

**CONTRA COSTA COUNTY BOARD OF EDUCATION**  
**Serving in the Capacity as the County Committee on School District Organization**

**Contra Costa County Office of Education**  
**The Ronald L. Stewart Center**  
**77 Santa Barbara Road, Pleasant Hill, California**

**June 2, 2005**

**ROLL CALL**

Pamela Mirabella, David Krapf, Daniel Gomes, Glenn Ruley, and Daniel Borsuk.

**ABSENT**

None.

**OTHERS**

Ellen Elster, Peggy Marshburn, Terry Foley, and Laura Dorsey Huerta, County Office of Education staff; Martinez USD Superintendent Dan White, Acalanes UHSD Superintendent Jim Negri, Lafayette SD Superintendent Linda Weesner, MUSD Trustee Vicki Gordon, MUSD Trustee Ron Skrehot, MUSD Trustee Kathi McLaughlin, MUSD Trustee Mike Menesini, Desta Gebre-Medhin-Huff, Glenn Chase, Ken and Jeanifer Grullon, David S. Stromberg, Amy Baskin, Gina Campo, Leslie Gadwood, Pamela McCoy, Mark Calender, Charles Balthaser, Randy and Leann Levitt, Leslea Brickner, Andy McGrath, Fred Anton, Luisa Oriti, Thierry and Wendy Preyssler, Jill Horton, Coleen DeGoey, Steve Webster, Barbara Uzcloe, Chet and Darlene Simpson, Eric and Laurie Rhoads, Kevin and Jeanine Stanley, Deanna Anderson, Mike Denning, David and Eloisa Mahoney, Can Gazioglu, Candace Morton, Sam Goth, Rick Campo, Peter Khoury, Susan L. Pricco, Gary Sabbadibi, Greg and Danita Schwemer, Marcia Ribner, Eric and Deb Mariotti, Jim and Debbie Fleming, Steven Marcus, Tim Rahill, William Wood, Andy Peirona, Brian Conner, Barry Baskin, and Scott Abrams. A partial list of attendees is on file at the County Office of Education.

**PRESIDING**

Daniel Borsuk, Chairperson

The meeting of the Contra Costa County Committee on School District Organization was called to order at 6:00 p.m. with the recitation of the Pledge of Allegiance.

**PUBLIC COMMENT**

**Items Not on the Agenda**

None.

**PUBLIC HEARING**

**Public Hearing on Petition to  
Transfer Territory from the  
Martinez Unified School District to  
the Lafayette School District and  
the Acalanes Union High School  
District**

Chairperson Daniel Borsuk convened the Public Hearing on the Petition to Transfer Territory from the Martinez Unified School District to the Lafayette School District and the Acalanes Union High School District at Acalanes Union High School District Office, 1212 Pleasant Hill Road, Lafayette, CA, 94549, at 6:02 p.m.

Mr. Borsuk explained that the purpose of this hearing would be to obtain information from the local community to assist the County Committee in making its determination regarding the feasibility of the proposed reorganized school districts. He invited members of the public to submit speakers' cards if they wished to offer comments during the public hearing. In addition, he invited members of the public to submit written statements if time constraints did not allow for everyone to present comments this evening to the County Committee. Mr. Borsuk also provided a brief historical background on the County Committee and its purpose.

Ellen Elster, Deputy Superintendent of the Contra Costa County Office of Education and staff person to the County Committee on School District Organization, gave some background on the petition received March 23, 2005, and dated March 13, 2005, from the Chief Petitioners. The petition proposes to transfer territory from the Martinez Unified School District to the Lafayette School District and the Acalanes Union High School District pursuant to Education Code section 35700(a). The County Superintendent of Schools and the Contra Costa County Registrar of Voters found the petition to be sufficient and signed as required by law, and the petition was transmitted to the County Committee on School District Organization and to the State Board of Education pursuant to Education Code section 35704 on April 22, 2005. In accordance with State statutes, within 60 days from receipt of a petition, the County Committee must hold at least one public hearing within the affected districts, and it has 120 days from the first public hearing to study the proposal and make a recommendation on its feasibility. A study is under way to evaluate this proposal and will include information provided by the affected districts and the Chief Petitioners; information will also be gathered from State resources and other interested parties; if the County Committee were to approve the proposal, the proposal would go to an election and the area of the election would be determined by the County Committee; if the County Committee were to disapprove the proposal, the process would end; an appeal of the decision of the County Committee could be made to the State Board of Education; however, she noted that the State Board of Education has no timeline in which action must be taken. In conclusion, she called the public's attention to the information packet, which includes information required by Education Code section 35705.5(b) to be made available to the public regarding the proposal (information on the rights of employees, governance structure, revenue limits, and the election issues related to the proposal).

Chairperson Borsuk explained the process that would be followed during the Public Hearing on the Petition to Transfer Territory from the Martinez Unified School District to the Lafayette School District and the Acalanes Union High School District: The Chief Petitioners would have ten minutes to present their proposal, each affected district would also have ten minutes to make their presentations, and members of the public would then have two minutes per speaker to offer comments. He reiterated that anyone who does not have an opportunity to present comments or to finish his/her comments during this portion of the hearing due to time constraints could either present comments at the reconvened hearing at Alhambra High School, 150 E Street in Martinez, which will begin at 8:00 p.m. this evening, or submit comments in writing to the County Committee. At the end of the public comment period, the Chief Petitioners and affected school districts would be given five minutes each to respond, after which the County Committee would close this portion of the public hearing.

Chief Petitioner Desta Gebre-Medhin-Huff addressed the County Committee to clarify the petition. She explained that one of the primary reasons for presenting the petition is that, with the exception of education, their children's activities and social lives are tied to the Lafayette area. She would like her son and other children in their community to have the opportunity to attend a community school, such as Springhill Elementary or Burton Valley Elementary in Lafayette, which are the schools that are available to the children with whom they play on a daily basis. Additionally, there is a safe route to Lafayette and Acalanes schools, which have established bus routes. Her family has no reason to drive in the opposite direction toward Martinez because all of her family's activities take place in Lafayette. Because of the extra time it would take to drive her son to a Martinez school, her son currently attends a private school, but she would prefer that her son attend a public school in Lafayette with the children with whom he has grown up.

Chief Petitioner Ken Grullon then addressed the Board and noted that he and others in his community knew that they were purchasing a home in the Martinez Unified School District (MUSD) even though their homes had Lafayette addresses. However, as his family began to become involved in activities, they realized that all of those activities took place in Lafayette. His family also receives a great deal of promotional material regarding education from the Lafayette School District (LSD) and Acalanes Union High School District (AUHSD), while they have never received information from the MUSD. His wife works in Orinda while he works in Walnut Creek; therefore, since the LSD school they pass each day on the way to work is not available to their children, they drop them off at Seven Hills School, a private school in Walnut Creek. Currently, there are 18 children in the community who are school age who wish to attend schools in LSD and AUHSD.

Another Chief Petitioner, Glenn Chase, then spoke about why it would be feasible and necessary to allow the proposed transfer of property. He informed the County Committee that the school boundary was established before his neighborhood was built and was based on a study that was published nearly 20 years ago when the neighborhood was an empty hill with an uninhabited golf course across the street. At the time, he noted, it might have seemed like a natural boundary when it was vacant land, but the population, traffic, and demographic patterns can change significantly within even a few years' time. He alluded to a study that projects significant enrollment growth for MUSD due to construction of new residential units compared to LSD, which, according to a recent article in the *Contra Costa Times*, will experience limited additional dwelling units constructed and a significant decline in enrollment due to the shifting demographics toward "empty nesters." He then quoted from a County School Board bylaw: "The transfer of territory between school districts should be considered as a means to resolve declining enrollment." He noted that the Chief Petitioners had calculated that the loss in bond revenue that the affected district would suffer would be the equivalent to what one family would pay for one year's tuition to a private school, which is not significant. He pointed out that because the children from their community who currently attend private schools would be entering public schools if the proposed territory transfer were to occur, additional state money would flow into the local school districts. In this regard, he noted that the extra state money and the motivation his group has to reach an agreement with the districts should result in a lot less attention being paid to the money and a lot more attention being paid to the needs of the affected children and their families.

AUHSD Superintendent Jim Negri welcomed the County Committee to their district. He then noted that the AUHSD governing board has authorized him to speak on its behalf and to inform the County Committee that the governing board has taken no position and has not had a discussion of this issue, although the board did hear a presentation from the petitioners. However, the governing board does not plan to discuss and take a position until the County Committee rules on the validity of the proposed transfer of territory.

MUSD Superintendent Dan White informed the County Committee that three parents in the affected area have met with him. At this time, he wished to go over some of the points that were considered by the MUSD governing board regarding this matter. He noted that they do try to look not at the money but, rather, at what is best for the children. He then referred to an action taken by the MUSD governing board at its last meeting to consider taking a position on the request made by 29 families residing in a section of Lafayette located within the boundaries of the MUSD. He indicated that the proposal involved the transfer of territory from the MUSD boundaries to the AUHSD and the LSD. On a motion made by Member Gordon and seconded by Member Menesini, the governing board took a position to deny or oppose the transfer of territory from the MUSD to the AUHSD and LSD. The vote carried unanimously, and the student representative voted aye, as well. Prior to taking a position on the matter, the governing board discussed reasons why the proposed transfer should not occur. He noted that the figures he would be sharing with the County Committee would involve rough estimates because of the lack of time available to them and because he did not know what specific figures the County Committee would be pulling together with regard to Education Code section 35753. He noted that it was felt that the criteria for approval as outlined in that particular Code section were not substantially met by the request. Two MUSD bonds will be outstanding until the year 2015, and the impact of the transfer of territory would be approximately \$500,000 for the remaining terms of the loans. Also, the petition as presented is not logical in defining the area to be transferred, which appears to belong in the MUSD and does not appear to make good, logical sense to transfer to the other school districts. The MUSD has experienced declining enrollment in recent years, based on CBEDS reports, resulting in the loss of \$600,000 in revenue. He reminded the County Committee that their district must look at all of the elements that can impact their budget. He also noted that no interdistrict attendance transfer requests have been denied during his three years as MUSD superintendent. He noted that the County Committee studied and determined the school boundaries in the subject area in 1988, and it appeared to him that a lot of thought went into how the boundaries would be drawn. He brought up the fact that a loss of territory always results in a loss or potential loss of ADA, and he reiterated that the MUSD does, in fact, oppose the petition.

Lafayette SD Superintendent Linda Weesner informed the County Committee that, at this time, her district has taken a neutral position on the petition because the district still has some unanswered questions regarding this proposed transfer of territory.

The following members of the public spoke in opposition to the proposed transfer of territory: Brian Conner, Peter Khoury, Danita Schemer, Jim Fleming, and Andy Peirona. Their reasons included the following: this petition will further split their community in two; the petition would make more sense if the Reliez Valley Highlands area were transferred together with the petitioners' area to the LSD/AUHSD in a more cohesive manner rather than trying to maintain these irrational boundaries; the opinion was expressed that the Reliez Valley Highlands/Hidden Pond neighborhood residents of Lafayette also feel as though they belong in the LSD/AUHSD and have been excluded improperly from the petition before the County Committee; the petition's proposed transfer of property would create a highly illogical and harmful change to the school district boundaries; Hidden Pond Road was constructed in 1990, which gave access to three neighborhoods (California Reserve, Hidden Pond, and Reliez Valley Highlands), and these three neighborhoods comprise one community; therefore, the proposed transfer of territory would split the neighborhood, create confusion, and work against the very purpose of the County Committee, which is to ensure logical district boundaries; the three neighborhoods are all served by the same school, police, utilities, and elected officials; the petition would create boundary, transportation, and student safety problems and would greatly reduce the efficiency in the delivery of governmental services; it would be illogical, and perhaps even unlawful, to consider a change in school district boundaries that would create an island that is not practically connected to its school district; the County Committee was urged to reject the current petition and direct the petitioners to revise the petition to include the Reliez Highlands and Hidden Pond neighborhoods; when the homes in the three neighborhoods were first built, one of the neighborhoods had to argue before LAFCO to become part of the 94549 (Lafayette) zip code because the residents felt that they were, in deed, one community; therefore, it could also be argued that the entire community should be considered for a transfer of territory, not just one section of that community; based on a survey of the Hidden Pond and Reliez Valley Highlands neighbors, there was significant concern regarding the isolation and dislocation that the proposed boundary change would create; this is not a "sour grapes" objection because, since from the very beginning, neighbors have sought to work with the Silverhill/California Reserve developments to refile a geographically cleaner, more logical petition that would be more inclusive of the existing community; the neighbors in the other two neighborhoods had previously offered to take on the majority of the work to refile a new petition to include them, but this did not occur. Barry Baskin read a written statement prepared by John Hendrickson, a resident of Hidden Pond who could not attend the hearing this evening, in which Mr. Hendrickson expressed the opinion that the petition as it is currently written is flawed, and he urged the County Committee to deny the petition; further, he noted that the study he had written in 1988 when he worked as the staff person to the County Committee had followed a collaborative problem-solving process involving the participation of former County Committee members Florence McAuley and Wilma Burch and governing board members and senior managers from Mt. Diablo USD, MUSD, LSD, and AUHSD; the parties endorsed all of the recommendations in the study for establishing the current school district boundaries; the petition being heard tonight would create the same irrational and harmful boundary problems that those parties fixed in 1988; he urged the County Committee to encourage the chief petitioners to work on a better petition that is based on the legal criteria for sensible boundaries that would meet the needs of students and improve school district organization; finally, Mr. Hendrickson stated that he would be willing to be part of the boundary review group.

Leslea Brickner spoke in favor of the proposed transfer of territory as a resident of the California Reserve neighborhood. She stated that her family identifies itself with the Lafayette community and that when they first moved to their current home, which school district her neighborhood was part of did not concern her because she and her husband felt they would not be having children; however, since that time, they have had two children, and if it is true that Springhill Elementary is under-enrolled, she would like to have the opportunity for her children to attend that school.

Chairman Daniel Borsuk invited the Chief Petitioners and representatives of both school districts to make closing comments.

In his closing comments, Chief Petitioner Ken Grullon stated that he wished to rebutt the comments of the public speakers who reside in the two neighborhoods that were not included in the petition. He stated that he disagreed that the petition would result in boundaries that are illogical; in fact, they are illogical now; he noted that until a newspaper article came out in the *Contra Costa Times* on their petition, they had never heard from the other neighborhoods, an area with which they share no community identity. The only community members who appear to be opposed to the transfer of territory are only opposed because they were not involved in the petition. In fact, there had been no interaction whatsoever with the two other neighborhoods until the article was published. In response to MUSD Superintendent White's comments regarding budgetary concerns, he reiterated that the students in his neighborhood who now attend private school would inject funds into the public school system, thus creating a net gain of students in this county's public schools. In response to Mr. White's comments concerning declining enrollment in the MUSD, he read from the minutes of May 23, 2005, Resolution 2005-7 of the Board of the Trustees of the MUSD: "Whereas, new residential construction continues to generate additional students for the District's schools and the District is required to provide K-12 school facilities to accommodate these students" and "Whereas, overcrowded schools within the District have an impact on the District's ability to provide an adequate quality education and negatively impacts the educational opportunities for the District's students." He stated that his group interprets the numbers differently than Superintendent White and feels that there is a potential for significant increase in the Martinez schools and a decrease in the Lafayette schools. To summarize, he stated that his group respectfully disagrees with both the MUSD and the Reliez Valley Highlands homeowners.

LSD, AUHSD, and MUSD superintendents indicated that they did not wish to make any closing comments.

Since there was no further public input offered, Chairperson Borsuk closed this portion of the hearing at 6:51 p.m.

**Public Hearing on Petition to Transfer Territory from the Martinez Unified School District to the Lafayette School District and the Acalanes Union High School District**

Chairperson Borsuk reconvened the meeting of the Contra Costa County Committee on School District Organization at Alhambra High School, Performing Arts Center, 150 E Street, Martinez, CA, 94553, on the Petition to Transfer Territory from the Martinez Unified School District to the Lafayette School District and the Acalanes Union High School District at 8:00 p.m. and immediately convened the Public Hearing on this matter.

Chairperson Daniel Borsuk explained that the purpose of this hearing would be to obtain information from the local community to assist the County Committee in making its determination regarding the feasibility of the proposed reorganized school districts. He invited members of the public to submit speakers' cards if they wished to offer comments during the public hearing. In addition, he invited members of the public to submit written statements if time constraints did not allow for everyone to present comments this evening to the County Committee. Mr. Borsuk also provided a brief historical background on the County Committee and its purpose.

Ellen Elster, Deputy Superintendent of the Contra Costa County Office of Education and staff person to the County Committee on School District Organization, gave some background on the petition received March 23, 2005, and dated March 13, 2005, from the Chief Petitioners. The petition proposes to transfer territory from the Martinez Unified School District to the Lafayette School District and the Acalanes Union High School District pursuant to Education Code section 35700(a). The County Superintendent of Schools and the Contra Costa County Registrar of Voters found the petition to be sufficient and signed as required by law, and the petition was transmitted to the County Committee on School District Organization and to the State Board of Education pursuant to Education Code section 35704 on April 22, 2005. In accordance with State statutes, within 60 days from receipt of a petition, the County Committee must hold at least one public hearing within the affected districts, and it has 120 days from the first public hearing to study the proposal and make a recommendation on its feasibility. A study is under way to evaluate this proposal and will include information provided by the affected districts and the Chief Petitioners; information will also be gathered from State resources and other interested parties; if the County Committee were to approve the proposal, the proposal would go to an election and the area of the election would be determined by the County Committee; if the County Committee were to disapprove the proposal, the process would end; an appeal of the decision of the County

Committee could be made to the State Board of Education; however, she noted that the State Board of Education has no timeline in which action must be taken. In conclusion, she called the public's attention to the information packet, which includes information required by Education Code section 35705.5(b) to be made available to the public regarding the proposal (information on the rights of employees, governance structure, revenue limits, and the election issues related to the proposal).

Chairperson Borsuk explained the process that would be followed during the Public Hearing on the Petition to Transfer Territory from the Martinez Unified School District to the Lafayette School District and the Acalanes Union High School District: The Chief Petitioners would have ten minutes to present their proposal, each affected district would also have ten minutes to make their presentations, and members of the public would then have two minutes per speaker to offer comments. He reiterated that anyone who does not have an opportunity to present comments or to finish his/her comments at the hearing due to time constraints may submit comments in writing to the County Committee. At the end of the public comment period, the Chief Petitioners and affected school districts would be given five minutes each to respond, after which the County Committee would close this portion of the public hearing.

Chief Petitioner Desta Gebre-Medhin-Huff addressed the County Committee to clarify the petition. She explained that one of the primary reasons for presenting the petition is that, with the exception of education, their children's activities and social lives are tied to the city of Lafayette. She would like her son and other children in their community to have the opportunity to attend a community school where they live with the children they play with and socialize with daily. Her son's best friends will be attending Springhill Elementary School or Burton Valley Elementary School in Lafayette. When she and her neighbors purchased their homes, clearly understanding then that their neighborhood was part of the MUSD, they did not realize the implications affecting their children. Additionally, there is a safe route to Lafayette and Acalanes schools, which have established bus routes. Her family has no reason to drive in the opposite direction toward Martinez because all of her family's activities take place in Lafayette. She noted that it would take an extra 45 minutes to accommodate her son's school schedule if he were attending an MUSD school instead of dropping him off at a Lafayette school on the way to BART.

Chief Petitioner Ken Grullon stated that they knew that the home they had purchased was in the MUSD with an excellent elementary school and high school in Martinez; however, they knew that they had purchased a home with a Lafayette address and came to realize over time how much of their community identity drew them down Pleasant Hill Road to Highway 24. He added that they and their neighbors feel a real community identity with the Lafayette and Lamorinda areas. He stressed that all of their family's activities take place in Lafayette, and all the promotional information on education that they receive comes from LSD; his neighborhood does not appear to receive information from MUSD. For convenience and the sake of community, they drop their children off at a private school in Walnut Creek rather than take the extra time to transport them to schools in MUSD. He also pointed out that there is an established bus route to Springhill Elementary on a large, safe road, while the route to John Swett Elementary is a two-lane road with no provision for bicycles or foot traffic and no school bus. Out of 18 school-age children in their neighborhood, 11 attend private schools. He also noted that there would be increased ADA to the public schools if these children who are now attending private school were to be allowed to attend schools in Lafayette.

Chief Petitioner Glen Chase spoke to the feasibility of the transfer of territory. He noted that school district boundaries were established before their neighborhood was built and were based on a study published nearly 20 years ago when the area was an empty hill and uninhabited golf course. At the time, he noted, it might have seemed like a natural boundary when it was vacant land, but the population, traffic, and demographic patterns can change significantly within even a few years' time. He mentioned a 2005 study that projects significant enrollment growth for MUSD due to construction of new residential units compared to LSD, which, according to a recent article in the *Contra Costa Times*, will experience limited additional dwelling units constructed and a significant decline in enrollment due to the shifting demographics toward "empty nesters." He then quoted from a County School Board bylaw: "The transfer of territory between school districts should be considered as a means to resolve declining enrollment."

MUSD Superintendent Dan White provided a booklet to the County Committee members that reflects some of the information that the MUSD governing board reviewed when this issue came before it for consideration. He explained that the booklet contains an action item that the MUSD governing board took action on, a staff memo regarding possible impact regarding the bonds, data regarding interdistrict attendance transfer requests, the area affected by the transfer, and the particular streets and lots involved with this issue. He informed the County Committee that the MUSD governing board voted to take a position to deny or oppose the transfer of territory from the MUSD to the AUHSD and the LSD; the vote was unanimous, and the student representative voted to deny or oppose, as well. Among the reasons for opposing the transfer of territory included: the criteria for approval as outlined in Education Code section 35753 were not all substantially met, two MUSD bonds will be outstanding until the year 2015, and the impact of the transfer of territory would be approximately \$500,000 for the remainder of the terms of the loans. He noted that the petition, as presented, does not appear to be logical in defining the territory to be transferred, and the MUSD has experienced a decline in enrollment during the past few years. They had expected a baby boom that might hit when going into the 2005-06 school year; however, as of this date, that does not seem to be materializing in MUSD or in some of the other districts. He noted that he has not denied any interdistrict attendance transfers during the three years in which he has been the superintendent of MUSD. School district boundaries do not always make logical sense, but it is problematic when the boundaries are constantly changed. He also noted that the loss of territory represents a loss and potential loss in ADA to the MUSD, and there might even be another petition coming before the County Committee shortly; therefore, the district's concerns would become even greater at that point with the \$500,000 loss on the bonds growing to \$2 million. He explained that this would have a significant negative impact on the MUSD.

AUHSD Superintendent Jim Negri informed the County Committee that the AUHSD governing board took action yesterday evening authorizing him to speak on its behalf, and the AUHSD governing board has decided to take no position at this time. He noted that if the County Committee should vote to allow the petition to move forward, the AUHSD governing would take a position at that time. He offered to provide any information the County Committee should need during this process.

LSD Superintendent Linda Weesner informed the County Committee that, at this time, her district has taken a neutral position on the petition because the district still has some unanswered questions regarding this proposed transfer of territory.

The following members of the public spoke in favor of the proposed transfer of territory: Jeanifer Grullon, Candace Morton, Deanna Anderson, Can Gazioglu, Sam Goth, and Deb and Eric Mariotti. Their reasons included the following: It is not just about convenience; it is the sense of community, which would allow children in the same community to play and attend school together, that is important; although MUSD has granted all interdistrict attendance transfer requests, LSD has turned down all such requests; MUSD third grade students are assigned to make a Martinez City Guide, but it would be nice if their children could be allowed to make a Lafayette City Guide, since they live in Lafayette, not Martinez; the Board of the California Reserve Homeowners Association has been very supportive about pursuing this petition; their lives take them in the direction of Highway 24 in Lafayette; MUSD is overcrowded and their children may be separated; there appears to be more availability in LSD; their children should have the opportunity to attend public schools in their community; transporting 2-3 children of different ages in each family to and front MUSD and other facilities in Lafayette is time consuming; the closest MUSD elementary school, John Swett Elementary, is overcrowded so that some of the students cannot attend it; some of the people who oppose the petition because they were not part of the petition actually appear to be supportive of the concept of community identity, so perhaps they should submit their own petition; those neighborhoods, however, seem to be better aligned geographically with the MUSD.

The following members of the public spoke in opposition to the proposed transfer of territory: Ron Skrehot, Kathi McLaughlin, Vicki Gordon, Peter Khoury, Barry Baskin, Scott Abrams, and Mike Menesini. Their reasons included the following: Many of the arguments in favor of the transfer centered around convenience, which is not one of the criteria that should be considered under the Education Code; it was noted that a number of the children are being transported to private schools in Walnut Creek, which are just as far away as the public schools in Martinez; it would be a significant financial hardship for MUSD if all of the children in the affected area were

to leave the MUSD, so the petition does not meet the criteria that the state has established for an appropriate transfer of property; it was pointed out that the fact LSD has been refusing to accept interdistrict attendance transfer requests indicates that that district is really not taking a neutral position; all of the people living in the affected area knew the homes they were purchasing were located in the MUSD; the properties in the affected area are needed to finance bond measures and parcel taxes, both current and future, and the ADA is needed; it was pointed out that even if the proposed transfer of territory were successful, there is no way of knowing if there will be enough room to accommodate the residents' children at Springhill Elementary, so that they will have to attend another school farther away; the other neighborhoods adjoining the subject properties in the petition expressed an interest months ago to join the petition, but, instead, the petitioners chose to exclude them and disrupt the community identity; they would like to preserve that community identity; the members of the Hidden Pond Homeowners Association and the Reliez Valley Highlands area are not opposing the transfer of territory on the basis of the merits of the petition but, rather, on the basis of the boundaries that have been drawn in that petition; it will divide their community if the proposed transfer of property goes through; it was noted that the boundaries that were drawn as a result of the 1988 four-district Boundary Study Committee are no longer working for most of the people living in the affected areas; it would be appropriate for the County Committee to reconvene the four-district Boundary Study Committee to review this matter; it was stated that this matter represents a Pandora's Box in terms of the financial impact on any number of the county's school districts; as a result, financial crises could result countywide.

Barry Baskin read a written statement prepared by John Hendrickson, a resident of Hidden Pond who could not attend the hearing this evening, in which Mr. Hendrickson expressed the opinion that the petition as it is currently written is flawed, and he urged the County Committee to deny the petition; further, he noted that the study he had written in 1988 when he worked as the staff person to the County Committee had followed a collaborative problem-solving process involving the participation of former County Committee members Florence McAuley and Wilma Burch and governing board members and senior managers from Mt. Diablo USD, MUSD, LSD, and AUHSD; the parties endorsed all of the recommendations in the study for establishing the current school district boundaries; the petition being heard tonight would create the same irrational and harmful boundary problems that those parties fixed in 1988; he urged the County Committee to encourage the chief petitioners to work on a better petition that is based on the legal criteria for sensible boundaries that would meet the needs of students and improve school district organization; finally, Mr. Hendrickson stated that he would be willing to be part of the boundary review group.

Chairman Daniel Borsuk invited the Chief Petitioners and representatives of both school districts to make closing comments.

In his closing comments, Chief Petitioner Glen Chase stated that he wished to respond to MUSD Superintendent White's statement that there is declining enrollment in the MUSD. He pointed out that the MUSD governing board is currently considering a resolution to fund the building of new facilities based on a report that they had commissioned that says that there is going to be a significant influx of new students. He expressed the opinion that it would be inappropriate for the LSD to be shutting down classrooms when the MUSD is considering the building of new facilities. Regarding the loss of bond revenue, his group calculated a much smaller figure than the one stated by the MUSD, and he urged the County Committee to double-check that figure. He noted that over \$100,000 of new ADA revenue will become available locally if the children who are currently attending private schools become enrolled in public schools.

Chief Petitioner Desta Gebre-Medhin-Huff, in her closing comments, urged the County Committee to judge this issue on the criteria that were established for the petition. She noted that she was surprised to learn that the residents of the two nearby neighborhoods feel that they are all one community because she personally identifies her community as people that she socializes with and shares activities with. She invited them to take advantage of the process that has been established for submitting a petition. She also urged the MUSD officials to think about the bigger picture and how it is about the children, not about the homes. Also, she felt it would not matter which LSD school the children would attend because there is a bus that comes right through their neighborhood that drops children off at various LSD schools.

MUSD Superintendent Dan White, in his closing statement, stated that most of the existing school districts have been in existence for 50 to 100 years, and it is his district's responsibility to serve those areas within its boundaries. Regarding overcrowding, there are now extra classrooms at the schools that have been converted to other uses, such as computer labs, because there are fewer students. However, it is not economically feasible to operate a class of just ten students, and there is also the class-size reduction requirement that does not allow other classes to exceed 20 students. MUSD Trustee Ron Skrehot stated that students attending MUSD schools have all the same opportunities as the students attending schools in any neighboring district.

AUHSD Superintendent Jim Negri and LSD Superintendent Linda Weesner declined to give closing comments.

There being no further public comment, Chairperson Borsuk closed the hearing at 9:05 p.m.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:05 p.m.

Ellen Elster, Secretary Designee  
County Committee on School District Organization

These unadopted minutes are summaries and excerpts from the meeting of June 2, 2005, and are subject to amendment and/or correction prior to the approval of the County Committee on School District Organization.