

RESOLUTION NO. 1201

RESOLUTION OF THE BOARD OF DIRECTORS OF DESERT WATER AGENCY EXPRESSING THE BOARD OF DIRECTORS' INTENTION, PURSUANT TO ELECTIONS CODE SECTION 10010, TO INITIATE PROCEDURES FOR ESTABLISHING AND IMPLEMENTING ELECTIONS OF DIRECTORS BY DIVISIONS

WHEREAS, Desert Water Agency ("Agency") is an independent special district, established by an act of the California State Legislature; and

WHEREAS, all five members of the Board of Directors are currently elected in at-large elections, in which each Director is elected by all registered voters of the entire Agency, as set forth in the Agency's governing act; and

WHEREAS, Section 10650 of the Elections Code authorizes any special district to change to elections by divisions without submitting a measure to voters; and

WHEREAS, the Board of Directors has determined that based on current information the Agency should express its intention to transition from its current at-large system of electing Directors, originally prescribed in the Agency's governing act, to elections of Directors by divisions, in furtherance of the purposes of California Voting Rights Act (CVRA); and

WHEREAS, the Agency intends to follow the procedures outlined in Elections Code section 10010; and

WHEREAS, the Agency intends to begin by conducting two public hearings, then working with an experienced demographer to assist the Agency in drafting a proposed map or potential maps for the establishment of five divisions within the Agency; and

WHEREAS, the two initial public hearings will be conducted no more than thirty days apart, at which time the public will be invited to provide input regarding the composition of the divisions; and

WHEREAS, the Agency intends to then publish and make available for release at least one draft map showing proposed or possible divisions, and the potential sequence of elections within each division; and

WHEREAS, once the draft map has been publicized for at least seven days, the Agency intends to conduct at least two additional public hearings, no more than forty-five days apart, at which time the public will be invited to provide input regarding the content of the draft map(s) and the proposed sequence of elections within each division prior to the public hearing at which the Board of Directors adopts a map; and

WHEREAS, if a draft map is revised at or following a public hearing, the revised map will be published and made available to the public at least seven days before the map is adopted; and

WHEREAS, in considering a proposed map and the proposed sequence of elections by division, the Board of Directors intends to carefully consider the purposes of the CVRA; and

WHEREAS, the Board of Directors, based upon current information, now wishes to express its intention to undertake steps to transition from a system of at-large elections to elections of Directors by divisions, and to set forth criteria to guide the Agency's study of the establishment of divisions within the Agency consistent with legal requirements including the CVRA;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Desert Water Agency as follows:

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The Board of Directors hereby expresses its intention to transition to a system of elections by division as authorized by Elections Code section 10650

SECTION 3. The Agency further expresses its intention to utilize the services of a qualified demographer, conduct at least two public hearings before preparing a draft map setting forth five proposed or potential divisions within the Agency, publish the draft map and proposed sequence of elections within the divisions, and then conduct at least two additional public hearings to invite comment on the proposed map and proposed sequence of elections before adoption of a map establishing division boundaries, all in the manner provided by law.

SECTION 4. The Agency's demographer consultant, upon conclusion of the second public hearing and acting under the supervision of the General Manager, is authorized to prepare at least one map displaying proposed or potential boundaries for five divisions within the Agency, for review by the public and Board of Directors at two or more additional public hearings, in accordance with the Agency's proposed timeline.

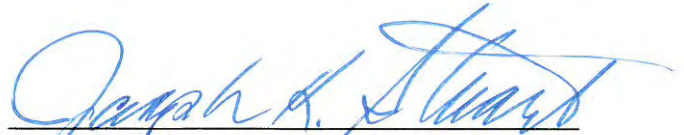
SECTION 5. Agency staff are directed to publicize relevant maps, information, notices, agendas and other materials regarding the proposed transition to elections by division, and to establish means of communication to answer questions from the public.

SECTION 6. All public hearings shall be noticed as follows: posting on the Agency's website at least seven calendar days in advance of the hearing and publication at least seven days in advance of the hearing in a newspaper of general circulation within the Agency's boundaries.

SECTION 7. The General Manager is authorized to take such other actions as may be appropriate to implement this resolution.

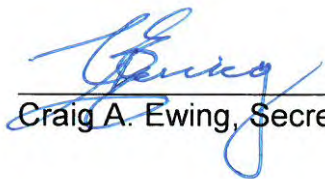
SECTION 8. This resolution shall become effective immediately upon its adoption.

ADOPTED this 5th day of February, 2019.



Joseph K. Stuart
President

ATTEST:



Craig A. Ewing, Secretary-Treasurer