

PETITION TO TRANSFER TERRITORY
FROM THE
MARTINEZ UNIFIED SCHOOL DISTRICT
TO THE
LAFAYETTE SCHOOL DISTRICT
&
ACALANES UNION HIGH SCHOOL DISTRICT
(EDUCATION CODE §35700)

SUBMITTED BY:
SILVERHILL/CALIFORNIA RESERVE AREAS
LAFAYETTE, CONTRA COSTA COUNTY

March 13, 2005

RECEIVED

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**DEPUTY SUPERINTENDENT
CONTRA COSTA COUNTY
OFFICE OF EDUCATION**

TABLE OF CONTENTS

I. INTRODUCTION3

II. INFORMATION REQUIRED BY STATE AND LOCAL LAW4

III. HISTORY AND REASONS FOR TRANSFER4

 A. Silverhill/California Reserve4

 B. Four District Boundary Study Committee/1988 Committee Report.....5

 C. Reasons For Transfer (E.C. §35753).....6

 1. The New Districts Will Be Adequate in Terms of Number of Pupils Enrolled7

 2. The Districts Are Each Organized on the Basis of a Substantial Community Identity7

 3. The Proposal Will Result in an Equitable Division of Property and Facilities
 of
 the Original District or Districts7

 4. The Reorganization of the Districts Will Not Promote Racial or Ethnic
 Discrimination or Segregation8

 5. The Proposed Reorganization Will Not Result in Any Substantial Increase in
 Costs to the State.....8

 6. The Proposed Reorganization Will Not Significantly Disrupt the Educational
 Programs in the Proposed Districts and Affected by the Proposed
 Reorganization and Will Continue to Promote Sound Education Performance
 in Those Districts8

 7. The Proposed Reorganization Will Not Result in a Significant Increase in
 School Housing Costs8

 8. The Proposed Reorganization Is Not Primarily Designed to Result in a Significant
 Increase in Property Values Causing Financial Advantage to Property Owners
 Because Territory Was Transferred From One District to an Adjoining District8

 9. The Proposed Reorganization Will Not Cause a Substantial Negative Effect on
 the Fiscal Management or Fiscal Status of the Proposed District or Any Existing
 District Affected by the Proposed Reorganization8

IV. SUMMARY9

V. EXHIBITS

 Legal Description And Map Of Territory To Be Transferred Exhibit A

 Petition (25% of Registered Voters) and Affidavit..... Exhibit B

I. INTRODUCTION

The residents of the Silverhill/California Reserve respectfully submit this Petition To Transfer Territory, or ("Petition"), to the Contra Costa Board of Education. The Silverhill/California Reserve area contains Oakmont Cemetery, the Silverhill homes and the California Reserve Development. Oakmont Cemetery fronts Reliez Valley road and is directly adjacent to the Lafayette School District and the Acalanes Union High School District. Oakmont Cemetery contains no homes. The Silverhill area contains 34 homes on Silverhill Drive, Silverhill Way, and Silverhill Court. California Reserve is a development of 22 homes facing Reliez Valley road and includes South Pond Court, North Pond Court and Hidden Pond Road up to and including Upper Pond Court. Oakmont Cemetery, Silverhill and California Reserve are contiguous areas and together form the "Silverhill/California Reserve" described in this Petition.

Our Petition requests that this area be transferred from the Martinez Unified School District, to the Lafayette School District and the Acalanes Union High School District.

We greatly appreciate your review and consideration of our Petition. We would like to stress that we appreciate our current schools and school district, the Martinez Unified School District. However we strongly feel that the Silverhill/California Reserve shares a substantial community identity with the City of Lafayette and should be annexed to the Lafayette School District and the Acalanes Union High School District.

We understand that the "Report of the Four District Boundary Study Committee" of March 17, 1988 establishes Grayson Road as the northern boundary of the Lafayette School and Acalanes Union High School Districts. However this boundary was established long before the great majority of the homes in the Silverhill/California Reserve area were constructed and before the area was officially included in the Lafayette zip code. Since the issue of the 1988 report, the Silverhill/California Reserve area has been developed significantly and has come to identify itself primarily with the Lafayette community.

We have set forth below the information required by state and local law in Section II. Section III contains the history and detailed reasons for transfer.

The residents of the Silverhill/California Reserve would like to thank the Martinez Unified School District, the Lafayette and Acalanes Union High School Districts and Contra Costa Board of Education for consideration of this application. We apply first and foremost for our children who have grown to see themselves as members of the Lafayette community.

II. INFORMATION REQUIRED BY STATE AND LOCAL LAW

Pursuant to the California Education Code at §35700 and related local regulations, this Petition includes the following information:

- (1) A Petition, signed by over 25% of the registered voters in the Silverhill/California Reserve area (the territory to be transferred). The Petition designates homeowner Desta Gebre-Medhin-Huff, Kenneth Grullon, and Glenn Chase as the Chief Petitioners. (EC §35700, §35701) (Exhibit B)
- (2) An Affidavit, accompanying the Petition, confirming that all persons signing the Petition did so in the presence of the affiant, and that each signature is a genuine signature of the person whose name purports to be. (EC §35702) (Exhibit B)
- (3) A legal description and map of the territory to be covered by the transfer. (Government Code §58850) (Exhibit A)
- (4) A list of the school districts affected by the proposal. Those districts are the Martinez Unified School District, the Lafayette School District and Acalanes Union High School District.
- (5) The reasons for the proposed reorganization. These reasons are set forth in Section III of this submittal. ("History and Reasons for Transfer")

III. HISTORY AND REASONS FOR TRANSFER

A. Silverhill/California Reserve Area

As stated in the introduction, the Silverhill/California Reserve Area contains 56 homes in aggregate, all on streets that feed to Reliez Valley Road. The Silverhill homes are custom homes built from the late 80's until recently. The California Reserve homes were built as a development in the late 90's and are represented by the California Reserve Home Owners Association. Both groups of homes are in the unincorporated area of Lafayette. The Silverhill homes and California Reserve homes have united as a common area because we share the same identity with the Lafayette community. We also share the same desire to have our children attend school in the community they consider their own, the Lafayette Community. The sentiment is perhaps best described by Beniam Huff (age 4, son of one of the three principal applicants) when told he would not be able to attend Springhill Elementary for kindergarten, "Mommy why can't I go to school with all of my friends?"

B. Four District Boundary Study Committee/1988 Committee Report

As stated previously, the "Report of the Four District Boundary Study Committee" of March 17, 1988 or "The 1988 Report" establishes Grayson Road as the northern boundary of the Lafayette School and Acalanes Union High School Districts. This designation was made before the majority of the Silverhill/California area was built and community identity was established.

The 1988 Report lists six (6) major criteria for evaluation when the 1988 borders were established: 1) Safety, 2) Transportation, 3) Community Identity, 4) Neighborhood Units, 5) Geography, and 6) Impact of School District Organization. We believe many of the criteria listed above have changed significantly since 1988 and now favor the annexation of the Silverhill/California Reserve Area into the Lafayette and Acalanes Union High School Districts. The reasons are listed below by criteria laid out by the 1988 Report.

1) Safety

The 1988 Report lays out the distance from the intersection of Grayson Road and Reliez Valley road to Lafayette and Martinez Unified schools respectively. The 1988 Report notes that the intersection above is equidistant to John Swett Elementary and Springhill Elementary (3.1 and 3.2 miles respectively). However The 1988 Report states, "Reliez Valley Road is not designed to the same standards as other major roads and does not provide bicycle or foot traffic," and goes on to state, "The relative safety of the roads used is more important than simply the distance to be traveled." We submit that the route from Silverhill/California reserve to John Swett Elementary is via Alhambra Valley Road, a two-lane road with neither provision for bicycle or foot traffic. Also no school provided bus transportation, nor direct public transportation are available from the Silverhill/California Reserve Area to John Swett Elementary or Martinez Jr. High School, requiring the children to be dropped off by their parents. As most parents in the Silverhill/California Reserve Area commute down Pleasant Hill towards Walnut Creek, Lafayette and Highway 24, parent drop off of students in the direction of Martinez represents a hardship and a significant increase in traffic along Alhambra Valley Road.

2) Traffic

Since the drafting of the 1988 Report, the Silverhill/California Reserve Area has been significantly built up bringing more automobile traffic. In order to attend Martinez Unified Schools, travel along Alhambra Valley Road is necessary. This two-lane road with no traffic lights is the most direct route to John Swett Elementary and Alhambra High. We feel that travel in this direction is not only a hardship for parents who travel in an opposite direction to work, but also potentially a more dangerous route given the nature of Alhambra Valley Road. Most parents in the Silverhill/California Reserve Area commute down Pleasant Hill road to work passing directly in front of both Springhill Elementary and Acalanes High School.

3) Community Identity

Community identity will be addressed in much more detail in section III.C.2. We would like to stress that the Silverhill/California Reserve Area was designated as unincorporated Lafayette, zip code 94549, after the 1988 Report.

4) Neighborhood Units

The Silverhill/California Reserve Area is contiguous with the northern border of the Lafayette and Acalanes Union High School Districts and is a natural extension of the neighborhood. The neighborhood unit is discussed with community identity in section III.C.2.

5) Geography

Prior to the 1988 Report, the Silverhill/California Reserve Area was not developed and a natural geographic boundary seemed to exist at Grayson. Given the development in the last two decades and the traffic issue discussed above, we believe our area is geographically more central to Lafayette.

6) Impact of School District Organization

Home development and district enrollment has changed significantly in both the Martinez Unified and Lafayette School districts since the 1988 Report. According to the Martinez Unified School District web page, <http://www.martinez.k12.ca.us/>, the school district is growing at approximately 2% per year. This increase in enrollment is largely due to the increased development in housing units along the Highway 4 corridor, in the center of the Martinez Unified School District. Conversely the district enrollment in the Lafayette School District has decreased with a resultant under enrollment at both Springhill Elementary and Acalanes High School. We feel that by annexing the Silverhill/California Reserve Area into the Lafayette and Acalanes Union High School Districts, we would be moving students from a potentially overenrolled district into an under-enrolled district. Also of note, a recent survey of Silverhill/California Reserve Area shows only seven (7) students who attend Martinez Unified Schools and eleven (11) who attend private schools. Approval of this petition will bring children back into the public school system. The benefits to the overall public school system and our communities outweigh the minimal impact to the Martinez School District.

C. Reasons for Transfer (E.C. §35753)

The County Committee, by state law, may approve on a local level proposals for the reorganization of districts if certain criteria is substantially met. The state criteria are contained at E.C. §35753.

We set forth below for purposes of this application a brief summary of our compliance with those conditions.

1. The New Districts Will Be Adequate in Terms of Number of Pupils Enrolled.

Annexation of the Silverhill/California Reserve area should not have an adverse impact on the minimum enrollment for the either district at the elementary, middle or high school levels. This criterion is governed by CCR Title 5, Section 18573(a) that states that each affected school district shall have a minimum projected enrollment. As stated earlier in section III.B.6 we feel that by annexing the Silverhill/California Reserve Area into the Lafayette and Acalanes Union High School Districts, we would be moving students from a potentially overenrolled district into an under-enrolled district.

2. The Districts Are Each Organized on the Basis of a Substantial Community Identity.

As members of the Silverhill/California Reserve Area, our central reason for applying for annexation to the Lafayette and Acalanes Union High School Districts is to send our children to schools in the community in which they live, have friends, play and participate in various activities. As parents we want our children to go to school in the community in which we shop, work, travel and spend our leisure time.

Examples of children's activities in Lafayette that our families are currently involved with include: soccer camp (Gino's), Sherman Swim School, Pre-Schools/Daycare, football teams (Lamorinda Youth Football and other sports activities), Oakwood Athletic Club, fishing and hiking at the Lafayette Reservoir and many other activities.

As parents and adults our activities in Lafayette include shopping (Trader Joes, Noah's Bagels and other grocery outlets, stores for children's clothing, toys, and party favors), restaurants (too many to list), dry cleaners, plant and gardening outlets, bookstores (Lafayette Book Store) and the Lafayette Public Library, and cultural activities (Lafayette Art and Wine Festival).

It should also be noted that due to our 94549 zip code we receive many Lafayette specific publications including the Lafayette insert into the *Contra Costa Times*, newsletters from the Lafayette Arts and Science Foundation, and advertisements and coupons specific to the community of Lafayette.

As the Silverhill/California Reserve Area, we feel that by annexing to the Lafayette and Acalanes Union High School Districts, we will be sending our children to their neighborhood schools.

3. The Proposal Will Result in an Equitable Division of Property and Facilities of the Original District or Districts.

The transfer will not have an impact on property or facilities of the two districts.

4. The Reorganization of the Districts Will Not Promote Racial or Ethnic Discrimination or Segregation.

The proposed transfer of fifty-six homes and 18 children will not promote racial or ethnic discrimination or segregation. We would note that the ethnic and racial makeup of the Silverhill/California Reserve Area is generally more diverse than the population of Lafayette overall (based on Census 2000 data) and may increase the diversity of the Lafayette and Acalanes Union High School Districts.

5. The Proposed Reorganization Will Not Result in Any Substantial Increase in Costs to the State.

The proposed transfer of fifty-six homes will clearly not result in any increase in costs to the state.

6. The Proposed Reorganization Will Not Significantly Disrupt the Educational Programs in the Proposed Districts and Affected by the Proposed Reorganization and Will Continue to Promote Sound Education Performance in Those Districts.

The proposed transfer of fifty-six homes will clearly not disrupt the respective educational programs of the proposed districts.

7. The Proposed Reorganization Will Not Result in a Significant Increase in School Housing Costs.

The proposed transfer of fifty-six homes will not result in any increase in school housing costs.

8. The Proposed Reorganization Is Not Primarily Designed to Result in a Significant Increase in Property Values Causing Financial Advantage to Property Owners Because Territory Was Transferred from One School District to an Adjoining District.

As stated previously, the central and over riding reason for our petition is to allow our children to attend school in their neighborhood communities.

9. The Proposed Reorganization Will Not Cause a Substantial Negative Effect on the Fiscal Management or Fiscal Status of the Proposed District or Any Existing District Affected by the Proposed Reorganization.


The proposed transfer of fifty-six homes will not cause a substantial negative effect on the fiscal management or status of any district. Additionally, the petitioners are open to exploring options to minimize any financial impact.

IV. Summary

The owners in the Silverhill/California Reserve Area would like to thank the Contra Costa Board of Education and all affected school districts for consideration of this Petition. We would like to stress that we appreciate our current placement in the Martinez Unified School District and are not unhappy with the quality of the schools. We simply feel that we would like our children to attend the schools in the community with which we are associated - the Lafayette community. We look forward to the public hearings in all affected districts and anticipate the opportunity to further expand upon the reasons above.

Submitted By:

 3/13/05
Desta Gebre-Medhin-Huff Date

 3/13/05
Kenneth Grullon Date

 3/13/05
Glenn Chase Date

EXHIBITS

Job No. 05149
March 8, 2005

EXHIBIT 'A'

Change of Jurisdictional Boundary

All that certain real property situated in the City of Lafayette, County of Contra Costa, State of California, described as follows:

Being all of Subdivision 7144, Hidden Pond II, filed for record in Book 383 of Maps at Page 1, all of Subdivision 5306, Farm Hill Estates, filed for record in Book 241 of Maps at Page 1, Parcel 'B' of MS 37-88, filed for record in Book 144 of Parcel Maps at Page 13 and a portion of the Rancho Canada Del Hambre, Southern Part, further described as follows:

Beginning at the most northerly corner of Parcel 'B' as said Parcel is shown on the map of Subdivision 7144 (Hidden Pond II) filed for record in Book 383 of Maps at Page 1, said Point of Beginning also lying on the westerly right-of-way of Reliez Valley Road as shown on said map; thence leaving said Point of Beginning along said right-of-way, the following nine courses and distances:

- 1) South 53°51'12" East, 128.38 feet;
- 2) South 35°11'40" East, 91.82 feet;
- 3) South 25°01'03" East, 235.98 feet;
- 4) South 40°58'31" East, 139.72 feet;
- 5) South 28°54'23" East, 100.12 feet;
- 6) South 30°37'04" East, 300.92 feet;
- 7) South 22°36'37" East, 100.19 feet;
- 8) South 26°37'01" East, 300.01 feet;
- 9) South 27°01'48" East, 142.76 feet, to the southeast corner of Parcel 'A' as shown on said map of Subdivision 7144 (383 M 1), said corner also lies on the northerly line of Parcel 'A' as shown on the map of said Subdivision 5306, Farm Hill Estates (241 M 1); thence along said northerly line, North 67°16'59" East, 95.58 feet, to a point on the southerly right-of-way of Reliez Valley Road as shown on said map; thence along last said southerly line, the following courses and distances:

- 1) South 30°44'38" East, 69.49 feet;
- 2) Thence along a tangent curve to the left, having a radius of 525.00 feet, through a central angle of 18°12'35" for an arc length of 166.86 feet;
- 3) South 48°57'13" East, 454.58 feet;
- 4) Thence along a tangent curve to the left, having a radius of 425.00, through a central angle of 26°56'50", for an arc length of 199.76 feet;

5) South 75°53'03" East, 68.84 feet;

6) Thence along a tangent curve to the right, having a radius of 525.00 feet, through a central angle of 55°08'53" for an arc length of 505.32 feet;

7) South 20°44'10" East, 134.33 feet;

8) Thence along a tangent curve to the left, having a radius of 625.00 feet, through a central angle of 20°07'54" for an arc length of 219.60;

9) South 40°52'04" East, 618.97 feet;

10) Thence along a tangent curve to the right, having a radius of 475.00 feet, through a central angle of 22°50'47" for an arc length of 189.40 feet to the northeast corner of the Oakmont Memorial Park, Parcel (5555 OR 625) as shown on said Map (241 M 1);

Thence continuing along said right-of-way line of Reliez Valley Road, along a curve to the right having a radius of 875.00 feet, through a central angle of 15°16'52" for an arc length of 233.37 feet; thence leaving said Reliez Valley Road right-of-way, South 87°38'06" West, 189.97 feet; thence South 2°21'54" East, 148.17 feet to a point on the boundary line of Parcel 'B', MS 37-88 (144 PM 13); thence along said boundary of Parcel 'B' the following 33 courses and distances:

1) South 20°24'10" West, 97.56 feet;

2) South 16°03'35" West, 280.20 feet;

3) South 76°27'30" West, 150.00 feet;

4) North 66°39'20" West, 137.71 feet;

5) South 76°27'30" West, 290.00 feet;

6) North 63°32'30" West, 470.00 feet;

7) South 52°33'09" West, 264.37 feet;

8) South 13°32'30" East, 272.74 feet;

9) North 58°33'27" West, 183.49 feet;

10) North 54°01'05" West, 1820.05 feet;

11) North 61°50'59" West, 1861.53 feet;

12) South 57°26'25" West, 876.30 feet;

13) North 00°59'55" East, 1459.73 feet;

14) South 88°50'38" East, 751.81 feet;

15) South 30°46'39" West, 229.22 feet;

16) South 03°00'00" West, 370.00 feet;

17) South 62°30'00" West, 345.00 feet;

18) South 12°46'20" West, 355.87 feet;

19) South 41°00'00" East, 95.00 feet;

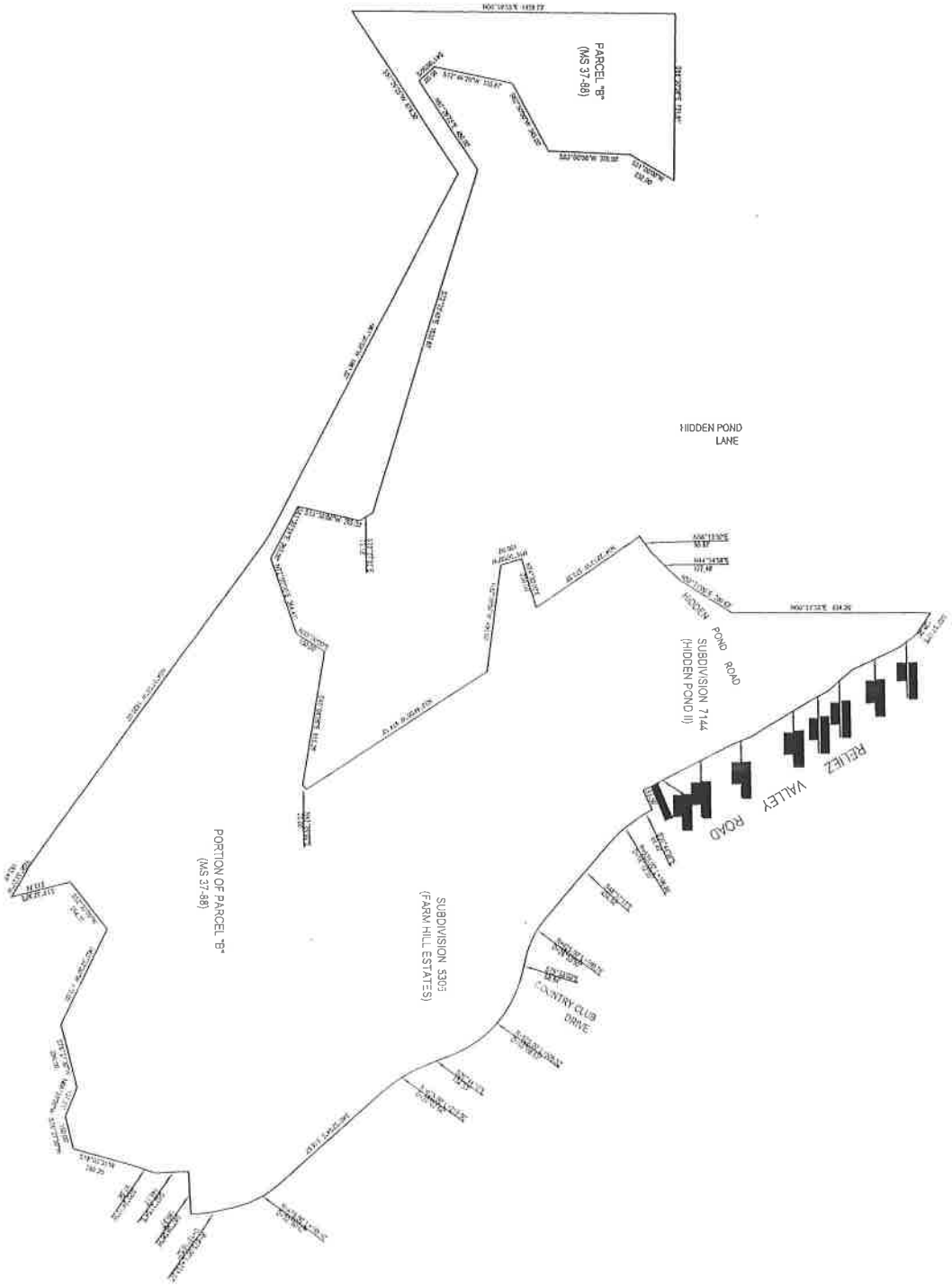
20) North 57°26'25" East, 480.00 feet;

21) South 72°25'45" East, 1632.65 feet;

22) South 29°27'53" East, 73.18 feet;
23) South 13°30'00" West, 285.00 feet;
24) South 61°50'59" East, 265.00 feet;
25) North 72°00'00" East, 364.41 feet;
26) North 33°00'00" East, 150.00 feet;
27) South 80°00'00" East, 615.28 feet;
28) North 45°00'00" East, 25.00 feet;
29) North 32°44'05" West, 974.12 feet;
30) North 82°00'00" West, 490.00 feet;
31) North 16°00'00" West, 100.00 feet;
32) North 74°30'00" East, 230.00 feet;
33) North 34°22'13" West, 570.39 feet to a point on the southerly line of Hidden Pond Road;
thence along last said southerly line North 56°13'50" East, 90.87 feet; thence leaving last said
southerly line, North 44°54'58" East, 177.48 feet to the southwest corner of Parcel 'B' of
Subdivision 7144, Hidden Pond II; thence along said boundary line off last said Parcel 'B' the
following two courses:

- 1) North 33°31'00" East, 280.63 feet;
- 2) North 0°51'35" East, 894.26 feet, to the True Point of Beginning of the herein-described parcel.

Containing 150 acres of land, more or less.



JURISDICTIONAL BOUNDARY EXHIBIT

LAFAYETTE

LAFAYETTE SCHOOL DISTRICT

CORNER COUNTY COURT

CALIFORNIA

PROJECT NUMBER: 1000-1000
 DATE: 02/21/20

NO.	DESCRIPTION	DATE
1	PREPARED	02/21/20
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
7	REVISION	
8	REVISION	
9	REVISION	
10	REVISION	



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