

ORDINANCE NO. 122

**APPROVING THE CHANGE FROM AT-LARGE TO DIVISION-BASED
ELECTORAL SYSTEM FOR MEMBERS OF THE MPWD BOARD OF DIRECTORS
COMMENCING IN NOVEMBER OF 2022**

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MID-PENINSULA WATER DISTRICT

This Ordinance is adopted according to the following facts and circumstances, which are found and declared by the Board of Directors (Board) of the Mid-Peninsula Water District (MPWD).

WHEREAS, the MPWD is a Water District duly organized and operating pursuant to the County Water District Law, California Water Code Sections 30000 *et seq.*

WHEREAS, the California Legislature in the County Water District Law provided for the formation, governance, and operation of County Water Districts, and the MPWD was established in 1929 with boundaries including the City of Belmont and portions of the City of San Carlos and unincorporated San Mateo County.

WHEREAS, under the MPWD's enabling legislation, the Board of Directors of the MPWD provides for the development and provision to its customers of a sufficient quantity of high-quality water in the most cost-effective, reliable, and environmentally sensitive manner.

WHEREAS, the Board seeks to manage the MPWD in a manner to maximize efficiency and to ensure delivery of quality services to residents within the MPWD's service territory.

WHEREAS, the Board is currently comprised of five (5) members that serve 4-year staggered terms and are elected in even-numbered years pursuant to Water Code Sections 30500 and 30501, and Elections Code Section 10505.

WHEREAS, the MPWD's enabling legislation mandated that the Board members be elected at large.

WHEREAS, voter participation in the election process for Board members is of the utmost importance, and the Board desires to encourage the fullest voter participation in elections of Board members.

WHEREAS, the Board desires that its members represent the interests and wishes of all residents within the jurisdiction of the MPWD, and that the community have confidence that the Board continues to represent the interests and wishes to the fullest extent possible.

WHEREAS, the Board's intention to switch from an at-large to a division-based system is not based on any preference for a division-based system.

WHEREAS, three (3) MPWD Board member positions are set to be on the ballot in November of 2022, and the remaining two (2) Board member positions are set to be on the ballot in November of 2024.

WHEREAS, the MPWD engaged a demographer, Redistricting Partners, to review local 2020 U.S. Census data, draw maps, and assist with converting to division-based elections, and utilize the streamlined procedure established in Election Code Sections 10010 *et seq.* to move from its prior at-large system to a division-based system.

WHEREAS, it is the MPWD's intention to establish five (5) divisions that are:

- In compliance with one person, one vote requirements;
- Intended to ensure the opportunity of the MPWD's minority groups with respect to their effective exercise of the electoral franchise; and
- Include consideration of topography, geography, cohesiveness, contiguity, integrity, and compactness of territory, non-disturbance to existing precincts for purposes of implementation, as well as maintaining vital communities of interest.

WHEREAS, at its regular meeting on October 28, 2021, the Board reviewed draft preliminary division maps, at which Redistricting Partners and District Counsel were present to respond to questions from Board members and the public.

WHEREAS, three (3) duly noticed public hearings were held during regularly scheduled Board meetings on January 27, 2022, February 24, 2022, and March 24, 2022, wherein Redistricting Partners presented two (2) division maps to the Board and public, which were explained and discussed, with the consultant and District Counsel available to respond to questions.

WHEREAS, at its regularly scheduled Board meeting on March 24, 2022, the Board considered the precise contours of the five (5) divisions for the election of MPWD Board members, including the map known as MPWD Division Map Plan 2 (attached as Exhibit "A"), which complies with all Federal, State, and local laws and regulations, and will ensure that all voters within the MPWD's jurisdiction may effectively exercise their electoral franchise to elect candidates of their choice in conjunction with the considerations of topography, geography, cohesiveness, contiguity, integrity, and compactness of territory, as well as maintaining vital communities of interest.

WHEREAS, at its regularly scheduled Board meeting on March 24, 2022, the Board also considered which of the five (5) divisions would be electing members in 2022 (and every four years thereafter) and which would do so in 2024 (and every four years thereafter).

NOW, THEREFORE, BE IT ORDAINED that the Mid-Peninsula Water District Board of Directors as follows:

1. The MPWD declares that the change in the method of electing its Board members from at-large to division-based elections is being made in furtherance of the purposes of the California Voting Rights Act.
2. The MPWD establishes an electoral system with division-based elections for the election of its Board members commencing in November 2022 with five (5) divisions as shown on the MPWD Division Map Plan 2, which is attached as Exhibit "A", and incorporated by this reference.
3. The sequence of elections for each of the five (5) divisions will be as follows:

- A. MPWD Board member elections for Divisions 3, 4, and 5 will be in 2022 and every four years thereafter; and
 - B. MPWD Board member elections for Divisions 1 and 2 will be in 2024 and every four years thereafter.
4. All candidates and Board members of the MPWD must reside in, and be a registered voter in, the electoral division in which they seek to serve or serves.
 5. The General Manager is authorized to take all actions necessary to give effect to this Ordinance, including providing information to the County of San Mateo Elections Office.

REGULARLY PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Mid-Peninsula Water District duly held on the 24th day of March 2022 by the following vote:

AYES: Schmidt, Jordan, Vella, Wheeler

NOES: 0

ABSTENTIONS: 0

ABSENCES: Zucca

DocuSigned by:

Kirk Wheeler

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BOARD PRESIDENT

ATTEST:

DocuSigned by:

Monique Madrid

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BOARD SECRETARY

Mid Peninsula Water District
Draft Plan 2

