

**SAN JUAN COUNTY UTAH
ORDINANCE NO 2021-11C**

AN ORDINANCE AMENDING ORDINANCE 2021-11B OF THE SAN JUAN COUNTY BOARD OF COMMISSIONERS REDISTRICTING THE BOARD OF COMMISSION AND SCHOOL BOARD VOTING DISTRICTS AS REQUIRED BY UTAH STATUTE.

WHEREAS, pursuant to Utah Code Annotated §20A-5-303. Duties of the County and Municipal Legislative Bodies Section establishing, dividing, abolishing, and changing Voting Districts -- Common polling places -- Combined voting districts; and

WHEREAS, based upon the results of the Decennial Census, in the event that any Districts need to be redrawn, changes of which shall comply with State and Federal law meeting constitutional requirements, including the same requirements and limitations imposed upon the County by the U.S. District Court for the District of Utah when it mandated redistricting of County Commission and School Board Districts in the case of *Navajo Nation et al. v. San Juan County, Civ. No. 2:12-CV-0039-RJS*; and

WHEREAS, on or about April 26, 2021, the United States Census Bureau published the most recent Decennial Census report; and

WHEREAS, on August 17, 2021, San Juan County executed a contract with William Cooper at the request of the Board of San Juan County Commissioner to assist the County in consulting, establishing, to divide, abolish, and change voting districts if the population changes in the Decennial Census warrants that our voting districts need to be adjusted to satisfy the population, compactness, contiguity, minority representation, community of interests are still in compliance with one person one vote principles and those of the Voting Rights Act; and

WHEREAS, William Cooper has presented the map options on October 14, October 29, November 13 in Public Meetings, on November 30th during the Virtual Public Hearing specifically to present the maps along with his independent consultation regarding viability; and

WHEREAS, William Cooper has been willing to review redistricting maps recommended by the County Clerk/Auditor's Office, the Navajo Nation's Human Rights' preferences, the San Juan County School Board recommended adjustments and any other map or suggested maps; and

WHEREAS, during the COVID Pandemic, County staff has solicited comments both virtually, in-person during public comment periods of the San Juan County Commission Meetings, through a form created on the County website, through emails with the Navajo Nation Chapters, through the County Elections Navajo Speaking Liaisons who presented the comment forms and solicited comments in Navajo to the Utah Chapters of the Navajo Nation and in a presentation to the School Board and the Utah Navajo Commission; and

WHEREAS, the San Juan County Board of Commissioners, after soliciting input from affected school districts in San Juan County, input from the general public, including political representatives from Cities and Towns within San Juan County, the Navajo Nation and all citizens wishing to provide input, has provided recommendations for redistricted voting precinct maps for its consideration; and

WHEREAS, the San Juan County Board of Commissioners, acting in its capacity as county legislative body for San Juan County, now intends to adopt plans redistricting Commission Districts 1, 2 and 3 as well as local School Districts 1, 2, 3, 4 and 5 located within San Juan County whose boundaries encompass more than a single municipality as required by and in a manner consistent with the applicable legal requirements of Federal and State law; and

WHEREAS, San Juan County acknowledges the participation of Grand County and the redistricting of the Grand School District portions within the portion of San Juan County which is divided along Spanish Valley Drive and the La Sal Mountain Loop Road, with the eastern part belonging to Grand School Board District 1 and the western part belonging to Grand School Board District 5 of which Grand County is responsible for redistricting; and

WHEREAS, within 30 days after the establishment, division, abolition, or change of a voting precinct, the San Juan County Board of Commissioners shall file with the Utah Geospatial Resource Center, created under Section 63A-16-505, a notice describing the action taken and specifying the resulting boundaries of each voting precinct affected by the action.

WHEREAS, the Board of San Juan County Commissioners Passed, Adopted and Approved the San Juan County Commission Districts as indicated in “Attachment A” by adopting Ordinance 2021-11; and

WHEREAS, the Board of San Juan County Commissioners Passed, Adopted and Approved the San Juan School Board District Map, “San Juan County School Board Districts Option B Modified” on January 4, 2021 by adopting Ordinance 2021-11A; and

WHEREAS, the Board of San Juan County Commissioners Passed, Adopted and Approved the San Juan School Board District Map, “NNHRC Plan San Juan County School Board Eastland Adjustment January 7, 2022” by adopting Ordinance 2021-11B on January 18, 2022; after Commissioners consulted with the Navajo Nation Human Rights leadership; and

WHEREAS, after consulting with the School District it was brought to the attention that those adjustments in the “NNHRC Plan San Juan County School Board Eastland Adjustment January 7, 2022” aligned three incumbents in one district; and

WHEREAS, the adjustments to the “San Juan School Board, Option C (1/30/2022 Draft)” keeps the incumbents in their current districts and allows for the Eastland alignment within the Monticello School Boundaries; and

WHEREAS, the Board of San Juan County Commissioners desires to adopt a map that satisfied the legal redistricting requirements but is also in the best interest of all parties; and

WHEREAS, this ordinance shall become effective fifteen (15) days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in San Juan County.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COUNTY LEGISLATIVE BODY OF SAN JUAN COUNTY, UTAH, THAT: the Board of San Juan County Commissioners

PASSED, ADOPTED, AND APPROVED the amendment and Redistricted Map incorporated within as “San Juan County School Board Districts Option B Modified”, **San Juan School Board Districts**, by the Board of San Juan County Commissioners this 1st day of February 2022, by the following vote:

Those voting aye:

Those voting nay:

Those absent or abstaining:

BOARD OF SAN JUAN COUNTY COMMISSIONERS

Willie Grayeyes, Chair

ATTEST:

Lyman Duncan, Clerk/Auditor

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Attachment A
San Juan County Commission Districts

Attachment B
San Juan School Board, Option C (1/30/2022 Draft)

