San José-Evergreen Community College District Resolution to Re-Align Trustee Areas for District Board-Members Following the 2020 Census, Pursuant to Education Code § 5019.5

Resolution No. 012522-1

WHEREAS, members of the Board of Trustees ("Board") of the San José-Evergreen Community College District ("SJECCD" or "District") are currently elected in "by-trustee area" elections, *i.e.,* elections in which "members residing in each trustee area [are] elected by the registered voters of that particular trustee area...," Cal. Educ. Code § 5030(b); and

WHEREAS, California Education Code § 5019.5 requires each community college district using trustee area elections to readjust those trustee boundaries in the year following the release of a new Census, to ensure compliance with constitutional equal population requirements; and

WHEREAS, on July 13, 2021, the Board received an initial presentation from staff regarding the redistricting process; and

WHEREAS, the District thereafter retained experienced legal counsel, Nielsen Merksamer, and an experienced redistricting/demographic consulting firm, Redistricting Partners, to advise it on the process of preparing a trustee area plan; and

WHEREAS, The Census Bureau released the 2020 Census data on August 12, 2021; and

WHEREAS, on August 31, 2021, the Board of Trustees received a presentation from the District's retained special voting rights counsel regarding the legal and policy criteria governing redistricting; and

WHEREAS, on September 14, 2021, following additional presentations by Redistricting Partners and the District's special counsel regarding the demographics of the current trustee areas and a brief recap of the considerations for re-aligning them in accordance with federal and state law, the Board adopted the following principles 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:

1. The new trustee areas should ensure the ability of minority racial and ethnic communities' equal opportunities to elect trustees of their own choosing, in accordance with the Voting Rights Act, thereby producing a diverse board representative of the community it serves;

2. The trustee areas should be as nearly equal in total population as practicable, given consideration of all criteria;

3. To the extent that trustee areas deviate from equality of population, consideration should be given to areas which in the past decade have grown disproportionate to other trustee areas;

4. Changes in trustee area boundaries should be made with the maximum possible community involvement and participation;

5. In determining boundaries of trustee areas, boundaries should follow geographical and topographic features, whenever possible consistent with other criteria; and

6. Trustee areas should have contiguous territory, be functionally cohesive, and honor communities of interest whenever possible, consistent with other criteria; and

WHEREAS, on September 14, 2021, the Board further directed Redistricting Partners to prepare draft redistricting maps in accordance with these principles; and

WHEREAS, on September 21, 2021, the California Statewide Database released supplemental numbers, adjusted to reassign incarcerated prisoners back to their last known place of residence pursuant to state law, and released a corrected version of those data on September 27, 2021; and

WHEREAS, the Department of Finance validated those corrected, adjusted figures as required by Education Code § 5019.5; and

WHEREAS, on October 12, 2021, Redistricting Partners presented three (3) initial draft map options (Draft Maps A, B and C), which were posted on the District's website at https://www.sjeccd.edu/discover-sjeccd/board-of-trustees/redistricting-sjeccd-2021, after which the Board conducted a duly noticed public hearing on the three draft maps along with two public submissions; and

WHEREAS, the Board requested modifications to the proposed draft maps; and

WHEREAS, on November 9, 2021, Redistricting Partners presented three new draft maps in response to the Board's request (Draft Maps D, D2, and E), after which the Board conducted a duly noticed public hearing on the three new draft maps along with additional maps submitted by a member of the public; and

WHEREAS, on November 16, 2021, the Board held an additional public hearing/study at which it considered an additional map from Redistricting Partners (Draft Map D3), and four additional maps submitted by a member of the public; and

WHEREAS, on December 14, 2021, the Board held a duly-noticed public hearing at which the demographer presented another draft map at the Board's request (Draft Map D4), after which the Board requested an additional mapping option and narrowed further consideration to Draft Map D4 and the to-be-prepared additional map; and

WHEREAS, on January 25, 2022, the Board held a final duly-noticed public hearing, at which a final draft plan prepared at the request of the Board was presented (Draft Map D5), and at which the Board received testimony from the public regarding the draft trustee area plans; and

WHEREAS, the Board has considered all public comments on the plans received at the public hearings; and

WHEREAS, the populations in the proposed trustee areas of all Draft Maps D4 and D5 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 Draft Maps D4 and D5 comply with Section 2 of the Voting Rights Act; and

WHEREAS, both 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 is drawn to be compact and to contain cohesive, contiguous territory to the extent possible, and to otherwise conform to the redistricting principles adopted by the Board; and

THEREFORE, BE IT RESOLVED that all of the recitals set forth above are true and correct, and the Board of Trustees so finds and determines; and

BE IT FURTHER RESOLVED that the Board of Trustees prefers the trustee area boundaries in proposed Draft Map D5, attached hereto as Exhibit "A" and incorporated herein by this reference; believes that its adoption would serve the public interest of the District's residents and voters; and by this resolution hereby adopts the trustee area boundaries in that Draft Map 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; and

BE IT FURTHER RESOLVED that the Chancellor and/or his/her designee shall take all actions necessary to notify the Santa Clara County Registrar/Recorder-County Clerk's

Office of the Board's determination forthwith and provide whatever assistance may be required by the Registrar's Office to complete the process; and

BE IT FURTHER RESOLVED that 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 Chancellor and/or his/her 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; and

BE IT FURTHER RESOLVED that the Chancellor shall consult with legal counsel to resolve any legal issues necessary to give effect to this Resolution.

PASSED AND ADOPTED as San José-Evergreen Community College District Resolution No. 012522-1 this twenty-fifth day of January 2022, by the following called vote:

Aye: 7

Nay: 0

Abstain: 0

Absent: 0

Raul Rodriguez (Jan 27, 2022 10:02 PST) Date 01/27/2022

Dr. Raúl Rodgríguez, Interim Chancellor
Board Secretary

Bob Livengood (Jan 28, 2022 10:20 PST) Date 01/28/2022

Mr. Bob Livengood, Trustee
Board President

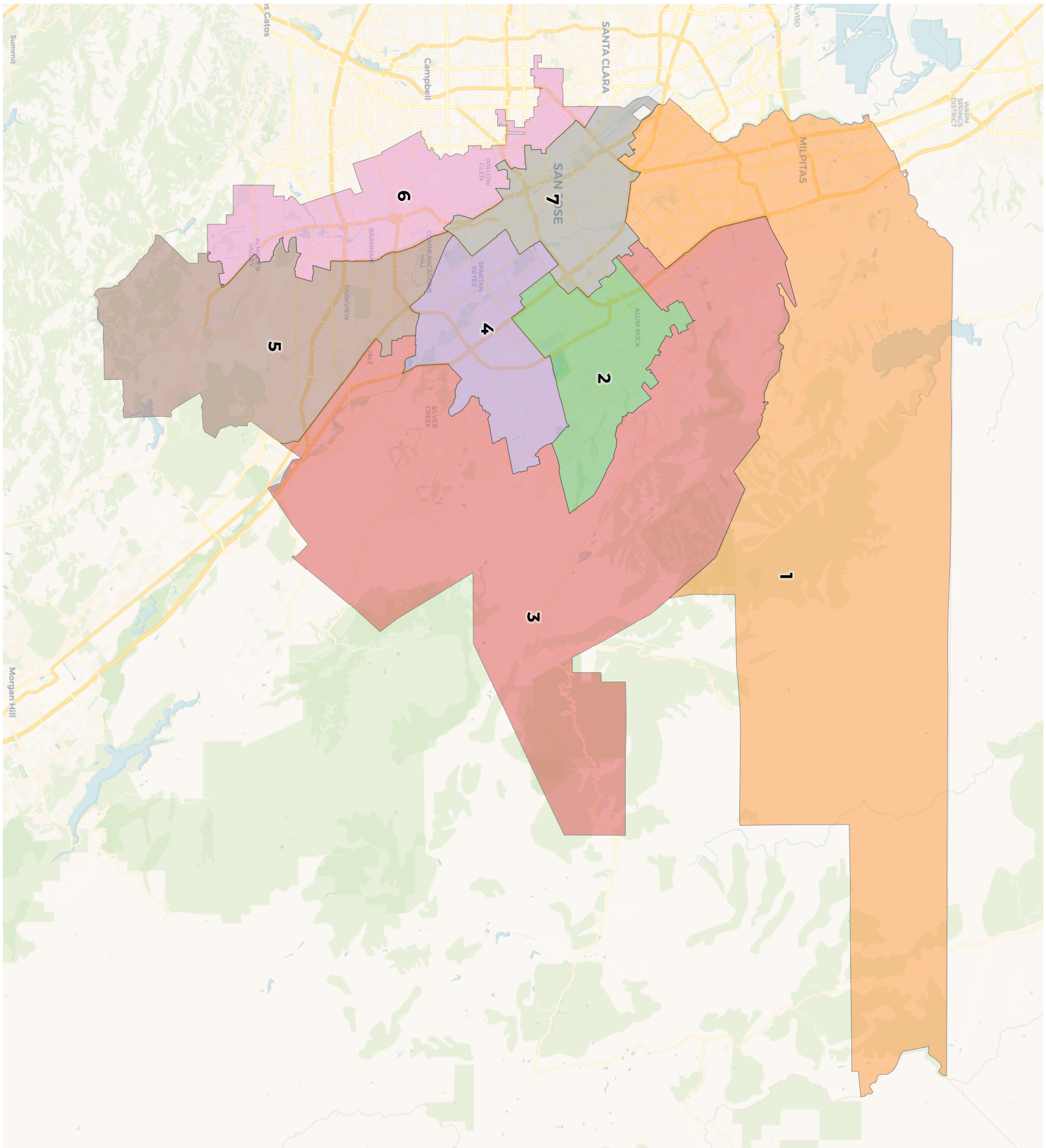
EXHIBIT "A"

TRUSTEE AREA PLAN APPROVED BY THE BOARD OF TRUSTEES OF THE SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT JANUARY 25, 2022

REDISTRICTING PARTNERS

San Jose Evergreen CCD

Draft Plan D5



REDISTRICTING PARTNERS

San Jose Evergreen CCD
Draft Plan D5

2020 Census

	1	2	3	4	5	6	7
Population	130,259	121,484	129,471	128,696	127,913	129,997	122,562
Deviation	3,062	-5,713	2,274	1,499	716	2,800	-4,635
Deviation %	2.4%	-4.5%	1.8%	1.2%	0.6%	2.2%	-3.6%
Other	17,848	10,836	26,000	11,890	46,477	69,577	31,332
Other %	13.7%	8.9%	20.1%	9.2%	36.3%	53.5%	25.6%
Latino	18,567	71,910	30,639	41,431	36,534	30,829	62,848
Latino %	14.3%	59.2%	23.7%	32.2%	28.6%	23.7%	51.3%
Asian	91,000	36,552	69,908	72,674	40,836	25,888	23,376
Asian %	69.9%	30.1%	54.0%	56.5%	31.9%	19.9%	19.1%
Black	2,844	2,186	2,924	2,701	4,066	3,703	5,006
Black %	2.2%	1.8%	2.3%	2.1%	3.2%	2.8%	4.1%

Citizen Voting Age Population (CVAP)

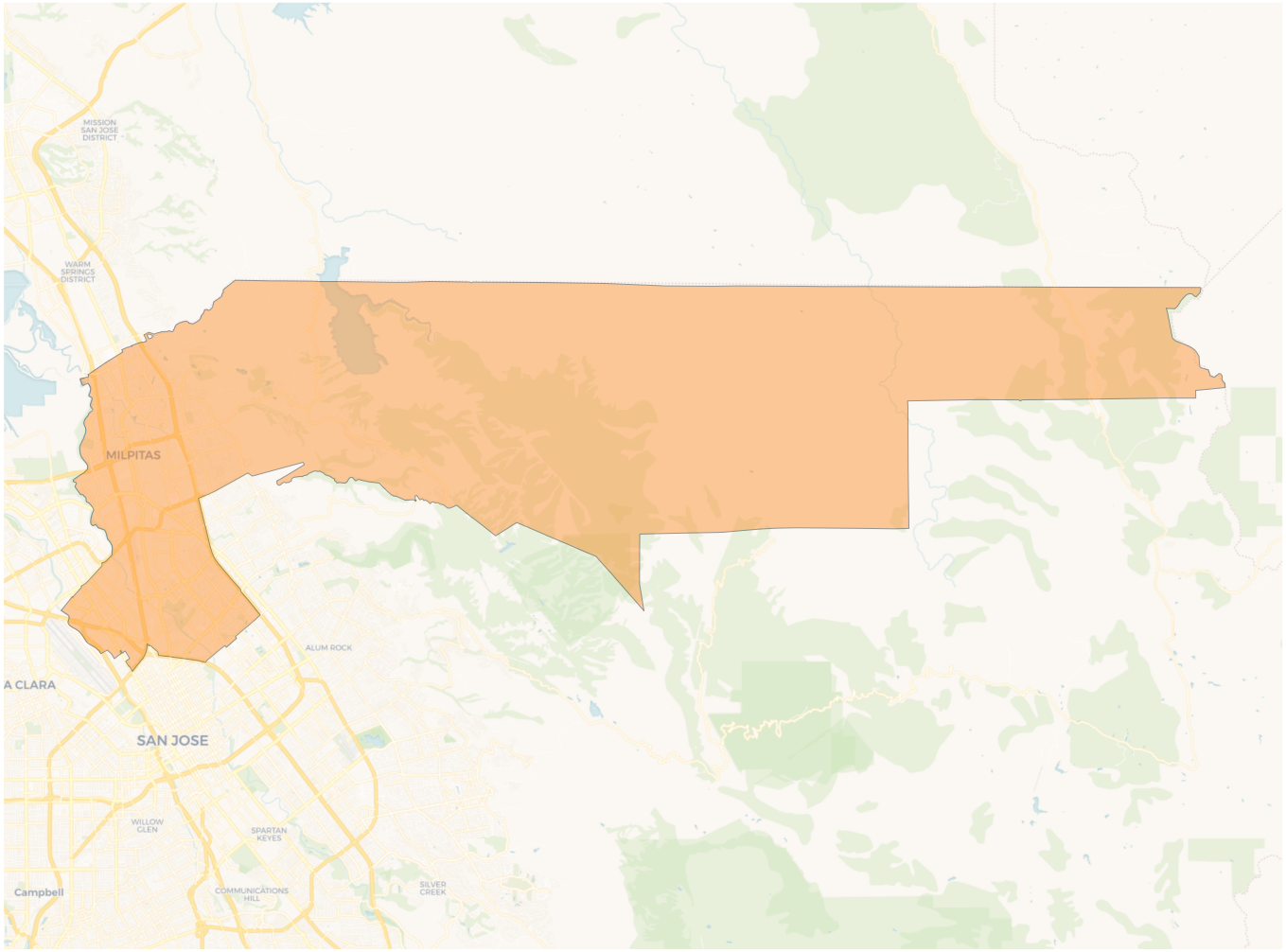
	1	2	3	4	5	6	7
Total CVAP	75,451	70,546	86,887	83,268	83,959	87,507	75,499
Other CVAP	14,298	8,731	23,465	10,145	39,401	55,889	26,225
Other CVAP %	19.0%	12.4%	27.0%	12.2%	46.9%	63.9%	34.7%
Latino CVAP	10,714	35,520	18,584	21,887	19,862	14,692	30,866
Latino CVAP %	14.2%	50.4%	21.4%	26.3%	23.7%	16.8%	40.9%
Asian CVAP	47,813	24,682	42,815	48,926	21,742	14,014	14,338
Asian CVAP %	63.4%	35.0%	49.3%	58.8%	25.9%	16.0%	19.0%
Black CVAP	2,626	1,613	2,023	2,310	2,954	2,912	4,070
Black CVAP %	3.5%	2.3%	2.3%	2.8%	3.5%	3.3%	5.4%

REDISTRICTING PARTNERS

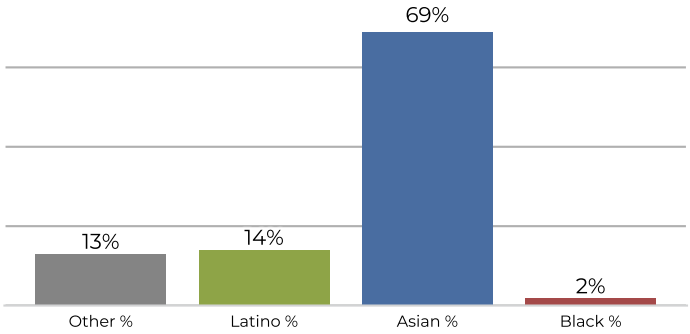
San Jose Evergreen CCD

Draft Plan D5

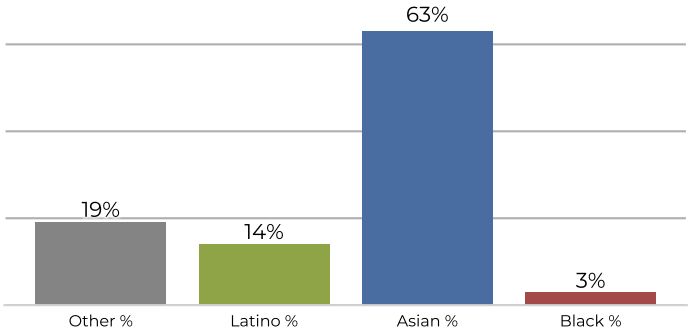
District 1

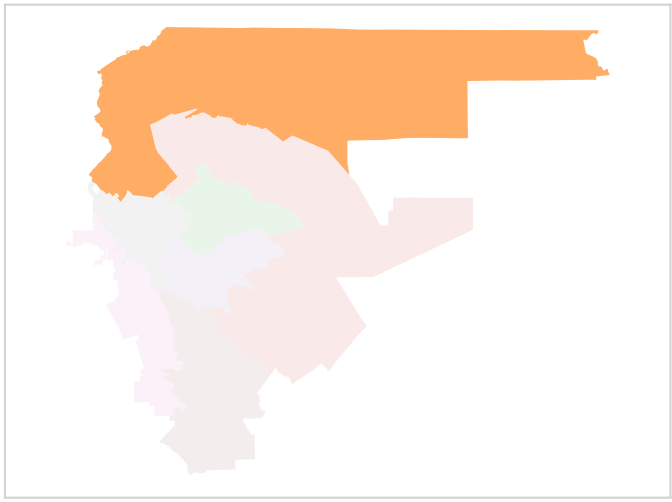


2020 Census



Citizen Voting Age Population





Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
130,259	3,062	2.4%	17,848	13.7%	18,567	14.3%	91,000	69.9%	2,844	2.2%

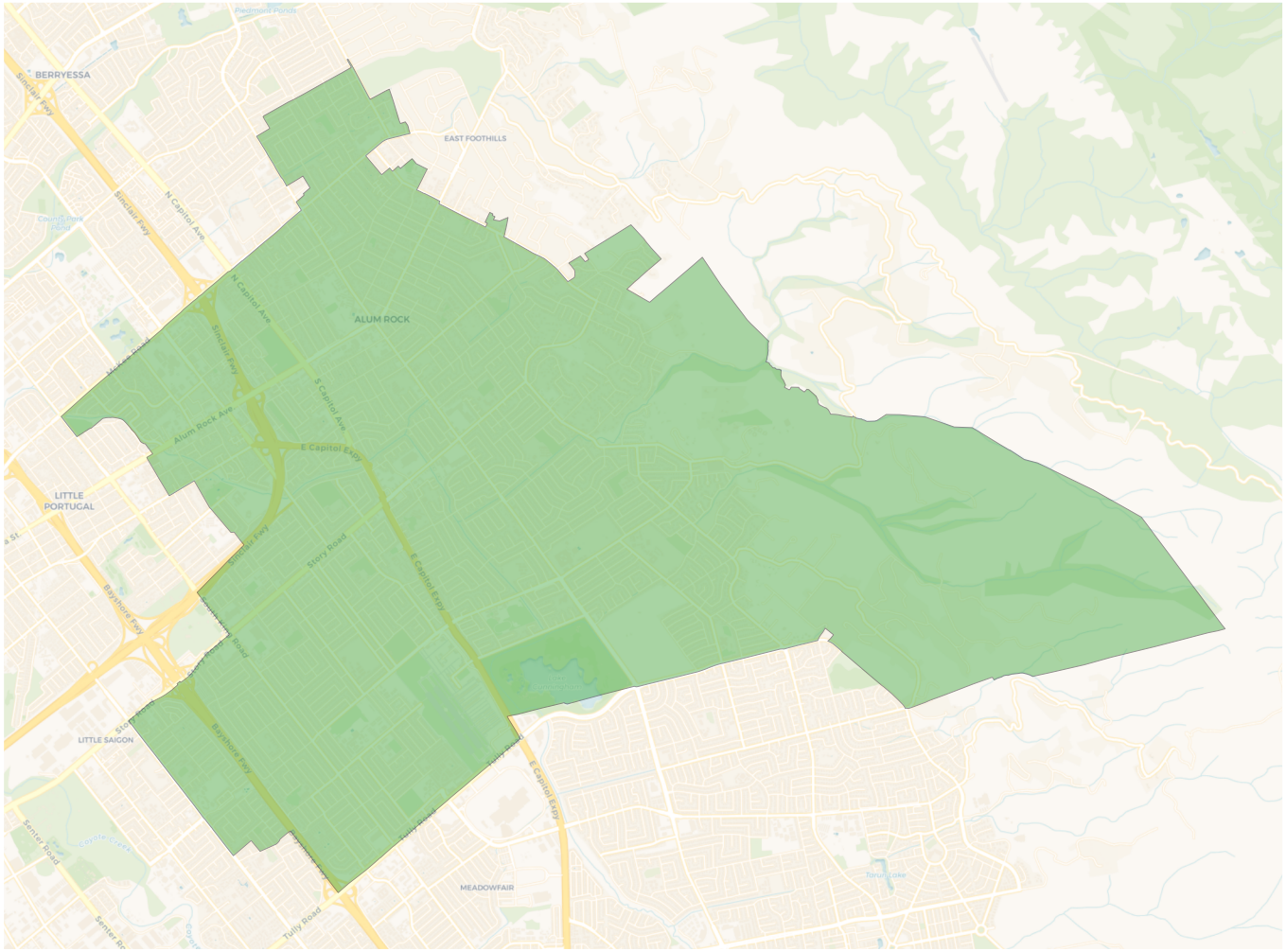
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %
75,451	14,298	19.0%	10,714	14.2%	47,813	63.4%	2,626	3.5%

REDISTRICTING PARTNERS

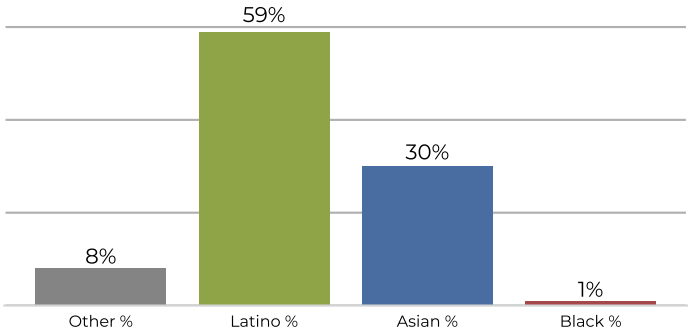
San Jose Evergreen CCD

Draft Plan D5

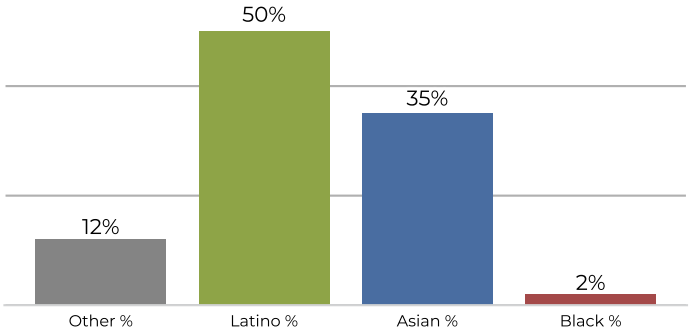
District 2

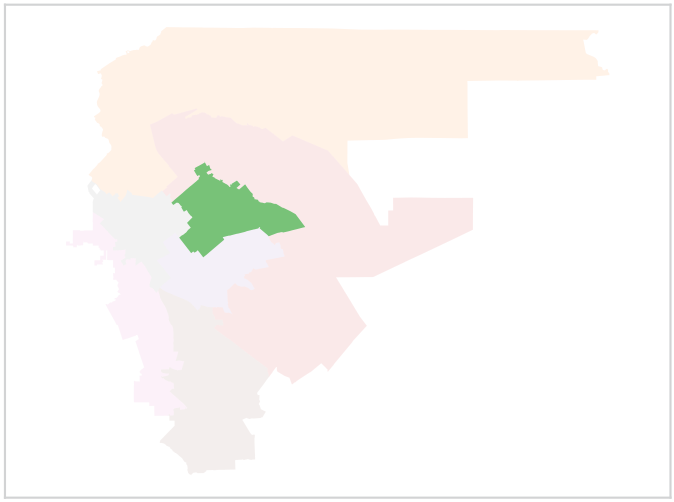


2020 Census



Citizen Voting Age Population





Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
121,484	-5,713	-4.5%	10,836	8.9%	71,910	59.2%	36,552	30.1%	2,186	1.8%

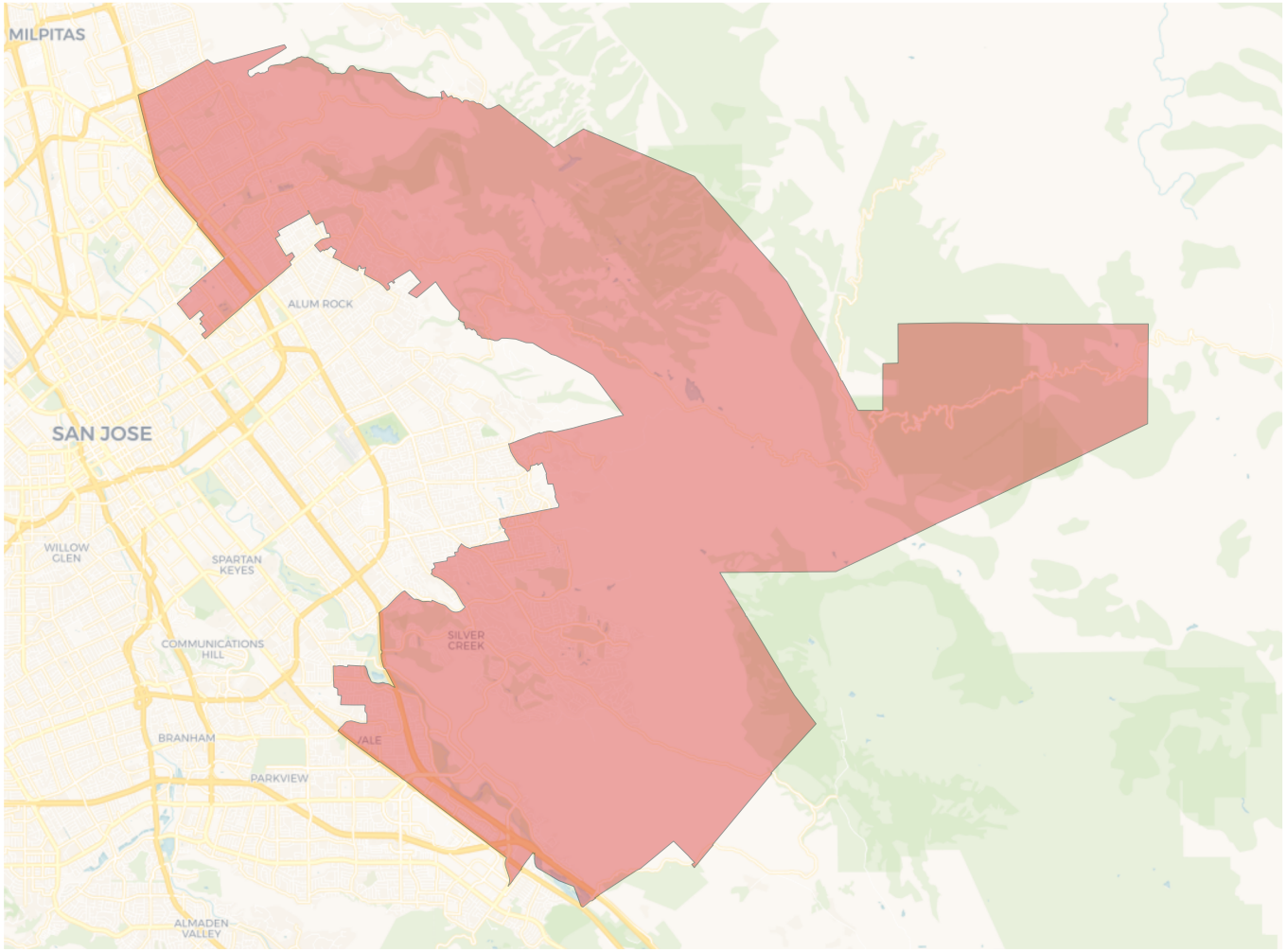
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %
70,546	8,731	12.4%	35,520	50.4%	24,682	35.0%	1,613	2.3%

REDISTRICTING PARTNERS

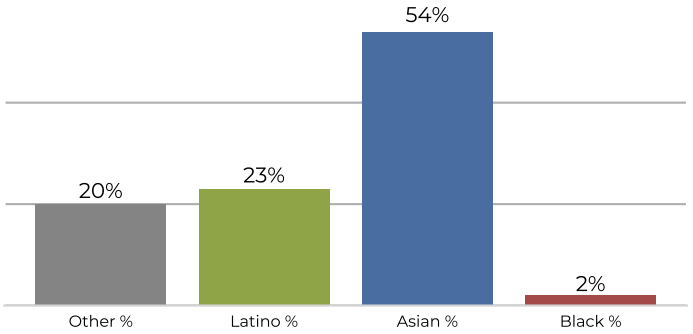
San Jose Evergreen CCD

Draft Plan D5

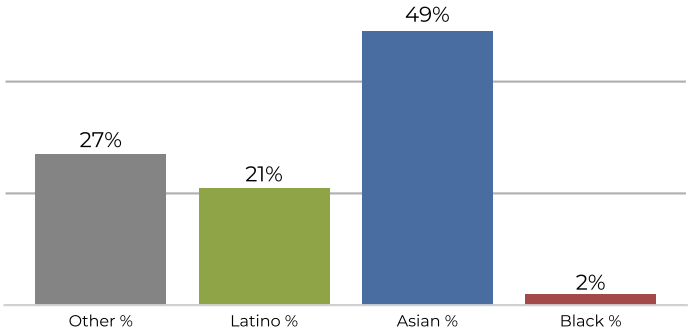
District 3

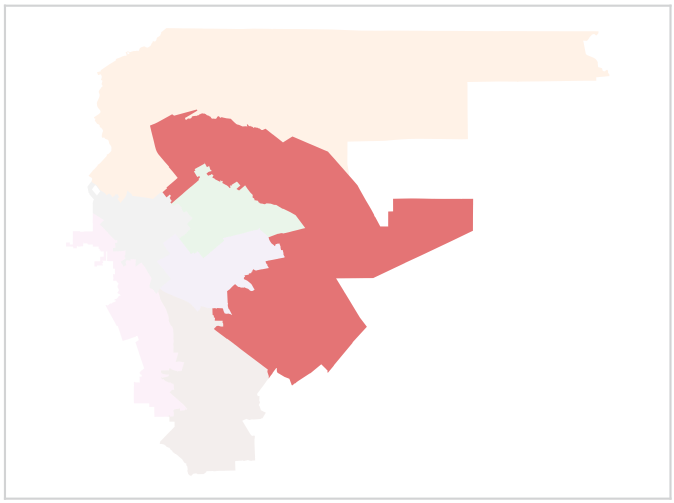


2020 Census



Citizen Voting Age Population





Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
129,471	2,274	1.8%	26,000	20.1%	30,639	23.7%	69,908	54.0%	2,924	2.3%

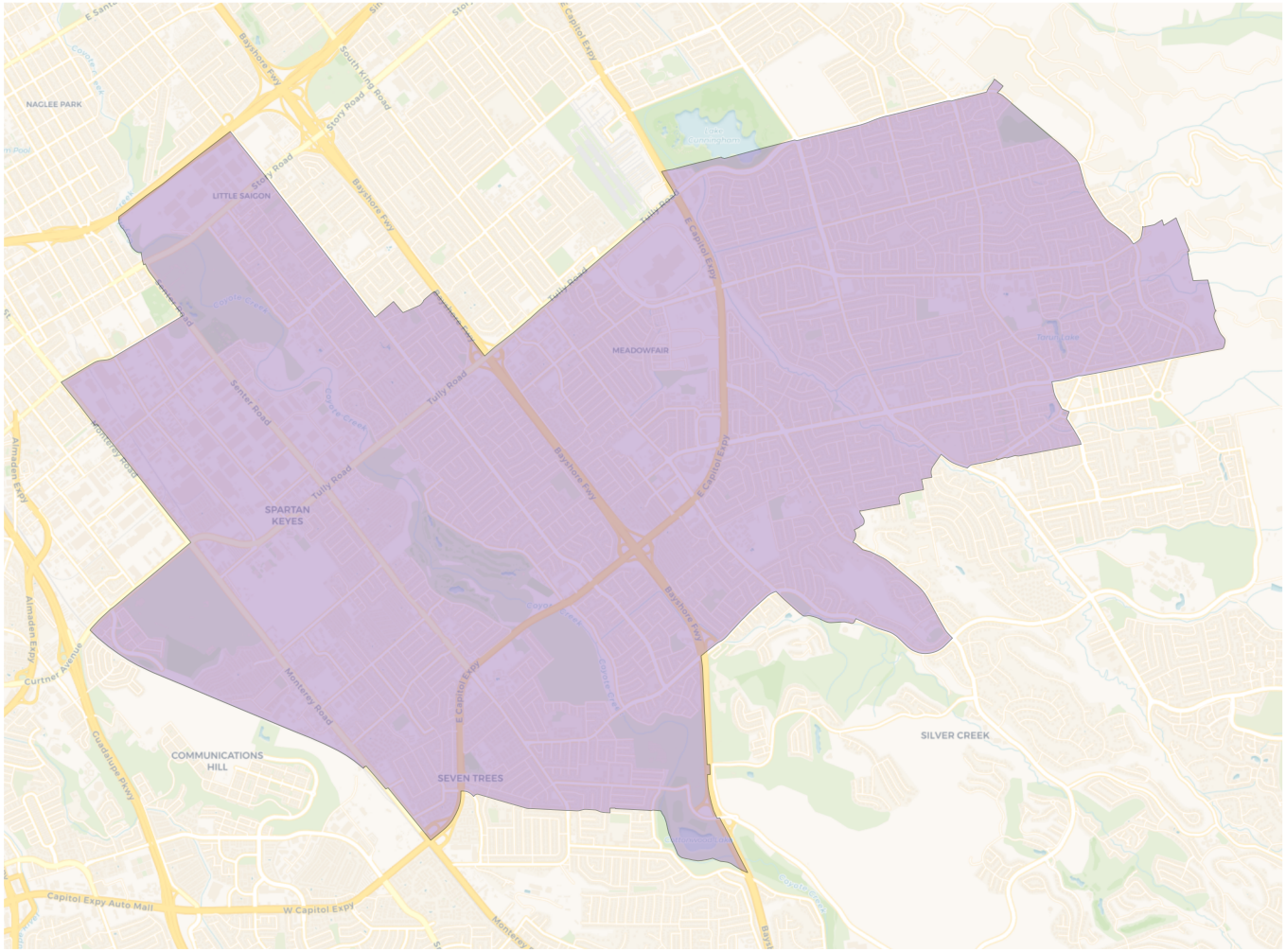
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %
86,887	23,465	27.0%	18,584	21.4%	42,815	49.3%	2,023	2.3%

REDISTRICTING PARTNERS

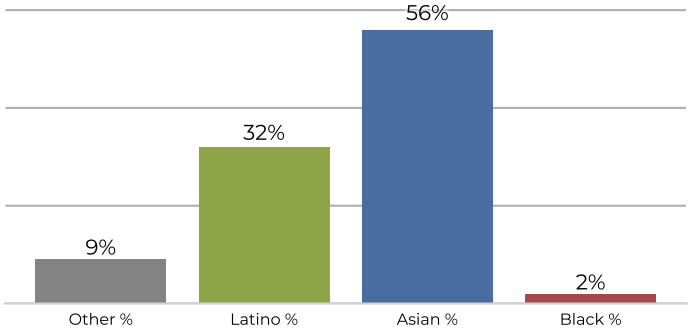
San Jose Evergreen CCD

Draft Plan D5

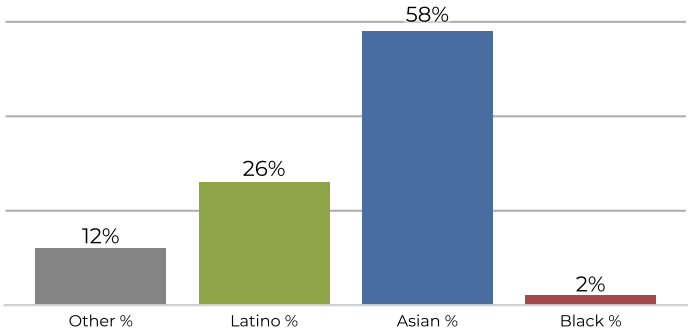
District 4

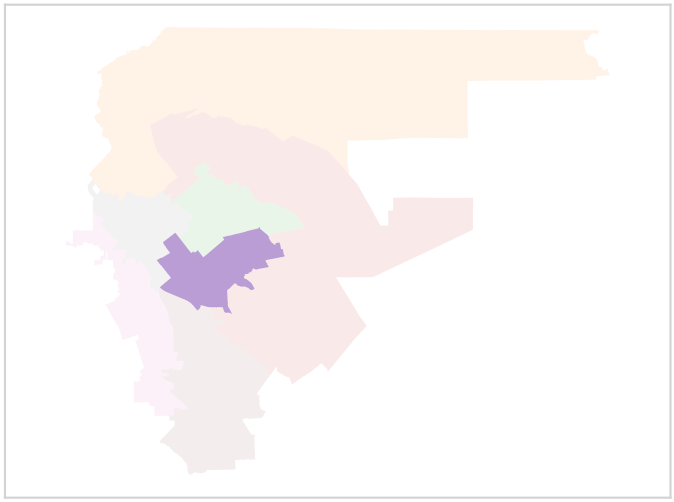


2020 Census



Citizen Voting Age Population





Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
128,696	1,499	1.2%	11,890	9.2%	41,431	32.2%	72,674	56.5%	2,701	2.1%

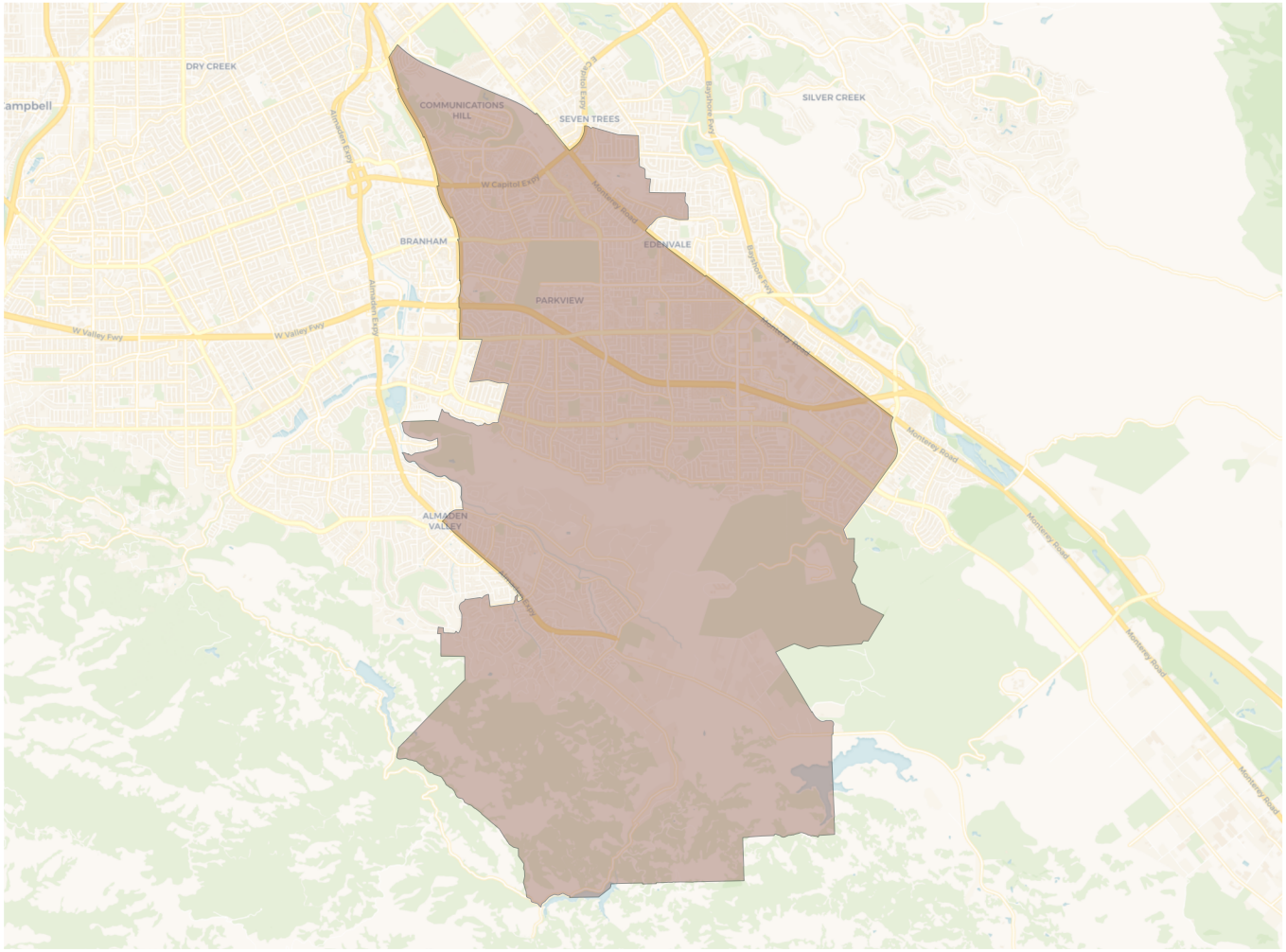
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %
83,268	10,145	12.2%	21,887	26.3%	48,926	58.8%	2,310	2.8%

REDISTRICTING PARTNERS

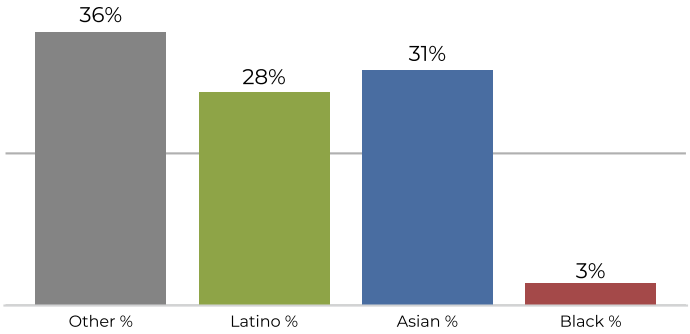
San Jose Evergreen CCD

Draft Plan D5

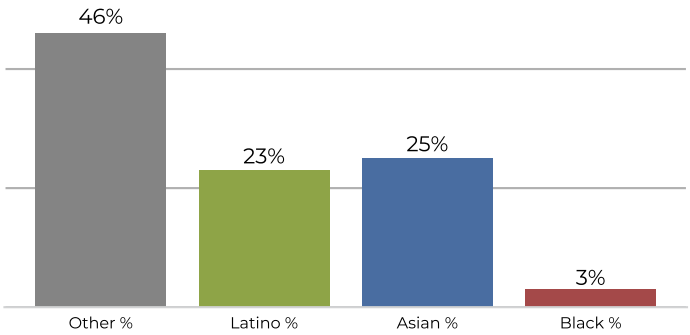
District 5

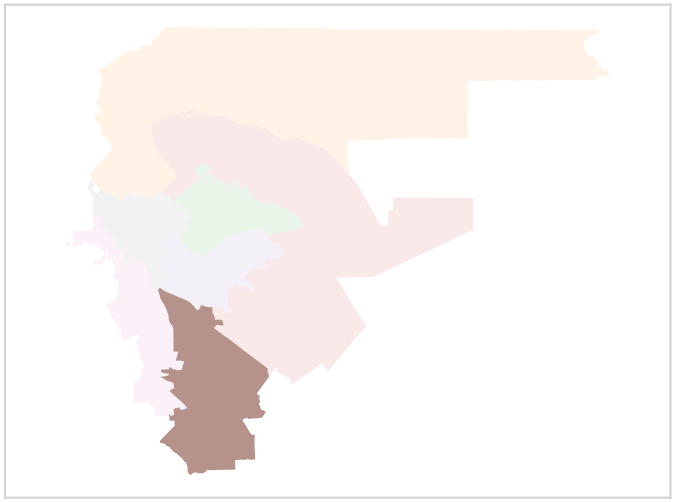


2020 Census



Citizen Voting Age Population





Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
127,913	716	0.6%	46,477	36.3%	36,534	28.6%	40,836	31.9%	4,066	3.2%

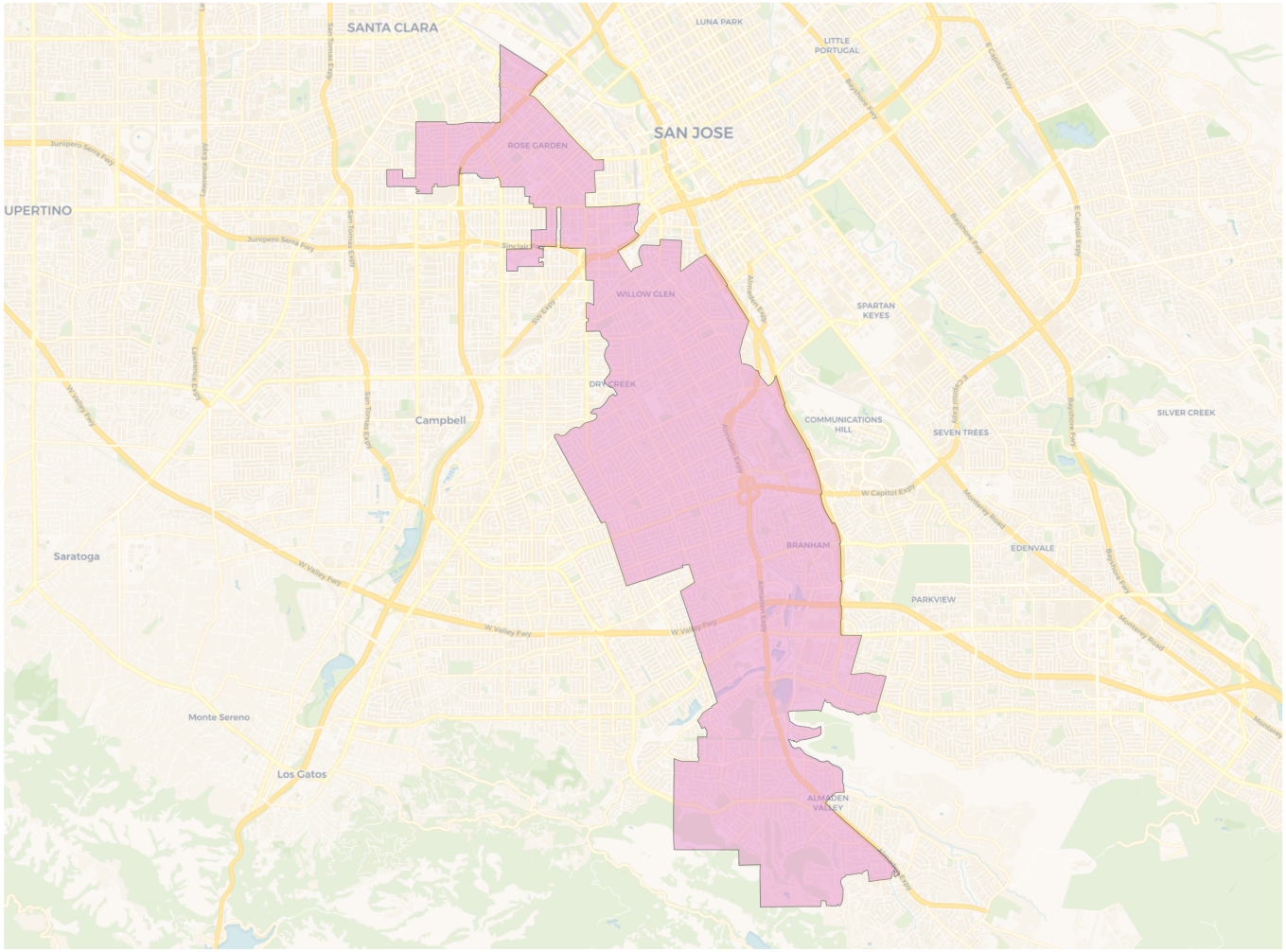
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %
83,959	39,401	46.9%	19,862	23.7%	21,742	25.9%	2,954	3.5%

REDISTRICTING PARTNERS

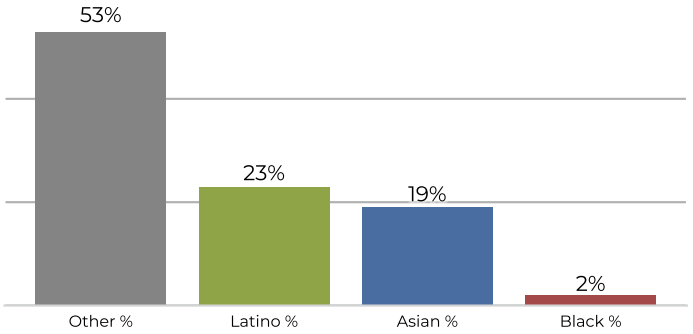
San Jose Evergreen CCD

Draft Plan D5

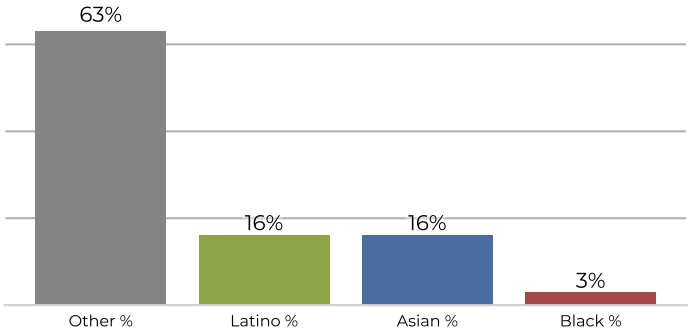
District 6

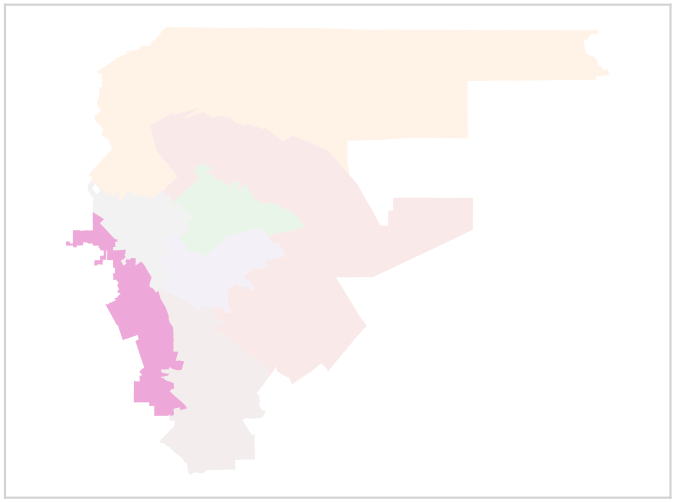


2020 Census



Citizen Voting Age Population





Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
129,997	2,800	2.2%	69,577	53.5%	30,829	23.7%	25,888	19.9%	3,703	2.8%

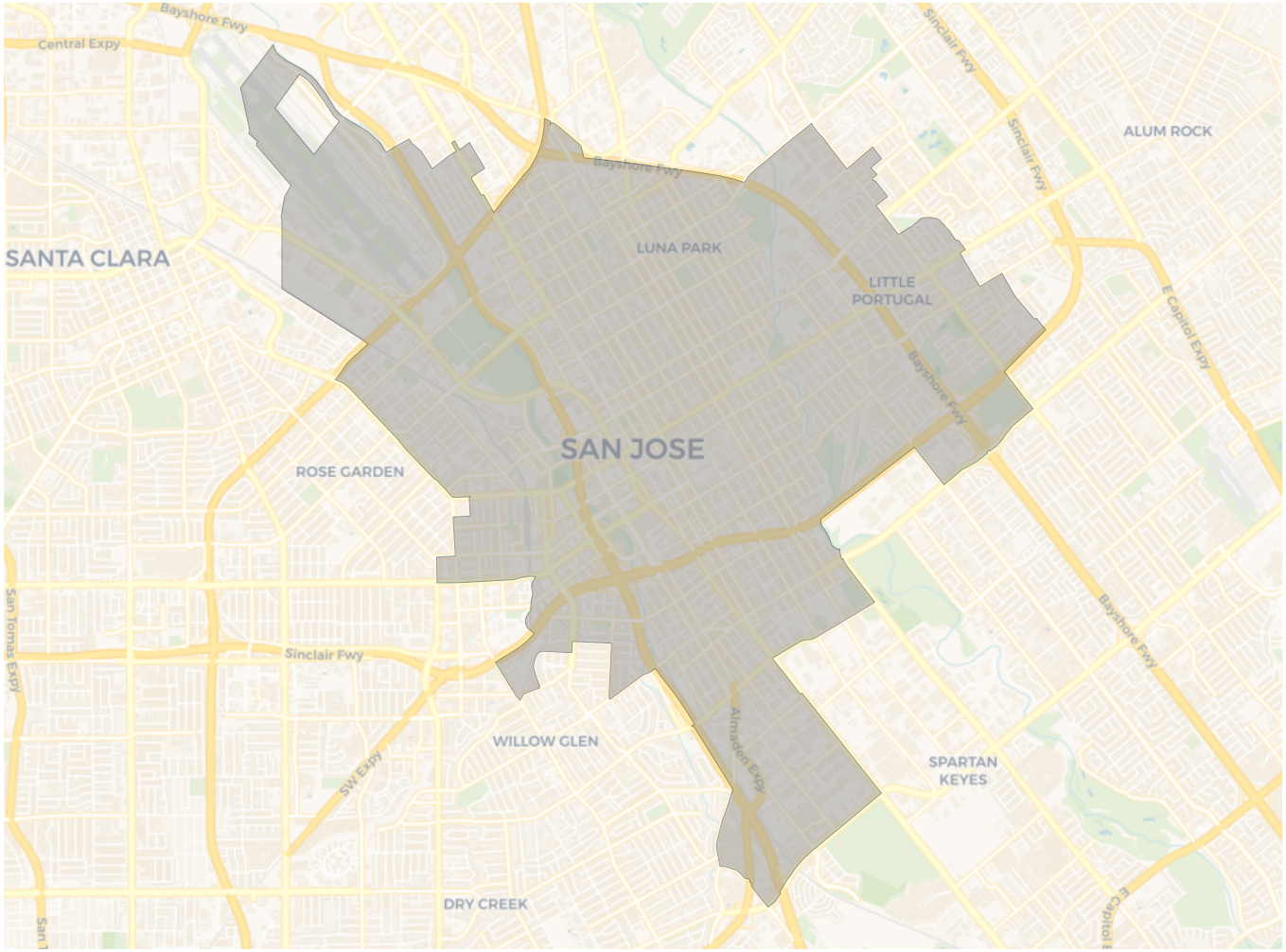
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %
87,507	55,889	63.9%	14,692	16.8%	14,014	16.0%	2,912	3.3%

REDISTRICTING PARTNERS

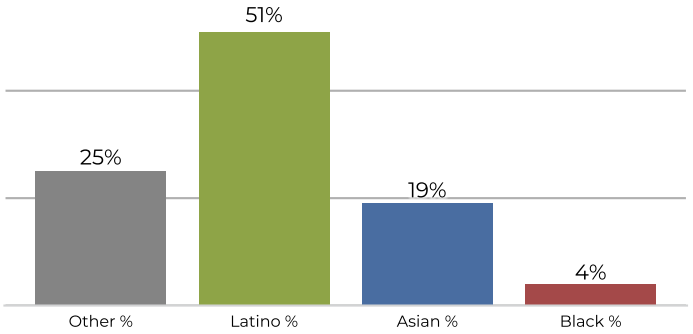
San Jose Evergreen CCD

Draft Plan D5

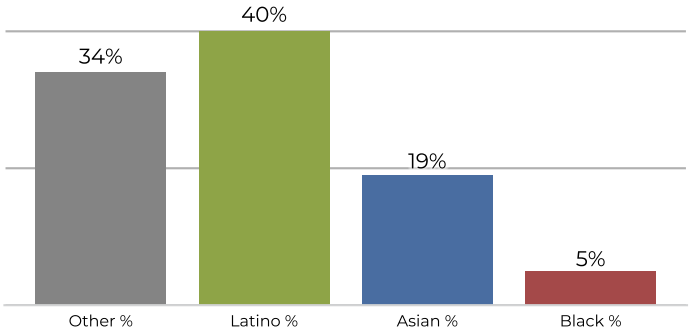
District 7

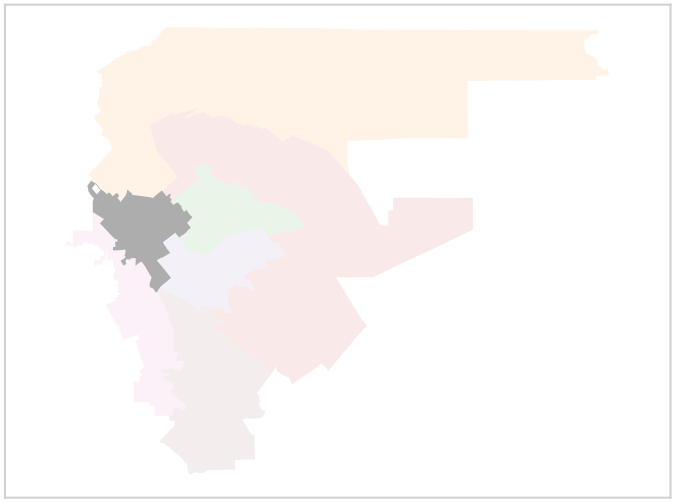


2020 Census



Citizen Voting Age Population





Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
122,562	-4,635	-3.6%	31,332	25.6%	62,848	51.3%	23,376	19.1%	5,006	4.1%

Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %
75,499	26,225	34.7%	30,866	40.9%	14,338	19.0%	4,070	5.4%