

**RESOLUTION NO. 2020-19**

**APPROVING THE INTENTION TO CHANGE FROM AT-LARGE TO  
ZONE-BASED ELECTIONS FOR ELECTION OF MEMBERS OF THE  
BOARD OF DIRECTORS COMMENCING IN NOVEMBER OF 2022**

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**MID-PENINSULA WATER DISTRICT**

**WHEREAS**, the Mid-Peninsula Water District is a Water District duly organized and operating pursuant to the County Water District Law, California Water Code sections 30000 to 33901 et seq.; and

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

**WHEREAS**, under the District's enabling legislation (Cal. Water Code sections 30000 to 33901), the Board of Directors (Board) of the Mid-Peninsula Water District (District) 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; and

**WHEREAS**, the Board seeks to manage the District in a manner to maximize efficiency and to ensure delivery of quality services to residents of the district it serves; and

**WHEREAS**, the Board currently is comprised of five (5) directors who serve four-(4) year staggered terms and are elected in even-numbered years pursuant to Cal. Water Code sections 30500 and 30501, and Cal. Elections Code section 10505; and

**WHEREAS**, the District's enabling legislation (Cal. Water sections 30292 et seq.) mandated that the directors be elected at large; and

**WHEREAS**, the Board desires to be as responsive a body as possible to the needs of the water district it serves; and

**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; and

**WHEREAS**, the Board desires that its members represent the interests and wishes of all residents within the jurisdiction of the District, and that the community have confidence that the Board continues to represent the interests and wishes of the District; and

**WHEREAS**, while the Board has no information as to whether polarized voting exists in the District, the Board has elected to forego the process of obtaining demographic data to make that determination, and instead desires to change the electoral system for election to the District Board to a zone-based system from the current at-large system to ensure the fairest and most-inclusive electoral system; and

**WHEREAS**, it is the District's intention to establish five (5) zones which: are in compliance with one person, one vote requirements; are intended to ensure the opportunity of the District'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; and

**WHEREAS**, in moving to zone elections, the District's Board desires to engage the community in the dialogue as to how the zones should be drawn and in what order they should elect new directors; and

**WHEREAS**, the Board intends to authorize legal counsel to retain a demographer to assist the District in drawing maps for zone-elections; and

**WHEREAS**, the District will hold several duly-noticed hearings throughout the District to hear from the community on questions of zone boundaries and the order of zone elections; and

**WHEREAS**, those in the District's service area, this County, the State of California, these United States, and the world now face a pandemic that has disrupted the public health, commerce, and lives of all people; and

**WHEREAS**, in March 12, 2020 and March 17, 2020 Emergency Orders, the Governor specifically recognized the impracticality of engaging in activities requiring public participation by allowing public entities to hold public meetings telephonically thereby relaxing some provisions of the Brown Act, and by suspending deadlines for those entities already engaged in the process of converting their systems for electing board or council members from at-large systems to district or zone-based systems; and

**WHEREAS**, the District must provide its information to the San Mateo County Department of Elections for the November 2020 election before June 1, 2020; and

**WHEREAS**, there is insufficient time for the District to meet the Department of Elections deadline given the need to schedule at least five (5) public hearings and the ongoing pandemic; and

**WHEREAS**, the United States is currently conducting a nationwide census, the results of which reportedly will be sent to states by July 31, 2021, although this deadline may be delayed by as a result of the ongoing pandemic; and

**WHEREAS**, in order to incorporate the census results into the decisions regarding establishment of zones and order of elections, the District intends to have its directors elected from the new zones beginning in November 2022; and

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

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Board hereby resolves and announces its intent to change the system of election of its Board of Directors from at-large to a zone-based system;
2. The District will hold at least two (2) public hearings in accordance with Cal. Elections Code section 10010 to discuss and seek public input on the proposed boundaries of the zones or in the zone-based system;
3. The District will utilize the services of a demographer to assist it in the drawing of zones for the new proposed zone-based system;
4. It is the District's intention to establish five (5) zones which: are in compliance with one person, one vote requirements; are intended to ensure the opportunity of the District's minority groups to exercise effectively 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;
5. The District will draw one or more draft maps and publish at least the first draft map in accordance with Cal. Elections Code section 10010 before consideration at its first public hearing at which maps are considered;
6. Any revised draft map to be considered at a subsequent public hearing will be published in accordance with Cal. Elections Code section 10010 before the subsequent public hearing;
7. In any event, maps will be considered at a minimum of three (3) public hearings;
8. It is the District's intent to have its directors elected from the new zones beginning in November 2022;
9. In determining the final sequence of zone or district elections – that is, which three (3) zones will be on the ballot in 2022 and which two (2) zones will be on the ballot in 2024, the District shall give special consideration to the purposes of the California Voting Rights Act – Cal. Elections Code section 14025 et seq.;

10. The District intends to determine and set the new zones for election of members of its Board and set the final sequence of elections from those zones, as soon as practicable, but in time such that the first three (3) zones can elect Directors in November of 2022;
11. The date of the commencement of the public hearing process necessarily depends on the timing of the availability of the results of the U.S. census, but the District's intention is to commence said process as soon as the census data becomes available;
12. The District will complete its process ninety (90) days after it commences its process; and
13. The Board directs the General Manager to take all necessary steps to facilitate the implementation of zone boundaries for election of Directors to the District.

**REGULARLY PASSED AND ADOPTED** this 25th day of June 2020.

**AYES:** Directors Schmidt, Vella, Wheeler, Zucca

**NOES:** Director Warden

**ABSTENTIONS:** 0

**ABSENCES:** 0

  
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PRESIDENT

ATTEST:

  
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BOARD SECRETARY