

AGENDA STAFF REPORT

MEETING NAME: REGULAR BOARD MEETING(S)

MEETING DATE(S): MARCH 21, 2022

FROM: LEGAL COUNSEL

FOR: ACTION X DIRECTION INFORMATION



PUBLIC HEARING – ORDINANCE NO. 2022-01 - MISSION SPRINGS WATER DISTRICT REDISTRICTING 2022

STAFF RECOMMENDATION:

It is recommended that Board adopt preferred map Option 2 and corresponding Ordinance No. 2022-01.

BACKGROUND:

Every ten years, local governments like MSWD use new census data to redraw their district lines to reflect how local populations have changed. This process, called redistricting, is important to ensure that each board member represents about the same number of constituents. The Board is responsible for adopting boundaries for Director divisions following the federal decennial census. On December 20, 2021, the Board conducted an initial public hearing to receive public testimony on the proposed maps and provided direction to staff and the Board’s demographer consultant, David Ely. On February 22, 2022, the Board conducted a second public hearing. Attached as Exhibit A is the notice of public hearing(s) that ran in the *Desert Sun Newspaper*, covering the public hearing for this afternoon.

DISCUSSION:

Consultant David Ely joined us at the February 22, 2022 public hearing to review and provide input on two map options and demographic detail (i.e., Map Option 1 and Map Option 2) (attached hereto as Exhibit B). The map ultimately adopted by the Board must comply with both state and federal law. Section 22000 of the Elections Code requires that Director Divisions be substantially equal in population (i.e., population deviation between districts is less than 10 percent) and that division boundaries comply with the United States Constitution, the California Constitution and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.). In addition, the Election Code provides that in adjusting the boundaries of the divisions, the Board may give consideration to the following factors:

- (1) topography,
- (2) geography,
- (3) cohesiveness, contiguity, integrity, and compactness of territory, and
- (4) community of interests of the division.

In addition, boundaries shall not be drawn to favor or discriminate against a political party or incumbent. The change of boundaries shall not affect the unexpired term of office of any elected Board member.

Please upload all pertinent attachments using the Municode Meetings ADD ITEM function.

Following the public hearing on February 22, 2022 and after receiving no public comments or revisions, the Board expressed a preference for Map Option 2. Attached as Exhibit C for Board review and approval is an Ordinance finalizing the adoption of Map Option 2.

MEETING HISTORY:

Second Public Hearing – February 22, 2022

Initial Public Hearing – December 20, 2021

ATTACHMENT(S):

Exhibit A – Notice of Public Hearing

Exhibit B – Redistricting Draft Map Options & Demographic Analysis

Exhibit C – Ordinance No. 2022-01 — Adoption of Redistricting Map Option 2 and Demographic Analysis

Item __, Exhibit A

Please upload all pertinent attachments using the Municode Meetings ADD ITEM function.



PROOF OF PUBLICATION

**STATE OF CALIFORNIA SS.
COUNTY OF RIVERSIDE**

MISSION SPRINGS WATER DIST- LG
66575 2ND ST

DESERT HOT SPRINGS CA 92240

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof of the following issue dates, to wit:

02/04/2022, 02/11/2022

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I certify under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.. Executed on this 11th of February 2022 in Green Bay, WI, County of Brown.


DECLARANT

**MISSION SPRINGS WATER DISTRICT
NOTICE OF PUBLIC HEARING NO. 2 ON REDISTRICTING OF THE BOARD OF DIRECTORS DIVISION BOUNDARIES AND DIVISION MAP(S)**

NOTICE is hereby given that the MISSION SPRINGS WATER DISTRICT (MSWD) will hold a public hearing on the composition of divisions and proposed map(s) in accordance with California Elections Code Section 22001. The purpose of the hearing will be to invite and solicit public comment on the draft division maps which are being published by the District prior to the MSWD Board of Directors considering adoption of a new division map.

The draft division maps to be discussed at the hearing will be published and made available at www.mswd.org/redistricting, prior to the first public hearing scheduled below.

Election Code Section 22000 requires MSWD to adjust division boundaries after each federal decennial census, and using that census as a basis, adjust the boundaries of its Board of Director divisions so that the divisions are, as far as practicable, equal in population and in compliance with Section 10301 of Title 52 of the United State Code. The public is invited to make comments at the Public Hearing and/or in writing before the hearing regarding the proposed division boundaries for the redistricting process. Written comments may be submitted to Dorl Petee, Executive Assistant, via email at dpetee@mswd.org or for written comments by mail to: 66575 Second Street, Desert Hot Springs, CA 92240.

Dates of the public hearings are scheduled at 3:00 p.m. on the following dates:

Scheduled Public Hearings:
Tuesday, February 22, 2022
Monday, March 21, 2022

There will not be a physical location for these meetings as it is being conducted pursuant to the Governor's Executive Order N-29-20, and California's Assembly Bill 361 in an effort to protect the public health and prevent the spread of COVID-19 (Coronavirus). The public may attend and participate telephonically or virtually as there will be no public location for attending in person. Members of the public can connect to this meeting, either telephonically or virtually, at <https://us02web.zoom.us/j/8220655340?from=addon> or +1 (408) 638-0968 with meeting ID: 822 065 5340.

/s/ Arden Wallum, District Secretary Pub: 2/4, 2/11/2022



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DISTRITO DE AGUA DE MISSION SPRINGS
AVISO DE AUDIENCIA PÚBLICA NO. 2 SOBRE LA REDISTRIBUCIÓN DE DISTRITOS DE LA JUNTA DIRECTIVA LÍMITES DE DIVISIÓN Y MAPA(S) DE DIVISIÓN

Por la presente se notifica que el DISTRITO DE AGUA DE MISSION SPRINGS (MSWD) llevará a cabo una audiencia pública sobre la composición de las divisiones y los mapas propuestos de acuerdo con la Sección 22001 del Código Electoral de California. El propósito de la audiencia será invitar y solicitar comentar sobre los mapas preliminares de división que el Distrito está publicando antes de que la Junta Directiva de MSWD considere la adopción de un nuevo mapa de división.

Los proyectos de mapas de división que se discutirán en la audiencia serán publicados y disponible en www.mswd.org/redistricting, previo a la primera audiencia programada.

La Sección 22000 del Código Electoral requiere que MSWD ajuste los límites de división después de cada censo decenal federal, y usando ese censo como base, ajustar los límites de las divisiones de su Junta Directiva de modo que las divisiones sean, en la medida de lo posible, iguales en población y en cumplimiento con la Sección 10301 del Título 52 del Código de los Estados Unidos. Se invita al público a hacer comentarios en la audiencia pública y/o por escrito antes de la audiencia con respecto a los límites de división propuestos para el proceso de redistribución de distritos. Los comentarios escritos pueden enviarse a Dori Petee, asistente ejecutiva, por correo electrónico a dpetee@mswd.org o para comentarios escritos por correo a: 66575 Second Street, Desert Hot Springs, CA 92240.

Las fechas de las audiencias públicas están programadas a las 3:00 pm en las siguientes fechas:

Audiencias Públicas Programadas:
martes, 22 de febrero de 2022
lunes, 21 de marzo de 2022

No habrá una ubicación física para estas reuniones, ya que se llevan a cabo de conformidad con la Orden Ejecutiva N-29-20 del Gobernador y el Proyecto de Ley 361 de la Asamblea de California en un esfuerzo por proteger la salud pública y prevenir la propagación de COVID-19 (Coronavirus). El público podrá asistir y participar telefónica o virtualmente ya que no habrá lugar público para asistir presencialmente. Los miembros del público pueden conectarse a esta reunión, ya sea por teléfono o virtualmente, en <https://us02web.zoom.us/j/8220655340?from=addon> o +1 (408) 638-0968 con ID de reunión: 822 065 5340.

// Arden Wallum, Secretario de Distrito
Publicado: 4th & 11th de febrero de 2022
Published: 2/4, 2/11/2022

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DECLARANT

Ad#:0005104002

P O :

This is not an invoice

of Affidavits: 1



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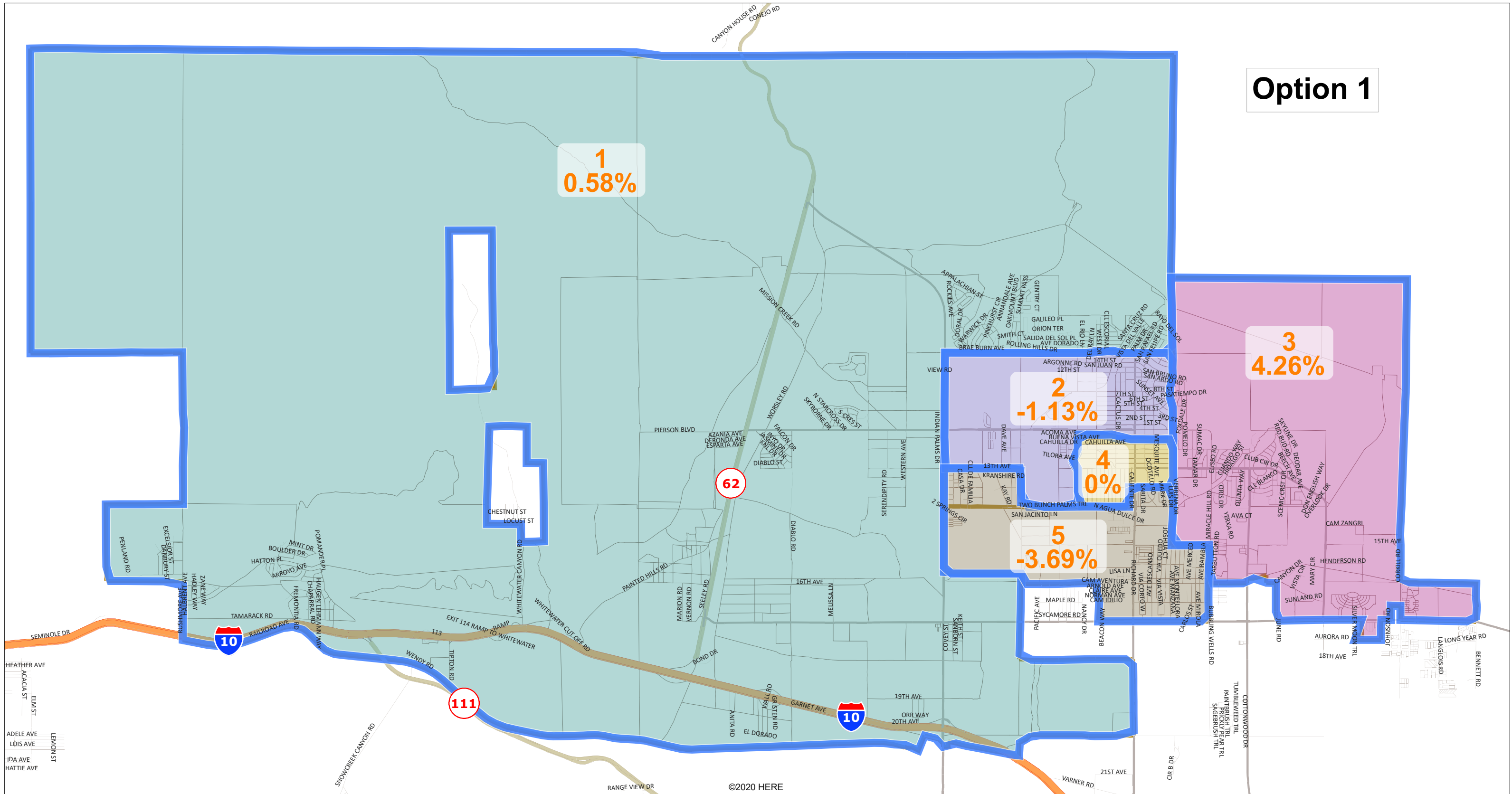
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of Affidavits: 1

Item __, Exhibit B

Please upload all pertinent attachments using the Municode Meetings ADD ITEM function.

Option 1



Option 2

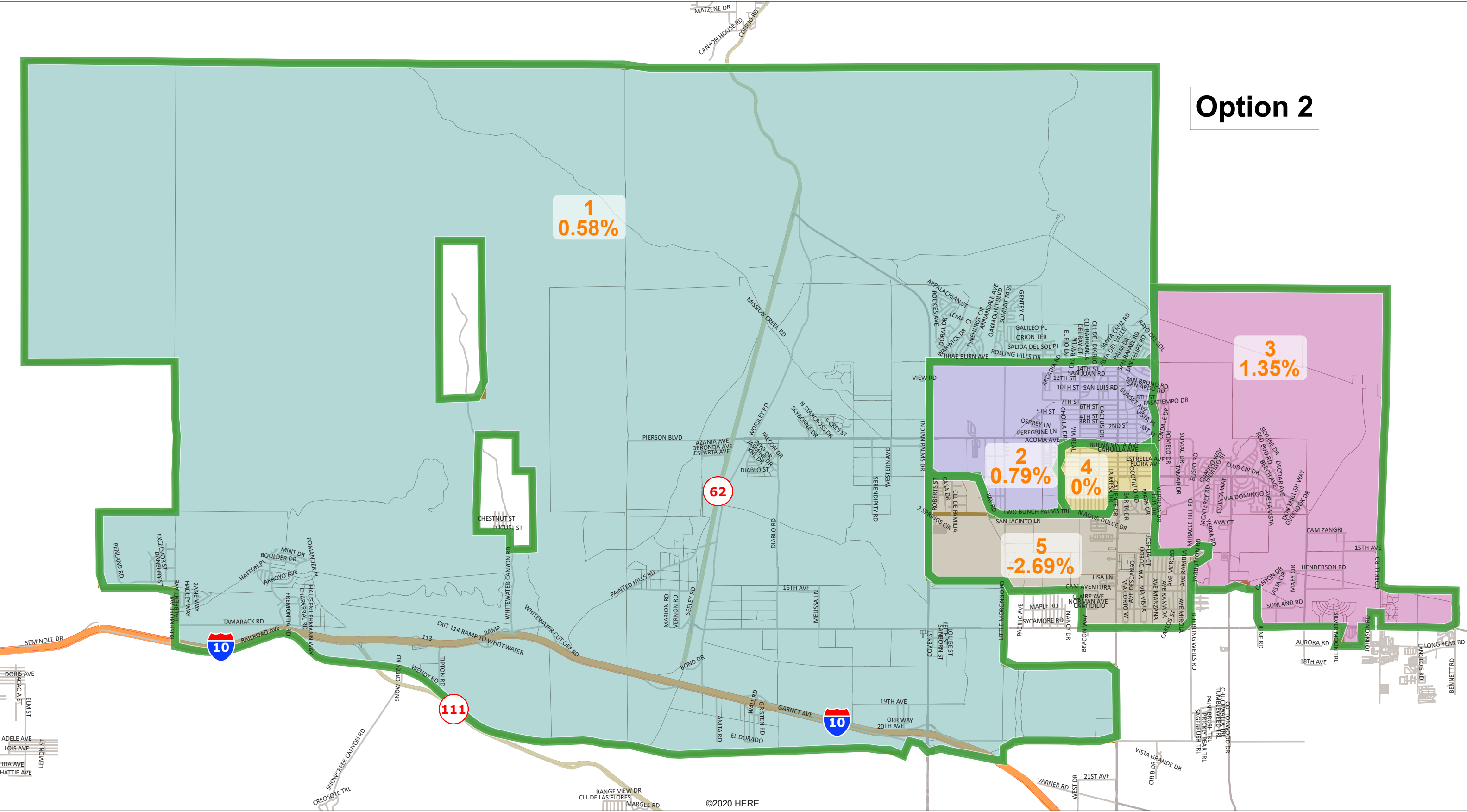
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Item __, Exhibit C

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