	4,628	-1,479	-3,548	-2,273	2,673
	36.16%	-11.56%	-27.73%	-17.76%	20.89%
Hispanic/Latino	5,467	8,337	6,984	7,671	7,933
	31.38%	73.66%	75.52%	72.90%	51.28%
White	9,896	1,927	1,473	1,349	5,160
	56.79%	17.03%	15.92%	12.82%	33.35%
Black/African American	719	487	206	331	800
	4.13%	4.30%	2.23%	3.14%	5.17%
American Indian/Alaska Native	50	5	7	2	24
	0.29%	0.05%	0.08%	0.02%	0.15%
Asian	1,002	465	529	1,121	1,351
	5.75%	4.11%	5.72%	10.65%	8.73%
Native Hawaiian/Other Pacific Islander	53	32	21	23	50
	0.30%	0.28%	0.23%	0.22%	0.32%
Other	N/A	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A	N/A
Two or More Races	237	65	28	27	152
	1.36%	0.57%	0.30%	0.25%	0.98%